

**Town of Perryville
Town Meeting Minutes
December 2, 2014**

ATTENDANCE: Mayor: James Eberhardt, Commissioners: Michelle Linkey, Alan Fox, Raymond Ryan III, Town Administrator: Denise Breder

Absent: Commissioner Barbara Brown

The Town of Perryville Town Meeting was called to order at 7:04 p.m. by Mayor Eberhardt.

Pledge to the Flag

The Town Meeting in its entirety can now be listened to on the Town's web site at www.perryvillemd.org.

APPROVAL OF TOWN MEETING AGENDA

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve the December 2, 2014 Town Meeting Agenda. **Three in Favor: Motion Carried.**

Consent Agenda Items: Mayor Eberhardt asked for a motion regarding the consent agenda items, which include the October 21 Work Session Minutes and the November 4 Town Meeting Minutes, requiring no further discussion and are considered for unanimous consent.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve the consent agenda items. **Three in Favor: Motion Carried.**

Mayor's Report –

Mayor Eberhardt asked for a moment of silence for the loss of a great citizen of the Town of Perryville, Howard Neff, who was a member of the Town Board from 1966 to 1968 and had done a great deal of work with getting the water lines in shape and a water holding tank for fire protection. He operated a fuel oil business in town for many years and owns the Furnace Bay Golf Course.

Proclamation for Perryville High School Marching Band

Mayor Eberhardt presented Jill Welsheimer, the High School Music Teacher, along with some members of the band, with a Proclamation for the Perryville High School Band's accomplishments this past year, including first place awards for the Maryland 1A State Championship, and the first place award for both the Tournament of Bands Chapter Championship and the Tournament of Bands Atlantic Coast

Championship. They also brought home second place award at the US Bands National Championship. The Proclamation designated December 2, 2014 as The Perryville High School Marching Band Day.

Commissioner Ryan arrived at approximately 7:10 p.m. during the Proclamation presentation.

Commissioners' Reports -

Commissioner Fox's Report –

Commissioner Fox reported that Gene Ashford and Shawn Patchell, from the Wastewater Plant, attended a wastewater training class and Randy Denny was here to do the yearly inspection. The SBR float has been repaired and is awaiting a crane to put it back in place. At the Water Plant one of the permeate pumps is currently out of service due to a piece of all-thread that went into the pump and sheared some of the lobes off and locked the pump up; most likely the all-thread got into the pipes during construction. He also reported that zebra mussels had been found on a buoy at Havre De Grace. Commissioner Fox attended an Economic Development meeting in Elkton along with attending a Railroad Advisory Board meeting regarding a proposed new railroad bridge. Commissioner Fox also presented a copyright photo of Rodgers Tavern taken by Aubrey Bodine from 1960.

Commissioner Linkey's Report -

Commissioner Linkey reported that the Frenchtown Overlay project is nearing completion and three more Public Works employees met the requirements to be certified for Roadside Tree Care by D.N.R. and the holiday lighting has been put up.

Mayor Eberhardt noted that our DPW once again assisted the Town of Charlestown with their holiday lights since we have a cherry picker.

Commissioner Ryan's Report –

Commissioner Ryan also attended the Railroad Advisory Board meeting on the 5th and they have had one additional meeting since then and have two more coming up, this Thursday and next Tuesday. Another advisory had been submitted stating that Perryville agreed that we need to have a bridge that was architecturally sound and a gateway to our communities. At the last meeting they began to discuss the possibility of a pedestrian/bicycle crossing to come across the bridge. There are other meetings scheduled to discuss financing, safety, and access. They are also looking at a report that was done in the 90's by the Lower Susquehanna Heritage Greenway on their recommendations for the bridge crossing. Mr. Reich reported on a conference that he attended at Soloman's Island at the Planning and Zoning meeting.

Mayor Eberhardt inquired if we have received any citizen input in regards to the Amtrak Bridge based on the article that we put in the Guardian requesting input, to which Ms. Breder and Commissioner Ryan responded they had not at this point.

Auditor Report – Wanda Lynn

Ms. Lynn, representing the firm of Rager, Lehman & Houck, P.C., presented a summary of the audit that was performed on the Town of Perryville financial statements for Fiscal Year 2014. There were some procedural recommendations that were presented to the Mayor and Commissioners and management to be considered.

Town Administrator Report – Denise Breder

Ms. Breder announced that her full report will be available on the town website. She reported that a public meeting is scheduled for December 9th at 6:30 p.m. for residents and property owners that will be impacted by the restoration work on Elm Street. The next Greenway Committee meeting is scheduled for January 28 at 10 a.m. MTA will be here at the January 20th Work Session at 6:30 p.m. to give an update on the MARC Maintenance and Layover Facility. Ms. Breder announced that the F/Y 2014 audit is available for review on the Town's website under the Government Finance section.

Ms. Breder reported on a couple of items regarding the parks department, the bubbler has been installed at Lower Ferry Pier and that they have been painting at Rodgers Tavern.

Mayor Eberhardt stated that he is meeting with the County on December 4th to discuss the Hatem Bridge toll issues.

Commissioner Linkey inquired if the Elm Street meeting was on the Town's website, to which Ms. Breder replied that it was and letters had been sent out to the property owners and residents that would be affected.

Mayor Eberhardt brought up concerns regarding the amount of items that will need to be gone through and properly moved or disposed of at Rodgers Tavern prior to them moving downstairs to begin painting and some guidance is needed for them to proceed. This may need to be discussed further when we get to the agenda item that discusses surplus procedures.

Treasurer's Report – Rachel Deaner

Ms. Deaner reminded them about the memo that she distributed to them on November 7th regarding the unrestricted fund balance. Discussion on the Retention Policy for the Administration department will be at the December Work Session and tonight we will have the heating and propane bids.

Mayor Eberhardt asked if we have had any feedback on the trash carts that were put out at Beacon Point.

Ms. Deaner responded that there was one resident that did not like the cart that she received.

Ms. Breder mentioned that we have a couple of events coming up. The first being the Christmas Tree lighting at Lower Ferry Park from 4-5:30 on December 13. We are also sponsoring a Holiday Decorating Contest for prizes; you must call Town Hall to be included in the contest. The judging will take place on December 18th.

Outreach Program

Donnell, representing the Outreach Program, reported that the overall monthly attendance for the Outreach Program was 218 and the number of referrals was one. The deadline for Toys-4-Tots is Friday, December 5, 2014. If you are interested in donating new unwrapped toys for the cause please drop them off at the Outreach Center from 10 a.m. – 7 p.m. Monday through Friday. The Outreach Program participants were able to attend a Court Appointed Special Advocates meeting this month. It is a volunteer based program set to start up in Cecil County, January 2015, hoping to provide an extra voice for abused and/or neglected children within our legal system. The Outreach Program members also participated in Adopt-A-Highway and park clean up; along with other usual monthly activities. Donnell announced that this may be one of his last Town Meetings; he will be leaving in March to join the Navy.

Planning and Zoning Report - Mary Ann Skilling

Ms. Skilling noted that two Zoning Certificates were processed for the month not 4 as the report indicated. Ms. Skilling attended the Economic Development meeting along with Doreen Smith and Commissioner Fox. She also met with Gary Blazinski to look at bus shelter sites in Perryville; some of the sites have become a little more problematic because of requirements from various agencies involved. Ms. Skilling noted that the Board of Appeals held a meeting based on recommendations from the Planning and Zoning Board regarding a request from Mr. Patel, the owner of the Relax Inn property, for subdivision of his property with a Highway Corridor Unified Development concept plan. The Board of Appeals agreed with the recommendations as stated by the Planning Commission with a 3 year time frame for certain conditions to be met. There have been 244 landlord licenses processed for 2015. There is a new vendor for the Farmer's Market next year, the Crow Farm and Vineyard, selling wine and beef. The Farmer's Market received 5,000 hits, the most on the Cecil County website. There are two members needed for the Landlord/Tenant board, a tenant and a landlord representative.

From the Floor

No comments from the floor.

New Business

Mason Dixon Trail System Agreement

Ms. Breder presented an agreement between the Town of Perryville and the Mason Dixon Trail System, Inc., based on a request from the Mason Dixon Trail System Inc., to co-locate on a trail in a loop around the community park. There was also a request for permission to be given from the board to send a letter to the V.A. that would allow the Mason Dixon Trail System Inc. to co-exist on the easement granted to the Town of Perryville by the Department of Veteran's Affairs for use of the Lower Susquehanna Heritage Greenway Trail.

Motion was made by Commissioner Ryan and seconded by Commissioner Fox to approve the agreement with the Mason Dixon Trail System Inc. and to send the letter to the V.A. consenting to the co-location of the Mason Dixon Trails on the easement. **All in Favor: Motion Carried.**

Resolution 2014-26

Ms. Skilling presented a Resolution along with an attached Sustainable Communities application to be submitted to the Department of Housing & Community Development to designate the Town of Perryville as a Sustainable Community; it is basically a compilation of existing plans that we already have in place just in a different format with some updates.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve Resolution 2014-26. **All in Favor: Motion Carried.**

Heating Oil & Propane Maintenance Bids –

Four bids were submitted for review for heating fuel oil and propane needs and maintenance contracts. The contractor's submitting bids were Alger Oil, Ferrell Fuel Company, Aero Energy and Sharp Energy, discussion ensued.

Motion was made by Commissioner Ryan and seconded by Commissioner Fox to go with Alger Oil Company for our heating oil, our propane and our maintenance for the December 2014-December 2015 contract year. **Three in Favor, 1 nay,** (Commissioner Linkey: **Motion Carried.**

Resolution 2014-25 –Surplus Property

Ms. Deaner presented a Resolution to establish a policy for procedures for disposition of property, other than real estate, which is surplus to the needs of the Town. The Finance Department would determine a reasonable market value and all items would have to be reported to the Mayor and Commissioners. She further summarized some of the procedures that are included in the Resolution. It further stated that certain town employees, elected officials, department heads, those administering the sale and their immediate family members are not allowed to purchase town surplus property. There are statutory exceptions regarding the Police Department for items found in the course of their official duties in regard to how they dispose of items that is in accordance with Maryland State Law.

Mayor Eberhardt stated that we have an urgency to get rid of or properly store items at Rodgers Tavern prior to them finishing the work inside.

Mr. Sussman inquired if there was anything in the Town's Ethic Ordinance in the conflict of interest provision section that would be inconsistent with a town employee or elected official being able to purchase something under this new policy. Ms. Deaner had not looked into that, after reviewing the Ethic's Ordinance during the discussion, Mr. Sussman did not see anything that would conflict with the Ethics Ordinance.

Commissioner Ryan stated that he would like to exclude town employees, elected officials and their immediate family members from being able to bid on any surplus items at all.

Motion was made by Commissioner Ryan and seconded by Commissioner Fox to approve Resolution 2014-25 with changing the Resolution to exclude town employees, elected officials and their immediate family members from being able to purchase any surplus items. **3 in favor, 1 nay** (Commissioner Linkey): **Motion Carried.**

Mayor Eberhardt reiterated that there needs to be a plan put together in getting the stuff at Rodgers Tavern taken care of. He stated that the Parks and Rec's Commissioner who is not here tonight should be involved in that process of what stays and what gets disposed of along with the Parks Supervisor, Harvey.

Town Hall Meeting Room Rules

In response to the proposed Town Hall Meeting Room Rules, Mayor Eberhardt stated that he does not think that what we want to do is open this room up for general public use and meeting space, because there are other meeting areas around, such as the Library and the Firehouse, schools, churches and other places. He wants these rules to be adopted subject to board review on a case by case basis on who is going to use it.

Ms. Breder stated that we could add that clause to it at the beginning of the rules that those wanting to use the meeting room are considered on a case by case basis.

Motion was made by Mayor Eberhardt and seconded by Commissioner Fox for a statement to be added at the beginning paragraph of the Statement of Purpose that the usage is subject to these rules and will be considered on a case by case basis by the Mayor and Commissioners.

Mayor Eberhardt slightly revised his motion with the following:

Motion was made by Mayor Eberhardt and seconded by Commissioner Fox to approve these rules with a statement to be added at the beginning paragraph of the Statement of Purpose that the usage is subject to these rules and will be considered on a case by case basis by the Mayor and Commissioners. Discussion Ensued.

Commissioner Linkey wanted to reconsider the fee aspect for the use of the room.

Mayor Eberhardt noted that the intended purpose for the use of the room is geared toward civic and educational purposes, not for parties.

All were in favor after discussion, Motion Carried.

Ms. Breder asked for a decision regarding the Toastmasters request for use of the room on Wednesday evenings through March, it appears that there may be a conflict with one of the dates in February.

Motion was made by Commissioner Ryan to approve the Toastmaster request with the exception of the one date that there is a conflict. Discussion Ensued. No second to the motion.

Motion was made by Commissioner Fox and seconded by Commissioner Ryan to deny the request by the Toastmasters to use the meeting room, but to allow Restore Church based on the previous allowance to use it on a temporary basis. **3 in favor, 1 nay** (Commissioner Linkey): **Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to adjourn the December 2, 2014 Town Meeting at 9:43 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,

Jackie Sample,
Town Clerk