

**Town of Perryville
Town Meeting Minutes
August 7, 2018**

ATTENDANCE: Mayor: Robert R. Ashby Jr., Commissioners: Michelle Linkey, Pete Reich, Ray Ryan III, Town Administrator: Denise Breder, Finance Director: Debra Laubach, Planning Director: Dianna Battaglia, Police Chief: Al Miller, Town Clerk: Jackie Sample. Absent: Commissioner: Robert Taylor

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

The Town Meeting was called to order at 7:00 p.m. by Mayor Ashby.

Pledge to the Flag.

Mayor Ashby announced that Commissioner Taylor was not going to be attending tonight and that Commissioner Linkey should be here shortly.

Approval of Town Meeting Agenda

Mayor Ashby asked for a motion to approve the Town Meeting Agenda as published.

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

Consent Agenda Items: Mayor Ashby asked for a motion regarding the consent agenda items, which include the June 19, 2018 Work Session Minutes, the June 19, 2018 Special Meeting Minutes, June 19, 2018 Closed Work Session Meeting Minutes, July 3, 2018 Town Meeting Minutes.

Motion was made by Commissioner Ryan and seconded by Commissioner Reich to approve the Consent Agenda items. Discussion Ensued.

Commissioner Reich asked that the motion to include as written.

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

Commissioners' Reports -

Mayor's Report - Mayor Ashby allowed the Commissioners to report ahead of him.

Commissioner Ryan's Report -

Commissioner Ryan reported that he attended usual meetings for the month for the town, along with a couple of extra ones for projects that are going on in town. He also met with Chief Miller to keep up with what is going on with them.

Fire Department Report - Commissioner Ryan

Commissioner Ryan did not have the monthly stats available to report on. He reported that because of a Grant that the fire company received from the County they were able to purchase a man versus machine kit. It has been delivered and is now on the apparatus, it is a bunch of supportable hand tools that run off of 18-volt batteries that we can use. They can be used inside a large warehouse when we cannot get our apparatus up close. We also got what is called a Turk cart, which will assist us in carrying our tools and will also attach to rescue baskets to transport patients across large warehouses or open terrain and can be done by one person. We had our first training last night and the next training session is going to be a combined training with us and Charlestown.

Commissioner Linkey arrived at this point which was 7:05 p.m.

Commissioner Ryan reported that Howard County and the Susquehanna Hose Company lost a firefighter in the line of duty while he was in Howard County. He was a member of the Havre De Grace Fire Company. We sent an engine over to Havre De Grace on Friday and Saturday to help with coverage on calls so that their members could pay their respects.

Commissioner Reich's Report -

Commissioner Reich reported that he is glad to report that for the 7th month in a row that the Water and Wastewater Plants met or exceeded their State and Federal requirements, so we have another 5 months to go to get another \$60,000. We received our \$60,000 last month from last year. This is a grant that we receive if we do better than the limits that are placed on us. Jeff Morton passed the MDE Class 4 water operations examination. The town has received a Preliminary Wastewater Permit, which now requires additional testing for different items. He attended a meeting with GMB engineers for a kick-off meeting to perform the Preliminary Engineering Report for the ENR refinement study, (the denite filters). He also attended a pre-bid meeting with Engineers to discuss the RFP for the MS4 Permit.

Commissioner Linkey's Report -

Commissioner Linkey reported that the DPW report will be on-line. She attended the regularly scheduled meetings and the BoardDocs training as well. She has two new employees to introduce tonight, Scott Tarbert, who grew up in Perryville and has 20-

years experience with Water and Wastewater and worked here in the 90's, he is working in Public Works Department.

Scott stated that he has been here for two weeks and has taken his CPR training and everyone has been very nice and it has been going pretty good.

Commissioner Linkey also introduced Christine Nesbitt, who is working at the Parks Department. She has experience with an Orchard and with lots of equipment and is working on helping to maintain the grounds and buildings and the aesthetics. She has been here since May.

Mayor's Report

Mayor Ashby reported that Subworks had their pizza sale with 10% of the proceeds going to the Girls Softball Team who made it to the Regionals. He attended the Work Session and an MML meeting in Bel Air, BoardDocs training and the Mayor's Drug Force meeting in Elkton and a conference call regarding the flood gates. He also attended the Belvidere bypass Open House.

Town Administrator Report - Denise Breder

Ms. Breder reported that she, along with Cathy McCardell, interviewed 7 applicants for the Clerk I vacancy. We have not made an offer yet but are expecting to do that this week. As Commissioner Reich reported we had the MS4, meaning Municipal Separate Storm Sewer System, request for proposals prepared. MDE is requiring Perryville to comply with the permit beginning October 31, 2018. We prepared a request for proposals and on July 17, Commissioner Reich, Ralph Ryan and herself held a pre-proposal meeting and bids are due tomorrow, one bid has already come in and 11 companies were present at the pre-proposal meeting. She along with Ralph Ryan, Dianna Battaglia and Commissioner Linkey reviewed the bids for the Phase II Town Hall project which would be the Little League Field. She expects that topic to be on the next Work Session for discussion. The rest of the report is available on-line.

Commissioner Reich inquired if a letter was sent out to MDE regarding the NPDES permit renewal and why it was three years and not five.

Ms. Breder commented that it was sent out and they did respond, but she does not recall what the response was, but she thinks they are standing by the three years.

Treasurer's Report - Debra Laubach

Ms. Laubach reported that most of last month was spent closing out FY/18 in preparation for the auditors. We have come up with a couple of budget amendments which will be introduced later on this evening. With the new auditors, their procedures are a little bit different than our old auditors. The old auditors would come in the last

week of August and do some fact finding and gather some information and then spend the next month requesting information and finishing up the audit in their office. These auditors will have 95% of the audit finished while they are here, they are coming in on August 20th and will be here for two weeks which has accelerated our schedule. We were able to put some items on Muncibid and were able to sell a dump truck for \$4,105. When we switched copiers from Konica to Canon we ended up with 12 surplus copiers/printers, the Police Department took four of them and the remaining were put on Muncibid and the response was very poor after putting them up twice. If we do not get a good response this time she is going to try another site, Govdeals.com, which has a much larger audience. Every year we receive \$3,000 as a Grant from DNR to clean up the waterways and we do not usually use it because it cannot be used to clean up the shoreline, it can only be used out in the open water area. We did receive notification that they increased the Grant up to \$5,000, again with the same restrictions, but that may be enough that we can do some projects with. We did receive the last distribution for Local Impact today, which was \$125,974.

Police Report - Chief Miller

Chief Miller reported that his entire report will be on-line. Tonight, is the National Night Out at the Community Firehouse, he thanked the residents who came to the event. On July 19th he met with Lieutenant Hicks, who is the new Commander of the Hatem Memorial bridge detachment, and he is willing to work with us as far as traffic enforcement and providing extra Police protection in town. He spoke to our Planning Coordinator about the Lower Ferry Festival coming up this weekend. We had a robbery at the Perryville Food Lion, within 10 minutes Officer Kennedy apprehended and arrested that subject. He also wanted to commend both new officers, Officer Kennedy and Officer Morgan, for their traffic and criminal arrests during the month of June and July. We had a couple of accidents at the Triathlon this year, one was a more serious accident which the Perryville Fire Company responded too in a short period of time. We have been working with the schools to increase safety in and around the schools.

Outreach Report – Chief Miller

Chief Miller reported on behalf of Danielle Hemling, who is the Outreach Director. She is currently attending the National Night Out at the Fire Company. The children participated in picking up trash around the neighborhood. They received donations from Good Shephard, Principio Furnace United Methodist Church, and the Legion. They also celebrated Shark week with fun activities and some learning.

Planning and Zoning - Dianna Battaglia

Ms. Battaglia highlighted a couple of items from her report. The former Mullerthyme building has recently been sold. Also, under contract for sale is the marinas formerly owned by the Perryville Yacht Club. There will soon be some activity in the downtown area of town. She is also working with the County on planning an event

sometime in October to attract residential development in Cecil County. She has received a lot of interest from builders she has reached out too. She also announced that Saturday is going to be the Lower Ferry Festival and it will be from 1-7 p.m. with vendors and live music and activities for kids.

From the Floor

Adam Boksz, from 100 Greenway, commented that he was willing to donate 2 sets of trains to get us started if we plan on doing any train shows at Christmas time at the Fire Department or the Police Department.

Commissioner Ryan got his information on behalf of the Fire Department at his capacity as Fire Chief to have someone contact him from the Department.

Shawna McCarver, from 143 Bayscape Drive, wanted to discuss the issue with the parking where the townhouses are at Chesapeake Landing. When you are coming from Route 40 and go up toward the stop sign, there are the same three cars by the townhouses parking all day and night and you can't see cars coming. There are children playing all around that area and it is very hazardous.

Commissioner Reich asked if they are parked right next to the stop sign.

Ms. McCarver responded that they are not, they are parked just before you turn into the townhomes.

Chief Miller stated that he would look into it, this is the first that he has heard of this.

Ms. McCarver commented that it has been going on for about three months now.

Evelyn Testerman, who resides on 117 Bayscape Drive, commented that there are several of us here tonight for two specific reasons. She has spoken to Chief Miller, she has concerns about the fireworks. These fireworks are happening in the neighborhood and not just on the Fourth of July. The first time she heard them was on June 23rd and they are continuing to do them, it can be at 2 am in the morning or 4 o'clock in the afternoon. She responded that Chief Miller did not really give her an answer if it would be looked into or if something would be done. She had spoken to one of the officers on duty on the Fourth of July who stated that it was a Fire Marshall issue, which she does not agree with and she believes it is a Town of Perryville issue. Fireworks are not legal in the State of Maryland and something needs to be done about it. The other thing that she wanted to discuss was the yellow stripes in the middle of the road on Bayscape Drive and Chesapeake Landing, she is not sure why they were put there a couple of years ago. She stated that the speed limit is 15 miles an hour on those roads and now that the stripes are there everyone feels that it is a super highway and there are no sidewalks and it is unsafe, especially for kids that may be on the roads.

Commissioner Linkey responded that the stripes were put in because studies have shown that because it defines a right and left lane people are less likely to go as fast, but it does not stop everything.

Ms. Testerman responded that this would be a good reason if it worked but it is not working, and she has given up calling the Town Police because it doesn't work. She has asked in the past for someone to come out and monitor traffic and the stop signs and it does not happen in Chesapeake Landing and Riverview Hills, she feels that they are the forgotten community.

Commissioner Linkey responded that unfortunately there is no perfect way to get people to slow down, people speed in her neighborhood and unfortunately, it's usually her neighbors.

Ms. Testerman realizes that but stated that more police presence would help the situation.

Commissioner Linkey responded that unless you have police presence on every street every single hour you are going to have speeding, we do try to do as much as we can, and it is going to be an ongoing issue. We have looked into speed bumps and rumble strips and other things and each has their positives and negatives. We will look into it some more. Commissioner Linkey commented that she did not bring her cards with her, but she is the Commissioner of DPW and she can contact her at any time.

Chief Miller responded that he did talk to Ms. Testerman and thought that he had assured her that they were doing what they could do. They had extra patrols come out that night who issued two criminal citations. That night on July 4th, Cecil County Sheriff's Office was backed up 20 calls just for fireworks, he called the Cecil County Sheriff's Office himself because they were shooting off fireworks in his neighborhood. Each year they put out something regarding fireworks, that if they leave the ground they are illegal and that the officer was correct with his response to her, the Fire Marshall's Office does have the jurisdiction regarding fireworks, they dictate the laws to us. As far as traffic enforcement we have issued over 500 warnings at Beacon Point and almost every one of those was a resident.

Ms. Testerman inquired how many have been issued for Chesapeake Landing and Riverview Hills.

Chief Miller responded that he would have to look into that, our town is broken into sectors, when we get a call for a sector we will respond to that sector, he is hearing about the parking issue tonight, he will respond to that request tomorrow and issue a warning or citation if warranted.

Ms. Testerman responded that they are not illegally parked they are just hazardous parking.

Chief Miller responded that we will be up there, and we have been up there before. He responded that most of the people, not necessarily in your neighborhood, are the residents themselves committing the violations and sometimes double violations.

Ms. Testerman responded if the residents in her community are committing these violations she expects them to receive a ticket. She wants more police presence there to help with this issue.

Commissioner Ryan offered to give her his card, since he is also the Fire Chief, to assist her and the Police Chief with getting something done on multiple sides with the fireworks.

Commissioner Reich inquired if she had any idea where the fireworks are coming from.

Ms. Testerman did not, when the Police were called they were coming from the townhomes. She lives on the corner of Bayscape and Chesapeake Landing, they were shooting them off in the street next to her house and then running back into the townhouses.

Pat Stetina, from the Perryville Railroad Museum, stated that they have a sign along the road that is made out of wood. It has been weathered for the past four or five years now and it is starting to rot out. We are getting a new sign built and it should be ready in about two weeks. Mr. Stetina stated that they have 3 railway cars at the Station, one has two boards underneath of it that are rotting away, one has already rotted away. We have pieces of wood to install along with the holes and bolts and racks to be put on, but we have no way of raising it up to do the work on it because of the weight. He was inquiring if the guys in our maintenance department would be able to do that for them.

Commissioner Linkey responded that she would talk to the DPW Supervisor and see what they can do.

Mr. Stetina commented that there is no way that they can do it by themselves, that car is very heavy and it is historical, so they have to be very careful in repairing it.

New Business

Mayor Ashby presented Resolution 2018-08 which is an Annexation Plan for Ms. Battaglia to summarize.

Resolution 2018-08 – Annexation Plan of 11.741 acres of land into the corporate limits of the Town of Perryville.

Ms. Battaglia stated that tonight we are introducing Resolution 2018-08 by the Mayor and Commissioners of the Town of Perryville, to adopt an Annexation Plan

associated with the Annexation of 11.741 acres of land into the corporate limits of the Town of Perryville. The Stewart's own a piece of property that is between the casino and the MDTA building off of I-95 and it is a small piece of land that they want to bring in from the County into the corporate limits of town and incorporate it into Chesapeake Overlook, to open visibility from the highway and make the site more attractive.

Resolution 2018-09 – Annexation of 11.741 acres of land into the corporate limits of the Town of Perryville.

Ms. Battaglia stated that Resolution 2018-09 is being introduced by the Mayor and Commissioners of the Town of Perryville, for Annexation of 11.741 acres of land into the corporate limits of Town owned by Principio Iron Company in the area previously mentioned.

Mayor Ashby introduced Budget Amendment Ordinance 2018-11.

Ordinance 2018-11 Budget Amendment

Ms. Laubach summarized Budget Amendment Ordinance 2018-11, which was for the purpose of amending, retroactively the adopted budget for the Town of Perryville for the FY beginning July 1, 2017, and ending June 30, 2018, to reallocate the sources of revenues from Local Impact Fund Reserved Fund Balance to Unreserved Fund Balance; to appropriate for certain purposes certain funds, and generally related to amendment of the Town's FY 2018 budget. Ms. Laubach stated that since this has been done a couple of items have come to light that needs to be added to this, so at our next Work Session we will go into a Special Meeting to amend this.

Mayor Ashby introduced Budget Amendment Ordinance 2018-12.

Ordinance 2018-12 Budget Amendment

Ms. Laubach summarized Budget Amendment Ordinance 2018-12, which was for the FY19 beginning July 1, 2018, and ending June 30, 2019, to appropriate for certain purposes certain funds and generally related to amendment of the town's FY19 budget. Ms. Laubach explained that this was for something that was unforeseen when doing the original budget. The first item was for the Outreach building because of the heavy rains their basement is continuing to flood. We got an estimate to waterproof it and get a high capacity sump pump with installation and cost of \$7,500, coming from the Mayor and Commissioners contingency fund. The second and third items are from the Water Fund and the Sewer Fund Reserves, she received a memo from DPW regarding certain items that were ordered from DPW for FY18 budget that unfortunately did not come in time for that budget, so the funds were unable to be used in the FY18 budget and the FY19 budget is depleting rapidly so the remaining funds from FY18 were requested to be moved into FY 19's budget.

Mayor Ashby introduced Budget Amendment Ordinance 2018-13.

Ordinance 2018-13 Budget Amendment

Ms. Laubach summarized Budget Amendment Ordinance 2018-13, which was for the purpose of amending, retroactively the adopted budget for the Town of Perryville for the FY18 beginning July 1, 2017 and ending June 30, 2018 to appropriate for certain purposes certain funds and generally related to amendment of the Town's FY 2018 budget. In closing out the FY 2018 she looked into the budget versus the actual expenditures and accounts that were over encumbered made the determination whether a budget amendment was needed, and this Ordinance represents those accounts.

Release for Police Department Damages

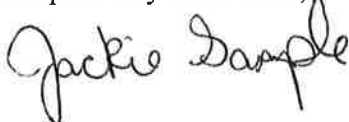
Ms. Breder stated that on January 1st there was a malfunction of the sprinkler head in the new Police Department building which did cause some damage. The insurer for the company that installed the sprinklers is Federated Mutual and they are covering the cost of the damages. She is recommending approval of the release to get reimbursed for the cost associated with repairs and cleanup of the damages of the Police Department building. Ms. Breder commented that at the Work Session Commissioner Ryan had asked if we were sure going forward that this was not going to happen again. We double checked with both the contractor and the insurer who did the investigation and there is no document that states that it was a defective sprinkler head but they do believe that it was the sprinkler head that was damaged. The other sprinkler heads have been checked and a standard operating procedure needs to be in place for when the temperature gets around 40 degrees to have the system inspected and make sure that there is no condensation buildup.

Commissioner Ryan inquired whose cost that would be for the inspection, to which Ms. Breder responded that it would be our cost going forward because it is our building.

Motion was made by Commissioner Ryan and seconded by Commissioner Reich to sign the release for the Police department damages with Federated Mutual Insurance. **All in Favor: Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Reich to adjourn the August 7, 2018 Town Meeting at 7:52 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample
Perryville Town Clerk

**Statement Regarding June 19, 2018 Closed Meeting for Inclusion in Minutes August 7, 2018
Town Meeting Minutes**

On June 19, 2018, the Mayor and Commissioners of Perryville conducted a closed meeting at 6:00pm in accordance with General Provisions Articles, §3-305(b)(1) To discuss the appointment, employment, assignment, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personal matter that affects one or specific individuals. §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; Commissioners: Bob Taylor (by phone) and Michelle Linkey, Pete Reich and Ray Ryan III, were in attendance as well as Mayor Ashby. In addition to Mayor and Commissioners, Denise Breder, Town Administrator, Cathy McCardell, Assistant Town Administrator, Debbie Laubach, Finance Director, Aaron Ashford, DPW Supervisor, and Tara Dvorak, Office Clerk attended the closed session. During the meeting, there was discussion on entering into an agreement with a possible developer, which the Board voted on. There was also discussion of an employee promotion and administrative re-organization and this was also voted on. The meeting was adjourned at 7:31pm.