

**Town of Perryville
Town Meeting Minutes
August 6, 2013**

ATTENDANCE: Commissioners: Barbara Brown, Michelle Linkey, Alan Fox, Ray Ryan, and Administrative Supervisor: Cathy McCardell, Police Chief Wernz.

The Town of Perryville Town Meeting was called to order at 7:00 p.m. by Commissioner Brown.

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 Ryan and seconded by Commissioner Fox to approve the August 6, 2013 Town Meeting Agenda. **All in Favor: Motion Carried.**

APPROVAL OF MINUTES

Motion was made by Commissioner Fox and seconded by Commissioner Linkey to approve the June 18, 2013 Work Session Minutes. **3 in favor. 1 abstain,** (Commissioner Ryan): **Motion Carried.**

Motion was made by Commissioner Ryan and seconded by Commissioner Fox to approve the July 2, 2013 Town Meeting Minutes. **3 in favor. 1 abstain,** (Commissioner Linkey): **Motion Carried.**

Commissioners' Reports –

Commissioner Fox's Report –

Commissioner Fox reported on the Water Plant and the Waste Water Plant for the month of July. He also reported that Norfolk Southern had blocked the crossing into the Water Plant 8 times in July, with a total of 8 hours and 20 minutes; he noted that there needs to be discussion about an emergency road.

Commissioner Linkey commented that we may need to look into other options considering what the estimated cost to build an access road would be.

Commissioner Fox agreed that we can look into other options; we need to come up with something.

Commissioner Fox also reported that there was 4 million gallons more of sewage treatment of water pumped from the river which brings up the I & I problem that was discussed last month.

Commissioner Ryan's Report-

Commissioner Ryan reported that the Planning and Zoning meeting that he attended last month included discussions on the Perryville Elementary School upgrades and the new Police building and Municipal building.

Commissioner Linkey's Report –

Commissioner Linkey reported on meetings attended throughout the month and that she had assisted with the Diamond in the Rough Triathlon. She also reported on the Public Works Department for the month of July.

Commissioner Brown's Report-

Commissioner Brown thanked everyone involved in assisting with the Chautauqua Event that was held at the Perryville Middle School. She attended a presentation by the State Highway Administration in regards to a new signage program that they are working on and as a result shared this information and has been working with staff to apply for a sign for Rodgers Tavern and hopefully some others.

Treasurer's Report – Rachel Deaner

Ms. Deaner gave the bank balances and the Treasurer's report for the month of July and meetings attended. She stated that a pre-audit draft should be presented to them at the September Town Meeting and the auditors will be here the week of August 26 and we should have the audit report by December.

Police Report – Chief Wernz

Chief Wernz reported that they are currently working with the GOCCP and Cecil County Law Enforcement to attempt to establish a safe streets coalition. He reported on various meetings and other projects that they are working on and gave the stats for the month of July. He also announced that Kate Ramey has resigned from her position with the Outreach Program and that they have an opening and are processing for a new case worker.

Outreach Report –

Alex Stenti, a member of the Outreach Program, reported on the overall attendance for the month of July and various appointments scheduled. The Outreach is

accepting donations to help our members who are in need of school supplies; they are also hoping to get collections from their friends on Facebook.

Planning and Zoning Report –Mary Ann Skilling

Ms. Skilling reported on the various meetings attended throughout the month along with Planning and Zoning and Code Enforcement report. One meeting she attended was a possible MARC layover facility and that she will be attending a Cecil County TAC meeting tomorrow in regards to the Perryville Elementary School renovation plan. Ms. Skilling introduced a new employee, Doreen Smith, who will be the town's new Economic Development Coordinator. Ms. Skilling also announced that there will be a public meeting tomorrow night in the Town Meeting Room to discuss the development of Lower Ferry Park, to talk to the citizens of the Town. She has been distributing information to residents who have been coming to the Farmer's Market and has talked to some residents who live in the area of the park and it has been put on the web site and she has emailed some people who were interested in information about it. The meeting time will be at 6:30 p.m.

Matthew Cole, from the Cecil Guardian inquired what TAC stands for.

Ms. Skilling stated that it stands for Technical Advisory Committee, which under our regulations all of our projects that come to the town are required to come through. The County has various agencies and utility companies, such as Delmarva, BG&E, MDE and the Cecil County Department of Public Works, Sediment Erosion Control and Stormwater Management that are there to make comments on the site plans that are proposed.

Mr. Cole, also inquired what the MARC layover project was.

Ms. Skilling replied that it was a proposal by MARC for a potential layover facility somewhere in Perryville, not determined yet, to stop here instead of going all the way back to Baltimore.

Commissioner Linkey inquired if one of the code violations issued was for the old Honda Dealership property, because she has received several complaints on that getting very overgrown again.

Ms. Skilling was not sure if it was part of them or not, but can look into.

Ms. Skilling announced that we received a letter today from the Maryland Heritage Area Authority that we were given a grant for \$65,000 for compensation for Lower Ferry Park, planned for a Comfort Station, to give us restroom facilities to complement what we do at Lower Ferry Park.

From the Floor

Robert Lay, who resides at 538 Franklin Street, brought up an issue regarding overgrown hedges at the property next to him which has been abandoned, and his dissatisfaction with staff's lack of response in regards to what he feels is overgrown trash, not a bush, and nothing is being done about it, although the town did come and cut the grass.

Commissioner Brown did check it out and does consider it to be a safety issue when trying to back out of his driveway because you can't see what's coming. She is making staff aware that it does need to be looked at again and that the bush needs to be trimmed so that he does not have to back out into the street to get out of his driveway.

Pat Stetina, representing the Perryville Railroad Museum, stated that they now have a new color brochure which has information about the Railroad Museum to complement their existing literature that they have in other forms in black and white.

Evelyn Testerman, who resides at Bayscape Drive, thanked the Mayor and Commissioners and the Town staff for their efforts into getting the street lights working in the Riverview Hill Community.

Matt Roath, representing the Perryville Chamber, commented that he went to the Farmer's Market recently and talked to some of the vendors and got a very positive reaction from them and wanted to discuss the Chamber getting involved with getting it promoted a little bit more, through advertising or the website.

New Business –

Event Request Forms for Parade/Autumn Fest

Matt Roath, representing the Greater Perryville Chamber of Commerce, requested permission to expand their annual parade and Autumn Fest usually held on a Saturday, to a four day event. They are also looking to change the date from the 2nd week in October to September 25 through September 28, 2013, for better weather and to not compete with other area venues. They would like to include a beer and wine garden to be held on the property which used to be the Rendezvous parking lot. They are also looking into the possibility of having live music on Friday evening. They would like to have a carnival starting on Wednesday and ending on Saturday night on the Town owned property.

Commissioner Brown discussed concerns that the Town's Insurance Company had with the Chamber's roll. They do not see a problem with the Chamber adding the Town to the Chambers policy but they should be required to carry liquor liability insurance. Also need certificates from the carnival company and to be added on their policies. The insurance company noted that the biggest exposure would be the carnival rides and the beer and wine garden. They are requesting that the Chamber name the

Commissioners of Perryville as an additional insured on the Chamber Policy, and confirm that the vendors running the wine garden and the rides are insured and are naming our insured as additional insured on the policy. We would also need to confirm that the Town is not involved in serving the alcohol or screening the drinkers.

Mr. Sussman, the Town Attorney, clarified that it should be the Town of Perryville not the Town Commissioners added to any insurance policy since the Town of Perryville is the corporate name of the Town.

Commissioner Brown inquired if he has checked with the Liquor board to see if the license belonging to whoever your vendor is will suffice for what they plan on doing and that he may want to get a letter from them stating that. She also wanted to clarify that the Farmer's Market will be held on Friday as usual and she does not want the carnival set up to encroach on their area where they set up.

There was more discussion regarding markings for the Farmer's Market area the day of the event; and that some of the Farmer's Market vendors do need access from Broad Street through the Town property to get to the location so that they do not have to drive up over the curb, so that will need to be defined as well.

Commissioner Linkey noted that since this is a one - time event that some adjustments could be made so that both parties are happy.

Commissioner Fox stated that it is an ambitious project, and there is the opportunity for things to not work out but that we should not prejudge it and try it out and see how it works, it could turn into something that is done every year.

Commissioner Brown stated that she has no problem with that she just wants to make sure that the issues are addressed. She is ready to approve both event forms contingent upon them meeting all of the requirements once the town has all of the documentation, then they will be approved.

Commissioner Ryan inquired if he is planning to have the beer garden on Friday evening and Saturday.

Mr. Roath commented that on the event form they did indicate both Friday night and Saturday, but thinks that they are just going to do it on Saturday now, to see how it works out.

Commissioner Ryan also believes that with everyone working together on getting the necessary things done that it will work out for both the Farmer's Market and the Chamber event.

Motion was made by Commissioner Ryan and seconded by Commissioner Linkey to approve the event form for the Chamber of Commerce for the Lower Ferry Park and the festival that they plan to have and Autumnfest as well as getting together with the rest of the groups to satisfy the requirements, he also clarified it was for both events.

Mr. Roath introduced the vendors who will be doing the beer and wine garden and are the owners of the local German restaurant and who are familiar with what is needed and insurance requirements.

Chief Wernz inquired if the ending times for the carnival could be bumped up to 9 p.m. on Wednesday and Thursday versus 10 p.m. to meet the curfew requirements in town, to which Mr. Roath stated could be done.

Commissioner Brown inquired what time on those days that they plan on starting the carnival, to which Mr. Roath responded that he was not quite sure yet since the vendor is out of town right now, but was thinking, probably at 5 p.m.

Commissioner Brown informed Cathy that we might need to check with the insurance company to verify if they will need to have specific times listed on the policy.

The original motion was brought forth. **All in Favor: Motion Approved.**

Ms. Deaner asked if the Zenon request could go before the budget amendment request because it would affect the budget amendment if not approved.

Water Plant request to hire Zenon for troubleshooting

A request was made by the Water Plant Staff to hire Zenon Environmental Agency, an affiliate of GE, to perform a three day site visit to review the system at the Water Plant and recommend appropriate actions to be taken.

Mr. Sussman did have a few concerns in regards to some provisions in the contract and they were conveyed to the contractor, but they were not willing to negotiate and it would leave us with no contractor and a defective plant. The risk involved was looked into and the risk is not significant, so the policy judgement was to accept the contract.

Motion was made by Commissioner Fox and seconded by Commissioner Ryan to approve the contract from GE/Zenon for their review and recommendations to address the problems at the Water Plant. **All in Favor: Motion Carried.**

Commissioner Fox relayed to Cathy that he was to sign the contract on behalf of the board in the Mayor's absence.

Resolution 2013-22 Budget Amendment

Ms. Deaner summarized budget amendment 14-05 in the General Fund which is for funds needed to remove and dispose of the existing old DPW building & Pole Barn, approved by the board in FY13, in the amount of \$9,210. Budget Amendment 14-06 in the General Fund under Parks and Recreation to recognize FY13 Local Impact spending reserved for Shore Revetment Project, partially done in FY13), in the amount of \$254,132. The final budget amendment 14-07, was in the Water Fund, funds needed for 3 day site consultant visit (GE) to address PLC and control issues and also an electrician, in the amount of \$12,680.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve Resolution 2013-22. **All in Favor: Motion Carried.**

Ordinance 2013-04

Ms. Skilling introduced Ordinance 2013-04, regarding the Floodplain Ordinance, FEMA required an additional change to the wording of the Floodplain Ordinance recently adopted so that it will meet their standards.

Resolution 2013-24 Pilot Agreement

Ms. Skilling read Resolution 2013-24, which establishes a Pilot Agreement between the Town of Perryville and Richmond Hill Development, LLC. as the Town contribution to the planned renovation of the Richmond Hill Manor Apartments. Their license is registered in the State of Maryland.

Motion was made by Commissioner Ryan and seconded by Commissioner Fox to approve Resolution 2013-24. **All in Favor: Motion Carried.**

BOA and Planning Commission Board Appointments

Ms. Skilling presented resumes of two residents that were interested in volunteering to serve on one of two boards that there are currently openings for. Paul Kurzer expressed specific interest in serving on the Planning and Zoning Board, therefore, they are recommending Wayne Kommalan to serve on the Board of Appeals. She is requesting that a motion be made to appoint each of them to the designated boards if agreeable.

Motion was made by Commissioner Linkey and seconded by Commissioner Ryan to appoint Paul Kurzer to the Planning and Zoning Board and to appoint Wayne Kommalan to the Board of Appeals. **All in Favor: Motion Carried.**

Resolution 2013-23

Ms. Skilling read Resolution 2013-23, which is to establish a façade improvement grant program funded primarily with Community Legacy Grant Funds. This will also be incorporated into our existing Revitalization Grant Program.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve Resolution 2013-23. **All in Favor: Motion Carried.**

Ms. Skilling wanted to indicate that Commissioner Fox had been a member of the Revitalization Committee so they will need to solicit for a new member, so if anyone is interested, please let us know.

Request to State Ethics Commission

Mr. Sussman presented a request for exemption from lobbying requirements from the State Ethics Commission if the Town was interested in pursuing it, which it appeared that they were not at the Work Session, so Mr. Sussman suggested that it be put on the Town Meeting Agenda for a formal vote. He would then put in a request to withdraw a request that had been put in by staff for the partial exemption based on earlier discussions that were held.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to withdraw the request for exemption from the lobbying requirements from the State Ethics Commission. **All in Favor: Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Brown to adjourn the August 6, 2013 Town Meeting at 8:27 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,

Jackie Sample,
Town Clerk