

**Town of Perryville
Town Meeting Minutes
February 7, 2017**

ATTENDANCE: Mayor: James Eberhardt, Commissioners: Michelle Linkey, Alan Fox, Robert Ashby Jr. and Town Administrator: Denise Breder

Absent: Ray Ryan III

The Town of Perryville meeting was called to order at 7:00 p.m. by Mayor Eberhardt.

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

Mayor Eberhardt announced there were no requests for remote participation.

Commissioner Linkey arrived at 7:02 p.m.

APPROVAL OF TOWN MEETING AGENDA

Mayor Eberhardt asked to change the order of the agenda since he has to leave early for Washington tonight, and we are missing a Commissioner. He would like to move to new business and get the voting issues out of the way and then turn the meeting over to Commissioner Linkey.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve the Town Meeting Agenda with the change as noted. **All in Favor: Motion Carried.**

New Business

Farmers Market Request -

Mayor Eberhardt presented a request to continue to allow the sale and tasting of beer and wine at our town sponsored Farmers Market from local wineries/vineyards/ breweries.

Motion was made by Commissioner Ashby and seconded by Commissioner Fox to approve vendors to sell alcohol and allow tastings at the towns Farmers Market events. **All in Favor: Motion Carried.**

Ordinance 2017-04 - Consideration of code changes to Chapter 61 regarding insurance and fees for facility rentals.

Mayor Eberhardt summarized Ordinance 2017-04, code changes for Chapter 61, which is for the purpose of altering the process and requirements for rental of certain town parks and facilities; authorizing the establishment of certain fees by Resolution; altering certain insurance requirements; and generally relating to rental of town parks and facilities.

Mayor Eberhardt asked for clarification regarding the insurance requirements. It was his understanding that an individual having a birthday party or something will not have to have an insurance certificate.

Ms. Breder replied that he is correct, only if they were to have a bouncy house or something like that and most of the time they can get insurance from the company that they rent it from.

Motion was made by Commissioner Fox and seconded by Commissioner Ashby to adopt Ordinance 2017-04. **All in Favor: Motion Carried.**

Resolution 2017-01- Consideration of adopting rules and regulations and fees for town facilities.

Ms. Breder stated that this Resolution is to get the rules and regulations under one set of guidelines for the various facilities to streamline the process for renting the pavilions and the band shell and Rodgers Tavern grounds. She summarized some of the regulations.

Mayor Eberhardt referenced the rules indicating that there are no alcoholic beverages allowed. His understanding is that one would still have the ability to come before the board to ask for approval for specific events, such as the Vineyards of America to have alcohol, they could come in to request an exception for that.

Ms. Breder responded, yes they can.

Motion was made by Commissioner Fox and seconded by Commissioner Linkey to approve Resolution 2017-01. **All in Favor: Motion Carried.**

Budget Amendment Ordinance 2017-05 - Introduction of an Ordinance for the purpose of amending the adopted budget for the Town of Perryville for the fiscal year beginning July 1, 2016, and ending June 30, 2017, to appropriate for certain purposes certain funds and generally related to amendment of the Town's FY 2017 budget. This is to take \$30,000 from the Mayor and Commissioners contingency funds towards repair and maintenance to the building, primarily for additional work at the Reservoir Dam, asbestos mediation and additional work not originally anticipated. From the water fund \$10,000 from contingency funds needed to cover R&M equipment at the WTP.

Commissioner Ashby thought that he had read somewhere in a letter that Cecil County was interested in buying the Reservoir.

Ms. Breder noted that one member from Cecil County had talked about it but did not have the authority to make that decision.

Ms. Skilling commented that there was no letter but a discussion with the County Parks and Recreation person and recently in discussion with Economic Development, but never any formal information from the County, but all she knows is they are looking for sites in the County.

Commissioner Ashby asked what happens if we poke holes in the dam.

Ms. Skilling responded that discussions with the County which were a while back, they indicated they would like to have the dam there as a fishing pond. She does not know all of the implications of what was said about having to remove the dam, but is sure that work has to be done to make sure that the dam is secure. She commented that it may be worth it for the town to pursue the County to see if they would be interested in purchasing the property.

Mayor Eberhardt asked for clarification of the budget amendment, he thought it was just for demolition of the building.

Ms. Breder commented that it is partially for the demolition of the building and doing the asbestos remediation. She stated that we did have an evaluation of the dam structure and MD Department of Environment told us to either poke holes in the dam or come back and make some major very costly repairs.

Mayor Eberhardt commented that this is new information to him that the County would have interest in it at all and he thinks we should pursue that before messing with the integrity of the structure of the dam.

Ms. Skilling commented that this was something that was talked about way before we knew about the dam; that the County was looking for locations for parks in this section of the County.

Mayor Eberhardt commented that it just so happens that he and Commissioner Fox are meeting with the County Executive and their Public Works Department on Monday and that may be an opportunity to bring this up to the County. To let them know what we are doing and see if they have any interest and whether it will impact it one way or the other.

Ms. Skilling commented that the mitigation itself is a County project.

Mayor Eberhardt suggested appropriating the funds but holding off on any action, at least, on the drilling until we have talked to the County on Monday.

Ms. Breder commented that this was just an introduction so there would be no action on it tonight anyway.

Mayor Eberhardt commented that their meeting is on Monday at 2:30 p.m. and he asked that Ms. Skilling provide any information that she may have in regards to this prior to the meeting.

Meeting Date Change - Consideration to move the Tuesday, July 4, 2017 Town Meeting to Thursday, July 6, 2017.

Motion was made by Commissioner Fox and seconded by Commissioner Ashby to approve changing the Tuesday July 4, 2017 meeting to Thursday July 6, 2017. **All in Favor: Motion Carried.**

Mayor Eberhardt requested to go back one item on the agenda, From the Floor, before he has to leave.

From the Floor

There were no comments from the floor.

Mayor Eberhardt left at 7:21 p.m.

Commissioner Linkey took over on behalf of the Mayor, she asked that the Outreach Program be allowed to be moved to the next item on the agenda since one of the members in attendance needs to get home to do his homework.

Outreach Program - Danielle Hemling

Ms. Hemling stated that the overall attendance for the month of January was 164 and the number of new members was 1. She introduced Justin Wilson, an Outreach member reporting on behalf of the Outreach Program. In regards to their events for the month of January, Outreach members celebrated Martin Luther King's birthday by creating an arts and craft project celebrating our differences. Outreach members have been helping in preparing dinners at least 3 times a week. Some of the members were able to participate in Pura Vida Yoga's Teen Glow Yoga night. A date has been booked for the Outreach Program's first fundraising event. They will be doing a 5K in September with the help of our Economic Department. Report cards came out recently and as long as grades are kept the same, or improve, some of the members will be able to participate in a "Great Escape" field trip later this month. We are partnering with the local barbershop in town and will be offering a trip to "The Great Blacks in Wax" museum later this month, to celebrate Black History month.

Ms. Hemling stated that they are working with Amanda regarding the 5K fundraising event in September and the same company that used to assist with the Cody Richardson 5K events is going to also assist them with the event. The give-a-can take-a-can food drive is going very well.

Consent Agenda Items: Commissioner Linkey asked for a motion regarding the consent agenda items, which include the November 29, 2016 Special Meeting Minutes, November 29, 2016 Closed Session Minutes, the December 20, 2016 Work Session Minutes, the December 20, 2016 Special Meeting Minutes, the December 20, 2016 Closed Session Minutes, the January 3, 2017 Town Meeting Minutes and the January 3, 2017 Closed Session Minutes.

Motion was made by Commissioner Fox and seconded by Commissioner Ashby to approve the Consent Agenda items. **All in Favor: Motion Carried.**

Commissioners' Reports -

Commissioner Linkey's Report -

Commissioner Linkey reported that the sidewalk repair on Broad Street has been put on hold until the weather permits them to proceed.

Ms. Skilling, the Town Planner, wanted to thank DPW for pouring the pads for the benches at Lower Ferry Park.

Commissioner Ashby's Report -

Commissioner Ashby, recently attended the Perryville Fire Company dinner, and was very humbled by what they actually do for the town and wanted to thank them for their service.

Commissioner Fox's Report -

Commissioner Fox reported that they are continuing with the installation of the belt filter press at the Wastewater Plant. The installation of the new mixer and power vent for the 0.500 mgd water tower is complete and the installation of the new mixer and power vent has been scheduled for the 1.0 mgd water tower.

Fire Department Report – Asst. Fire Chief Bradley Willis

Mr. Willis reported the overall stats for the month of January 2017. There were 35 fire calls with 4 of them being on I-95, with the average response time of 4.7 minutes, and the average of 11 people per call. The top responders responded to 24 of those 35 calls. There were 106 calls for the month on the EMS side, with the average response time of 3.8 minutes, 26 of those calls responded to Perry Point.

VA Update – Marc Dallaire

Mr. Dallaire reported that the Water Treatment Plant for the VA has been funded. The Administrative Notice to Proceed has been issued for the permits and the bonds. The Construction Notice to Proceed will be April 10 to break ground and start constructing the new water plant at Perry Point. The CLC project had to be re-solicited, the bids came in too high, so the design team will have to come up with ways to cut back on some of the costs without too much impact on the project. The VA is still working on the permits for the village EUL, things should be formalized in the next month or so.

Town Administrator Report - Denise Breder

Ms. Breder announced that Ms. Skilling's last day will be March 3 and the vacancy is currently advertised in-house. The rest of the report will be on-line.

Commissioner Linkey thanked Ms. Skilling for all that she has done for the town.

Ms. Skilling offered to still be of assistance if needed to get through some things, she still has a vested interest in a lot of things happening in town.

Planning and Zoning - Mary Ann Skilling

As far as development projects in town, there is still no activity on the Cedar Corner project. The Magraw subdivision which has 12 lots in town and is almost through the process, we are waiting for the Greenway street to be turned over to the town as a public road, because 4 of the lots face Greenway. The subdivision plan cannot be recorded until that is done. In regards to the Frenchman Land Company project, the as-built drawings and SHA construction have been requested but not received to date. Royal Farms is working on final approval for the new building coming off of MD 222, the State Highway had some questions on the ingress and egress of the project. The Planning and Zoning Board will be reviewing the request in February. In regards to the old Perryville Outlet site, Ms. Skilling has been working with various contractors interested in the property and looking to work with the new Economic Development person for the County to get Enterprise Zone Designation for the site.

Police Report -Police Chief Al Miller

Chief Miller reported that Denny's restaurant had a small fire this morning at the corner of their building, the cause is not known yet but a cigarette butt is suspected. The Police Department project is well on its way; they need to continue to cover the foundation so that they can bore. The department hired a new crossing guard from Harford County, her name is Cindy Ferris. Each person in our Police Department has been certified in laser and three of our officers have just completed training in crisis intervention, we also want to train the rest of the Police Department in crisis intervention. Five of our officers have attended the traffic management course given by Commissioner

Ryan. Chief Miller along with Lieutenant Budnick spoke to the MD Transportation Authority Police about surplus tough book computers. They are going to try to work out a deal with us to give us 10 tough books at no cost to our department other than getting them connected and working for what we need them to do. He sent an application to the MD State Police Department/ Department of Defense for surplus military equipment. We have started a dialogue with the Perry Point Police Department on working together on some on-going issues that exist. Regarding the stats for the month of January thefts have gone up, a lot of that is a result of people leaving their vehicles unlocked. Chief Miller met with, Bear Weinzirl, the National Veterans Employment and Education Chairman from the Sons of the American Legion who stated if we are aware of a vet who is homeless, there is a 1-800 number that can be called and they will do everything that they can to get the veteran placed.

Commissioner Fox asked for some more information regarding the Reserve Police Force.

Chief Miller replied that a gentleman from the Federal Law Enforcement Training Center had asked if we had any need for a Reserve Police Force. A Reserve Police Force are certified Police Officers able to carry weapons and certified through the MD Police Training Commission. Chief Miller responded that this is something that we would need to look into in more detail and discuss with the Mayor and Commissioners and the Town Administrator because there is quite a bit involved in that. Chief Miller believes that the theory behind that is that once a Police Officer retires their certification expires after three years. The gentleman that he met with commented that if they were to be part of a Reserve Police Force their certification could be extended for the period of time that they would be part of the Reserve Police Force if they still wanted to remain active.

Treasurer's Report

Ms. Breder reported that the fifth reimbursement request was submitted to the Community Development Administration for the Police Station and payment was received. The project is about 30% complete and as of that date we have drawn down 1.2 million dollars from the bond that was issued. The only other notable thing from this report is that we have not yet received December's Slot revenue.

Motion was made by Commissioner Fox and seconded by Commissioner Ashby to adjourn the February 7, 2017 Town Meeting at 7:50 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample
Perryville Town Clerk

Statement Regarding December 20, 2016 Closed Meeting for Inclusion in Minutes of February 7, 2017

On December 20, 2016, the Mayor and Commissioners of Perryville conducted a closed meeting 7:51pm in accordance with General Provisions Article, § 3-305(b)(4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. Mayor Eberhardt, and Commissioners Ashby, Fox, and Ryan were in attendance. In addition to the Mayor and Commissioners, Denise Breder, Town Administrator, and Tara Dvorak, Office Clerk attended the entire closed session. During the meeting, there was discussion about the possibility of abating/reimbursing a business for costs. Mayor Eberhardt and Commissioners agreed to wait for more information on this issue. The meeting was adjourned at 9:01pm.

**Statement Regarding January 3, 2017 Closed Meeting for Inclusion in Minutes of
February 7, 2017 Town Meeting**

On January 3, 2017, the Mayor and Commissioners of Perryville conducted a closed meeting at 8:13 p.m. in accordance with General Provisions Article, § 3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter. Mayor Eberhardt, Commissioners Fox, Linkey, Ryan and Ashby all voted in favor of conducting the closed meeting. In addition to the Mayor and Commissioners, the Town Administrator, Denise Breder, and Town Clerk, Jackie Sample attended the entire closed session. During the meeting, the Board consulted with legal counsel with respect to a prior request for a temporary connection to Perryville's Wastewater Treatment Plant. The board members agreed to allow the Mayor reach out to Cecil County to discuss whether they were still interested in pursuing that option. The meeting was adjourned at 8:55 p.m.