

**Town of Perryville
Town Meeting Minutes
December 6, 2016**

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

The Town of Perryville meeting was called to order at 7:09 p.m. by Mayor Eberhardt immediately following the Public Hearing.

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.

APPROVAL OF TOWN MEETING AGENDA

Motion was made by Commissioner Ryan and seconded by Commissioner Fox to approve the Town Meeting Agenda. **All in Favor: Motion Carried.**

Consent Agenda Items: Mayor Eberhardt asked for a motion regarding the consent agenda items, which include the October 18, 2016 Work Session Minutes, the October 18, 2016 Special Meeting Minutes, and the November 1, 2016 Town Meeting Minutes.

Motion was made by Commissioner Linkey and seconded by Commissioner Ashby to approve the Consent Agenda items. **Four in Favor: 1 Abstain** (Commissioner Ryan): **Motion Carried.**

Commissioner Ryan noted that he was not at the November 1 Town Meeting and initially abstained but was advised by the town attorney that he did not have to when Consent Agenda items were lumped together in one motion.

Mayor's Report -

Mayor Eberhardt announced that he attended a First Responders dinner on December 10 which honored First Responders in Cecil County. Our Police Chief nominated Detective Warner for recognition during the event. There were also several members of the Fire Company recognized as well.

He attended the Work Session on the 15th and on the 18th met with Principals of the three schools in town, the High School, Middle School and Elementary School, along with members of the Board of Education and the Principals of Charlestown Elementary and Bainbridge Elementary. The meeting was for us as a town to establish more cooperative work with students at all three schools.

On the 22nd of November, the Mayor along with Commissioner Linkey, met with the Little League regarding further development of the field out back and the estimated time frame that the field may not be open for use due to the development. On the 29th the board met with the Singer Group to review and discuss a new compensation plan for town employees. On the 30th of November the architect for the new Town Hall was here to meet with us to discuss the needs for the new Town Hall. The employee Christmas Party was on the afternoon of the 2nd of December where some employees were recognized for various accomplishments throughout the year. Mayor Eberhardt attended the inauguration of the new Cecil County Executive and installment of two council members. Saturday the 10th is the ribbon cutting ceremony for the new band shell and tree lighting event at Lower Ferry Park. Rodgers Tavern will be open during the event for the public to tour a couple of the rooms that were recently renovated. Santa will be there along with some of the school choirs and some carolers, there will also be snacks and various crafts for children to do.

Commissioners' Reports -

Commissioner Ashby's Report -

Commissioner Ashby reported that he attended the regularly scheduled meetings and the Mayor had covered some of the other items that were also part of his report.

Commissioner Linkey's Report -

Commissioner Linkey wanted to thank the staff for their training and accomplishments throughout the year.

Commission Ryan's Report -

Commissioner Ryan reported that he also attended the regularly scheduled meetings except for the regular Town Meeting. There was no Planning and Zoning meeting last month.

Commissioner Ryan reported on behalf of the Fire Department. He did not have EMS stats for last month due to changes in our EMS supervision. There were 41 fire calls for the month of November, 6 calls to I-95, the average response time is 4.46 minutes with an average of 5.3 personnel on the scene. They are still working on their cancer prevention initiatives. The Fire Department will be doing the Santa Walk throughout town, the schedule will be on the Town's website. They are requesting permission to borrow the gator from the town once again. The banquet will be on the 14th of January to install the new officers who were elected. Beginning January 1st the incoming Fire Chief will be Brian Jones who will be taking Commissioner Ryan's place. He believes that the new officers plan to continue attending the town meetings to report, but if not he will fill in if needed.

Mayor Eberhardt thanked Commissioner Ryan for wearing both hats and reporting for the Fire Department as the Fire Chief as well as his Town Commissioner seat.

Commissioner Fox's Report -

Commissioner Fox reported that he along with the Mayor attended the Veteran's Day Ceremony at the American Legion.

The Belt Filter Press is being replaced at the Wastewater Plant and the mixer and ventilation system is being installed at the Water Plant. The rest of the report will be available on line.

Mayor Eberhardt introduced Bunky Luffman who is a representative for Governor Hogan's office as a Governmental Affairs Eastern Shore liaison.

Mr. Luffmans position is to assist Municipalities with getting them in contact with the appropriate people when they have an issue that they are looking to get resolved and may be not sure who to turn to. He oversees 56 Municipalities in 9 Counties.

Mayor Eberhardt stated that we do have an issue that we have been trying to get accomplished for several years now, regarding a license free fishing zone, there seems to be many roadblocks that are in place and he feels that it is a problem that we should be able to overcome. The Mayor stated that Ms. Breder would be his primary contact on this issue, she would have the information on the previous attempts to get a license free fishing zone.

Auditors Report for FY 2016 - Rager, Lehman & Houck, P.C. - Wanda Lynn

Ms. Lynn, an auditor representing Rager, Lehman & Houck, presented the Fiscal year 2016 Audit findings. In the report the Town of Perryville received an unmodified opinion, which is the highest opinion that a town can receive. There were no significant material weaknesses or significant deficiencies identified other than minor payroll recommendations which are being addressed. The FY 2016 audit can be found on the Town's website.

Commissioner Ashby brought up some recommendations for changes regarding the payroll and Water and Sewer receivable responsibilities, he feels that it should be the Finance Department performing those functions.

NAACP-

The town received notification that the NAACP was not going to be able to attend tonight's meeting.

VA Update - Adam Letke

Adam Letke, one of the Project Engineers at Perry Point, stated that the construction documents were out for bid for the CLC project and the bids were due back on November 29 and are being reviewed.

Mayor Eberhardt commented that we are still interested in being kept in the loop regarding the bridge reconstruction.

Mr. Letke reported that they are continuing to perform site evaluations for the EUL project.

Commissioner Ashby inquired about the status of the pavilion coming into the park that was to be demolished and the possibility of us taking it over to become part of the park.

Mayor Eberhardt stated that Mr. Dallaire was to get back to us regarding that but we have not heard any new information, if he could possibly remind him that we are still interested in whether this is an option or not.

Town Administrator Report - Denise Breder

Ms. Breder stated that Charter Amendment 2016-03 regarding tie votes was adopted at the September 6 Town Meeting which was advertised accordingly, there was no petition for referendum filed and it has met the 50 day requirements and is now effective.

Ms. Breder reported that the Police Department project is underway and the contractor has begun grading the Police Station site and encountered poor subgrade soil conditions, particularly on the building pad site. There will be a change order request for the replacement of portions of the building foundation's subgrade soil with suitable material in some locations.

We have received three quotes from contractors to dismantle the Reservoir Dam Pump House and the storage container that is there. We have submitted demolition permits to Cecil County and the Health Department has also required us to submit an additional application to MDE. MDE is also requiring us to do an asbestos survey. Letters were sent to neighboring property owners regarding lowering the dam.

Mayor Eberhardt stated that the issue of the IKEA Way ownership may be another item that Bunky could assist us with since we have not heard anything back from MDOT.

Commissioner Ryan stated that the Fire Company began a temporary measure of digging a new well today at Fire Station 16 and are still looking into a more permanent solution.

Treasurer's Report - Rachel Deaner

Ms. Deaner thanked the board for their cooperation during the audit. On December 8 the new MGM casino will be opening up and she will be tracking to make sure that we get our money that is due per the legislation.

Mayor Eberhardt asked if we know yet how that money is going to be disbursed, if it was calendar year or fiscal year.

Ms. Deaner was not advised yet on how it would be disbursed.

Police Report -Police Chief Al Miller

Chief Miller thanked the board members and Ms. Breder for their support during his transition to Police Chief.

Chief Miller reported that they had their staff meeting the other day and they plan to be out in the community more. The new police building being built was a big accomplishment for us for the year. Our Police Sergeant, Joe Appleby, was named Instructor of the Year. The Police Department hired two new Police Officers and have added bike patrols this year and have joined forces with the Maryland State Police Crime Scene Search Team. We also hired a new employee for our Outreach Program. We have also continued with the Shop with a Cop Program. The owner of the Sports Bar and Grill reached out to us to offer assistance for collecting items for the children for the holidays by setting up a tree to put gloves and stockings and smaller things on and having a box for larger donated items to be collected and distributed for the children.

Chief Miller reported that there was a robbery at East Coast Liquors last night and we are working with the MD State Police and Baltimore County Police and the Cecil County Sheriff's Department regarding this incident, because it is a multi-County problem not just a Perryville problem.

Chief Miller wanted to commend Lieutenant Budnick for his support during this entire time, he has been a true asset and has been proactive in the daily operations of the Police Department.

Mayor Eberhardt feels that the various businesses and organizations that make a contribution to the town beyond their necessities should be recognized with a plaque or something that hangs at their place of business from the Town of Perryville recognizing their service or contributions to the town.

Commissioner Ashby inquired if he had heard anything about a robbery at the park on Saturday where somebody's car keys were taken and they were fearful that the robber would come to their house or something.

Chief Miller replied that he has not seen anything on his daily activity reports that the officers fill out each day.

Ms. Skilling commented that she had been informed that the one door is down again at the old Muller-Thym building and has heard that people are going in and out of it. We were going to call Mr. Clark again to have them secure it because they did come out and secure it the last time, hopefully this time it will be better secured.

Chief Miller commented that they were aware of that and have been checking on it and that would be great if she contacted the owner again to have it secured.

Lieutenant Budnick had heard that there was a homeless person living at the old Bob III Cees building on Route 40.

Ms. Skilling commented that Doug Hill is the owner of that building and at one point he had approached us about having our Fire Department burn it down.

Commissioner Ryan commented that there are too many issues in doing that, health issues, and to officially burn it down you would have to close Route 40 at like 2 or 3 in the morning and do not think the State Highway would be happy with that idea, it would generate too much smoke.

Chief Miller commented that this is definitely a hazardous situation in that building with the mold and the flooring falling in and whatever else may be in there, and a missing back door.

Mayor Eberhardt inquired if we have the ability to condemn the property.

Ms. Skilling commented that this may be one building that we could legitimize getting condemned.

Mayor Eberhardt commented that we definitely need to pursue getting something done with the Bob III Cees building.

Chief Miller wanted to thank Rachel for all of her assistance that she has given to him regarding the budget.

Outreach Report – Danielle Hemling

Ms. Hemling introduced Rachel, who is the Outreach Program's new Activities Coordinator.

Rachel Mangione is currently a student at Cecil Community College working towards a degree in Psychology and should have it by the end of the Fall Semester then she will be starting at Towson in the Spring and has previously worked at a Day Care.

Ms. Hemling reported that the overall attendance at the Outreach Program as of November 30th was 132, with no referrals, and 1 new member. We continued with the annual tradition of collecting food for Thanksgiving and were able to give out turkeys and hams to families in need in the Perryville area. We held our own family Thanksgiving dinner. Some of the members were taken on a field trip to Launch as a reward for community service. Fleece blankets were created for the Veterans at Perry Point and we are hoping to deliver them within the next week. We plan on attending the Town Christmas Tree Lighting Ceremony on Saturday and plan on assisting children at the craft tables. We have started our Toys- for- Tot collection and are still collecting food for Christmas Dinner for families in the area. Later next month we will be rewarding our members with a Santa Train Ride on a real steam train through Pennsylvania.

Planning and Zoning

Ms. Skilling stated that she has not gotten word yet on when the Comfort Station for Lower Ferry Park is to be delivered, but it is being built. A Grant Application was completed and submitted for \$75,000 of funding being awarded to the town as part of the Community Redevelopment project.

Mayor Eberhardt inquired about where we stand with discussions about Ferry service.

Ms. Skilling commented that she has only had one discussion with one individual but would like to get together with a group, not just one individual and meet collectively with the 3 Municipalities that are interested in having Ferry service.

Commissioner Ashby inquired if Garrett Island would be considered in the Ferry service.

Ms. Breder responded that Garrett Island is still under Blackwater and the request by Delegate Lisanti was to have it moved to be under the National Park Service, but will probably be a while before getting an answer on that request. The initial plan that they had to implement this being done was expensive.

Mayor Eberhardt noted that nothing would probably get done until that transfer takes place and even then it is still Federal property and they would probably have their own process for that.

Mayor Eberhardt inquired if we had any potentials for the newly vacated KFC site.

Ms. Skilling responded that we do not.

Mayor Eberhardt also asked if we know when the pod for the animal place is going to be delivered, to which Ms. Skilling responded that she does not.

From the Floor

There were no requests from the floor.

Old Business

Ordinance 2016-11 - Alcoholic Beverages on Town Property

Ordinance 2016-11 gives the Mayor and Commissioners the authority to allow alcoholic beverages on certain public owned property in the town during certain events based on approval from the board on a case by case basis.

Motion was made by Commissioner Linkey and seconded by Commissioner Ashby to approve Ordinance 2016-11. **All in Favor: Motion Carried.**

Ordinance 2016-21 - Zoning Ordinance changes

Mayor Eberhardt announced the introduction of Ordinance 2016-21 regarding changes to the Perryville Zoning Ordinance.

Ms. Skilling read the introductory paragraph to the Ordinance as follows:

FOR the purpose of making technical, stylistic and substantive revisions to the Town of Perryville Zoning Ordinance; adding and modifying certain definitions; requiring certain uses to obtain zoning or special exception permits; prohibiting farm animals in residential districts; altering or establishing specific requirements for certain uses; altering regulations for certain types of fences and temporary signs; altering procedures for zoning applications and amendments; establishing and providing criteria for a Planned Infill and Redevelopment District; and generally relating to revisions to the Town of Perryville Zoning Ordinance.

New Business

Heating Oil and Propane Maintenance Bids

Two proposals were received for heating oil and propane maintenance services, one from Alger Oil and the other from Aero Energy. Aero Energy was the low bid.

Motion was made by Commissioner Linkey and seconded by Commissioner Ashby to award Aero Energy the Heating Oil and Propane Maintenance Contract. **All in Favor: Motion Carried.**

Ordinance 2016-22

Mayor Eberhardt announced the introduction of Ordinance 2016-22 which sets future changes of procedures for applying for seasonal and daily boat ramp permits.

Mayor Eberhardt read the introductory paragraph to the Ordinance as follows:

FOR the purpose of altering the process for application for and issuance of daily and seasonal boat ramp permits; providing that the Mayor and Commissioners shall establish by Resolution the procedure for issuance of daily and seasonal boat ramp permits; and generally related daily and seasonal boat ramp permits.

There was discussion of making this an Emergency Ordinance to be in effect before the sale of the 2017 boat stickers, but it was determined that it would remain an introduction tonight, and voted on at a special meeting at the Work Session, which would make it effective mid-January of next year.

Ordinance 2016-23

Mayor Eberhardt introduced Ordinance 2016-23 which establishes to set a fee for a driveway permit for an existing home.

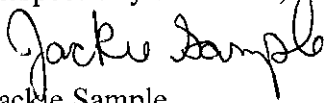
Resolution 2016-16

Mayor Eberhardt stated that this is a Resolution to designate the Town Attorney as the Resident Agent for the Town of Perryville.

Motion was made by Commissioner Linkey and seconded by Commissioner Ashby to approve Resolution 2016-16. **All in Favor: Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Ashby to adjourn the December 6, 2016 Town Meeting at 9:03 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,


Jackie Sample
Perryville Town Clerk