

**Town of Perryville  
Town Meeting Minutes  
December 4, 2018**

ATTENDANCE: Mayor: Robert R. Ashby Jr., Commissioners: Michelle Linkey, Raymond Ryan III, Pete Reich, Robert Taylor, Town Administrator: Denise Breder, Finance Director: Debra Laubach, Police Chief: Al Miller, Outreach Director: Danielle Hemling, Town Clerk: Jackie Sample.

The Town Meeting in its entirety can now be listened to on the Town's web site at [www.perryvillemd.org](http://www.perryvillemd.org).

**The Town Meeting was called to order at 7 p.m. by Mayor Ashby.**

**Pledge of Allegiance**

Mayor Ashby stated that Commissioner Linkey was not in attendance at this time.

**Approval of Town Meeting Agenda**

Mayor Ashby asked for a motion to approve the December 4, 2018 Town Meeting Agenda.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Reich to approve the December 4, 2018 Town Meeting Agenda. **All in Favor: Motion Carried.**

**Consent Agenda Items:** Mayor Ashby asked for a motion regarding the consent agenda items, which include the November 6, 2018 Public Hearing Minutes, and the November 6, 2018 Town Meeting Minutes, the November 20, 2018 Work Session Minutes, and the November 20, 2018 Special Meeting Minutes.

**Motion** was made by Commissioner Reich and seconded by Commissioner Ryan to approve the Consent Agenda Minutes as written. **All in Favor: Motion Carried.**

**Commissioner Taylor's Report -**

Commissioner Taylor did not have a report.

**Commissioner Reich's Report -**

Commissioner Reich asked for a moment of silence on behalf of President George H. W. Bush.

Commissioner Linkey arrived at this point.

Commissioner Reich reported that the Water and Wastewater Plants both met the State and Federal requirements for the month, so we now have 11 months toward receiving our Grant Funding. Jeff Morton and Jeremy Creiger both got their Water and Wastewater Permit licenses.

**Commissioner Ryan's Report -**

Commissioner Ryan reported that he has not been able to meet with the Police Chief this month, so he does not have much to report on the Public Safety side. Commissioner Ryan reported on behalf of the Fire Company Departmental Report, there was a total of 33 calls last month, one of those was on I-95. The reason that we track that is because at the end of the year we must turn in paperwork that gets filled out when we are out on a call and the Federal Government reimburses us for maintaining highway safety. Our average response time for the month was 5.4 minutes for putting the equipment on the street, the average personnel per call is 8.7, and the average personnel on the scene is 5.1. Commissioner Ryan reported that we were awarded a Grant from what we call AFG, which was for fire hose. We have ordered 48 sections of 4 - inch supply hose and 62 sections of inch and ¾ inch firefighting hose for the interior and some nozzles and adaptors to go along with them, with about 10 to 12 weeks delivery time for the hoses. We are going to order some equipment to upgrade our high-rise packs, which are portable packs used to carry hose and fittings to attach to connections that you see in the stairways of higher buildings. Commissioner Ryan reported that last night was our Election night and he was elected as Chief for another year, along with Brad Willis as the 1st Assistant Chief, and Phil Schaub as 2<sup>nd</sup> Assistant Chief, Karen Rinehart as President and a new Vice President, which is Skip Mayhem.

**Commissioner Linkey's Report -**

Commissioner Linkey reported that the DPW report will be posted on the website. We still have a vacancy in the Public Works Department which she believes is now closed and hopefully interviews will be starting between now and the end of the year. She wanted to thank the staff for hanging the holiday decorations and for assisting the Town of Charlestown with their decorations. She also encourages everyone to attend the Tree Lighting Event at Lower Ferry Park on Saturday evening.

**Mayor Ashby's Report -**

Mayor Ashby reported that Ms. Breder and he had met with the VA to discuss some concerns that they had. He attended the regularly scheduled meetings and attended a meeting with a Commercial Real Estate agent interested in what can happen on Route 40 and what we think we would like to happen. Mayor Ashby wanted residents to be aware that the minimum rate for a water bill is \$106 dollars, which is whether you are

there or not. There have been some issues with the water bills that we are still in the process of straightening out, so he is asking that you bear with us for a while.

Mayor Ashby asked Ms. Breder if we had some way of recouping some funding from the State because of chemical cost for the water filtration and treatment from the turbidity of the water and with gates being opened at the Dam until further notice.

Ms. Breder is not aware of any Grant programs, but it would not hurt to reach out to them and let them be aware of the impact and the debris that is in the water and the cost to run our plant specifically.

### **VA Update**

Ms. Breder stated that Terry Gividan from the VA asked her to report on the following information. The VA is committed to getting the bridge on Marion Tapp Parkway fixed when the funds become available. Regarding the Community Living Center project, they do not have a word back yet on the status of that, so the project has not been awarded yet. They are working on a new Water Treatment Plant and Jim Willen, who works for the VA in that capacity, is working with our Water and Wastewater Superintendent to ensure that the VA is in compliance with some of the discharges associated with the new plant. They are looking at February to go on-line completely with their plant. She also wanted to thank us for letting the VA divert traffic to the truck entrance while they were doing some heavy construction.

### **Town Administrator Report – Denise Breder**

Ms. Breder reported that we had been issued a bond bill through the State of Maryland to construct a Pennsylvania Railroad Monument sign and we are still waiting to get that fully executed agreement back, so she does not think that that sign will be constructed before the end of this calendar year. Town Hall will be closing at noon on December 14<sup>th</sup> for the holiday luncheon. She wanted to congratulate Aaron Ashford, who just had a 20-year work anniversary on November 9th. Our Green Team has been very active, and she wanted to thank the board for approving the action plan that we put together. Our next Green Team Meeting is on January 10<sup>th</sup> at 5:30 p.m. and we are planning to have a table at the Christmas Tree lighting ceremony to try to get the word out and get people signed up and get some new energy behind the Community Garden and the Farmer's Market. We issued a contract to KCI, an Engineering Firm that is helping us to implement the MS4 Stormwater Permit and they have provided an update for us. We have been working with Commissioner Taylor who has been providing us some guidance on the recovery contingency plan. The first thing that he asked to be done was to have the staff inventory their systems, to determine how quickly our systems need to be back up and running should they go down for an emergency failure, she is expecting that inventory back from the staff sometime this week. Staff has been working with Commissioner Linkey on website updates, so by the end of January and the beginning of February we should see some improvements to our website.

Commissioner Reich asked if there was some kind of a sign that we could put up on our table to get people signed up for our e-alerts and Facebook, etc. for emergencies and other information.

Ms. Breder responded that she will make a note to do that.

Commissioner Reich also wanted people signing up to realize that their personal information is not allowed to be shared.

### **Police Report - Chief Miller**

Chief Miller presented Danielle Hemling, the Outreach Director, with an award for Outstanding Employee Service, for her service and dedication to the members of the Outreach Program and their families.

Chief Miller presented Kim Severson, the Secretary for the Police Department, with an award for her Outstanding Employee Performance for her work and dedication to the Perryville Police Department.

Chief Miller presented Gerard Morgan, one of the Town Police Officers who just started in March of this year, with an Officer of the Year Award, a Certificate, and a ribbon to be worn over his name tag on his uniform, along with a bi-fold wallet to keep his badge in.

Commissioner Ryan inquired if they are ok with what is going on with the radio systems right now, and if they are aware of the upcoming fleet mapping training.

Lieutenant Budnick responded that they had an incorrect amount for the equipment that we needed, so that needed to be corrected.

Chief Miller wanted to thank the Safety Committee for purchasing the remaining officers their ballistic shields.

### **Outreach Report – Danielle Hemling**

Josh, an Outreach Member, reported on behalf of the Outreach Program. The overall monthly attendance for the month was 410, there were 47 active members, 1 referral, and 6 new members. This month, we served 32 Families Thanksgiving Dinner. Twenty-one children were served on Wednesday at Outreach's Thanksgiving dinner. Our average dinner participation is 18 children this month. We practiced life skills this month which focused on empathy. We had movie nights with Smores and had our first Snow Day! Our community service projects this month were Adopt a Highway and Restock the Pantry. We finalized renovation plans and should start next month on our upstairs. We have just received confirmation that we will receive a new HVAC system for Outreach. We also presented to Susquehanna Workforce Network this month. They

seemed very impressed with our program and what we are doing at Outreach. Saturday hours have begun, and we have an average attendance of 20 children on Saturdays so far. We are continuing our Christmas Toy Drive and our Christmas Dinner Food Drive. We would like to thank all of our donators this month, our previous Mayor Jim Eberhardt, Anonymous Perryville Citizens, Boy Scouts, Chesapeake Landing Homeowners Association, Round House Drive Homeowners, Perryville Churches, Perryville Schools, and Conowingo Baptist Church. Check out Outreach's Facebook page for pictures of our members in action.

Commissioner Linkey asked what their Saturday hours were.

Ms. Hemling commented that they are 10 to 4 p.m. The renovations for the upstairs will be starting on the 12<sup>th</sup>, with some refurnishing and fixing the floors, nothing to major. There are 135 children and their families that have been adopted out and served for the Christmas holiday and 36 families to feed for Christmas.

#### **Treasurer's Report - Debra Laubach**

Ms. Laubach reported that the auditors were back on site two days last week to wrap up the water and sewer portion of the audit and the site work for fiscal year 2018. They should be giving us the preliminary audit figures by this Friday or Monday at the latest, at which time, she and Ms. Breder will have to do the Management Discussion and Analysis portion of the audit. This will be given to the auditors for them to wrap up the final audit and get back to us in time to meet the extension deadline without any problems. We have been working on the cash back credit cards and she has sent PNC a very extensive list of the Town's vendors, along with other information that they specially requested in their format. They will look over this list to determine which vendors they have already approved and are using, which will save a lot of time for the initial setup. We were approved for \$150,000 credit line, and we should be getting the cards within the next week. In the next two weeks she is going to try to arrange a meeting with the Financial Director for the City of Havre De Grace, and take our accounts payable clerk along, because they also use the PNC cash back credit cards, to get an idea of what their procedures are to streamline the work we are doing right now. She also reported that we received another \$119,000 for LIF funds, which is on target to what we were getting last year at this time.

Mayor Ashby asked if the amount of \$10,758 collected so far for the boat ramp was just for the Honor Box, not the annual passes.

Ms. Laubach responded that it was.

### **Planning and Zoning -**

Ms. Battaglia was not present to report, but Ms. Breder stated that Ms. Battaglia did not have anything that she had requested her to highlight regarding her report, but it will be on-line.

### **From the Floor**

Kendall Ruff, who resides at 98 Mill Creek Road in Perryville, wanted to introduce herself to the board members. She currently has a well that recently ran dry and she is currently gathering information to see if it would be cost efficient for her to dig another well, or potentially tap into the Town's water main. Mill Creek is a County Road right out of city limits, but she is only about 300 feet from the main. She has been working with someone in the Town to assist her with putting together a package and she has been in contact with a Civil Construction Company and in contact with Cecil County, regarding, easements and whether the work will fall into their right-of-way. She just wanted to give a heads up to the board to let them know that she is very serious about this and would like to be able to weigh her options on resolving this issue.

### **Old Business**

#### **Ordinance 2018-15 - Personnel Manual**

Ms. Breder stated that Ordinance 2018-15 was discussed at the October Work Session and introduced at the November 6 Town Meeting, which was to amend the Personnel Manual to recognize when an essential employee works on a holiday.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Reich to approve Ordinance 2018-15. **All in Favor: Motion Carried.**

### **New Business**

#### **Resolution 2018-15**

Ms. Laubach explained that both Resolutions are accomplishing the same thing by taking funds that were already allocated in our current budget of Local Impact Funds and reclassifying them from restricted status and putting them into assigned classification. Resolution 2018-15 is a Resolution to assign a certain portion of the Town's General Fund Restricted Fund Balance to a certain purpose in the amount of \$56,910 to be allocated for the new Town Hall. Resolution 2018-16 is a Resolution to assign a certain portion of the Town's General Fund Restricted Fund Balance to a certain purpose in the amount of \$25,000 to be allocated toward the Little League Field.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Reich to approve Resolution 2018-15 and Resolution 2018-16. **All in Favor: Motion Carried.**

**Phase II Town Hall Project Bid Results- (Little League Field)**

Ms. Breder commented that at the Work Session we had discussed that we had received four bids, unfortunately one of them had to be rejected because it did not have the proper paperwork and it also happened to be the low bid. We now have consideration in front of us for Rocchi Construction at \$1,827,500.00, the second lowest bidder, and she is making the recommendation to move forward with awarding the contract to Rocchi Construction. Ralph is here if there are any technical questions that they need to have answered.

Commissioner Ryan inquired if there was a reason for picking the next lowest bid versus the one that comes in not too far behind it.

Ms. Breder responded that there were no issues with North Point, we just went with the next lowest bidder.

Commissioner Reich asked if we were in pretty good shape if we accept this bid.

Ms. Laubach responded that we should be, she ran rough calculations, since we do not have final numbers for fiscal year 2018 yet. Based on this with our fund balance, we can easily afford it to come directly through the fund balance without taking on additional debt and should not cause any violations with our fund balance policy.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to award the Phase II Town Hall Project, which is the Little League Field, to Rocchi Construction at their bid of \$1,827,500.00. Discussion Ensued.

Ms. Breder responded that we will be putting a budget amendment before you next month to cover this and go ahead with the contract so that they can get started. We will follow up with a budget amendment and would ask for some amount of a contingency, when we do the amendment of approximately 5 to 10%.

The motion to award the contract regarding the Phase II Town Hall Project was brought forward and voted on. **All in Favor: Motion Carried.**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Reich to adjourn the December 4, 2018 Town Meeting and go into a closed session after a 5 - minute break at 7:43 p.m. **All in Favor: Motion Carried.**

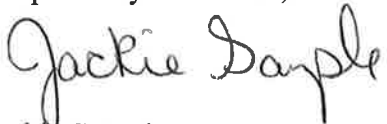
Ms. Sussman commented that the motion should be to go into closed session before adjourning the meeting, the specific reason should be stated as well.

Mayor Ashby reopened the December 4, 2018 Town Meeting at 7:43 p.m.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Reich to close the Town Meeting at 7:43 p.m. and after a five - minute break and go into a closed session under General Provisions Article §3-305(b) to discuss (1) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or official over whom the public body has jurisdiction, (7) to consult with counsel to obtain legal advice. **All in Favor: Motion Carried.**

Mr. Sussman added that the subject is to discuss the potential appointment to a Town Board of Commission.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jackie Sample".

Jackie Sample  
Perryville Town Clerk



**TOWN OF PERRYVILLE**  
**FORM OF STATEMENT FOR CLOSING A MEETING**  
(FROM OPEN MEETINGS MANUAL - APPENDIX C)

Location: Town Hall Date: 12/4/18 Time: 7:43pm  
Motion By: Ryan Seconded By: Reich

**VOTE TO CLOSE SESSION:**

	AYE	NAY	ABSTAIN	ABSENT
Mayor Ashby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Linkey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Reich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**STATUTORY AUTHORITY TO CLOSE SESSION**

General Provisions Article §3-305(b):

- (1) To discuss:
  - (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or
  - (ii) any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of an individual with respect to a matter that is not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related to the acquisition;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;

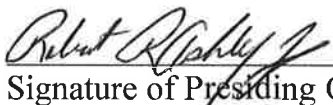
(12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;

(13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;

(14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

**FOR EACH CITATION CHECKED ABOVE, THE REASON FOR CLOSING AND THE TOPICS TO BE DISCUSSED:**

The discussion of possible conflict of interest of a potential appointment to a Town Board of Commission

  
Signature of Presiding Officer