

**Town of Perryville  
Town Meeting Minutes  
June 5, 2018**

ATTENDANCE: Mayor: Robert R. Ashby Jr., Commissioners: Michelle Linkey, Pete Reich, Ray Ryan III, Town Administrator: Denise Breder, Assistant Town Administrator: Cathy McCardell, Financial Director: Debra Laubach, Town Planner: Dianna Battaglia, Planning & Zoning Coordinator: Amanda Hickman, Police Chief: Al Miller, Outreach Director: Danielle Hemling, Town Clerk: Jackie Sample.

Remote Participation: Commissioner: Robert Taylor, beginning with Old Business.

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 7:00 p.m. by Mayor Ashby.**

Mayor Ashby noted that Commissioner Linkey was not present yet.

**Pledge to the Flag.**

**Remote Participation Request -**

Mayor Ashby announced that that Commissioner Taylor asked for permission to attend remotely and to be called when it comes to New Business.

**Motion** was made by Commissioner Reich and seconded by Commissioner Ryan to allow Commissioner Taylor to attend the meeting remotely. **3 in Favor: Motion Carried.**

**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. **3 in Favor: Motion Carried.**

**Consent Agenda Items:** Mayor Ashby asked for a motion regarding the consent agenda items, which include the April 17, 2018 Work Session Minutes, the April 17, 2018 Special Meeting Minutes, May 1, 2018 Town Meeting Minutes

**Motion** was made by Commissioner Reich and seconded by Commissioner Ryan to approve the Consent Agenda items. **3 in Favor: Motion Carried.**

**Commissioners' Reports -**

**Mayor's Report -**

Mayor Ashby reported that he attended the Mayor's Drug Task Force Meeting in Elkton. He attended the Casino Music Festival, along with Perryville Police Chief Miller and Commissioner Ryan. Town staff members Dianna and Shirley were also there assisting with the event since we were sponsors. He also met with Gary Stewart to discuss the future of the property up by the casino.

**Commissioner Reich's Report -**

Commissioner Reich reported that the Water and Wastewater plants have both met or exceeded the Federal and State requirements for the months of April and May. George Smith received his new Superintendent license from MDE, he also taught an MCET wastewater course and received 1.5 times the course credit for his certification renewal. Shawn Patchell took the water certification exam on May 24, 2018. Commissioner Reich also stated that he had been approached by a member of the Perryville Fire Company about the possibility of giving active members of the Fire Company a break on their property taxes like other Municipalities do on the other side of the river. It may be to late for consideration for this budget year but may be something to consider for future budgeting.

Commissioner Linkey arrived at this point of the meeting.

**Commissioner Ryan's Report -**

Commissioner Ryan attended the music festival at the casino and the meeting with some of the staff and Mr. Stewart regarding the property next to the casino. He also met with the Police Chief and Lieutenant Budnick to go over some items regarding his new responsibilities assigned as Commissioner.

**Fire Department Report – Commissioner Ryan**

Commissioner Ryan reported on behalf of the Fire Department in his position as Fire Chief, the Fire Department had 52 calls for the month of May, they were on I-95 8 times, the average time to getting the first unit on the street was 5.3 minutes, averaging about 10 people per call and putting about 5 members on the scene. The County is going to a new radio system and the County is meeting with the State on June 20<sup>th</sup>. We should get the final approval from the State to jump onto the State Radio system which should improve all radio communications with the Police and Fire Departments. It may happen within the next three years versus five years.

**Commissioner Linkey's Report -**

Commissioner Linkey reported that the DPW report will be on the website. She reported that the muffin monster will be delivered on July 12<sup>th</sup>. She met with Denise and Ralph regarding the Little League Request for Qualifications.

**Town Administrator Report - Denise Breder**

Ms. Breder stated that we have come across some issues with the water and sewer billing and Cathy and Tara in the office have been looking into all of the accounts and making corrections as needed. Because of that and some of the staggered due dates on the invoices the late notices and shut offs will be suspended this quarter only as we get on track for July. We had Core and Main come in to look into the communication between the hand-held meter readings and the software that we have for billing and found a couple of things that need to be fixed there. We need to meet with our Edmunds software company to make some changes with them as well. She met with Eileen Rice, the Curator for Rodgers Tavern, to discuss some changes to the Museum set up and displays along with the current budget and things that she needs to finish. She also stated that she has had 60 visitors at the Tavern since the end of March and did a tour with 5<sup>th</sup> graders today. She has a tour coming up with a family coming in from England in the next week or so. We have had problems with a clogged drain that goes under the Norfolk Southern railroad tracks causing water build up behind Rustic Court and Frenchtown Road. She along with other staff members have been working with them to clear the blockage and improve the drainage system for a more permanent correction. She has recently heard from the VA regarding re-scoping the Community Living Center, because it did not include the bridge replacement in the scope. The VA is to send us a formal letter on how they plan to address that issue since the VA is aware that the Town considers this a contractual obligation of the VA. There is a Green Team meeting coming up this Thursday June 7 at 5:30 p.m. in this meeting room. She had a conference call with Commissioner Reich to talk about the MS4 permit and the next steps needed to deal with that stormwater permit. Ms. Breder, along with Ralph Ryan and Mayor Ashby met with residents whose properties border Trego field to discuss the town's plans for the Trego field project. Commissioner Linkey was one of the evaluators for the request for qualifications for that project. Ms. Breder is meeting with Ralph this week to get the request for proposals out to those pre-qualified firms. There will be some boring done on the Amtrak property for the Susquehanna River Rail Bridge project the week of June 17<sup>th</sup>.

Commissioner Reich inquired if we think that the problem with the meters is caused from going from analog to digital.

Ms. Breder responded that it seems to be several problems, and that is certainly one of them, along with how they were set up in the system.

**Treasurer's Report - Debra Laubach**

Ms. Laubach reported that this past month as we are closing in on the end of the year we have been doing quite a few budget changes by transferring funds by line items. She has been doing an extensive review of our fixed assets and insurance coverage to present to Denise before renewing our policy with LGIT for this year. She is also working on establishing a Capital projects fund and some other funds after discussion with our new auditors to simplify things more for record keeping. She met with Paul Beane from Waste Management, who is the Director for this area, to discuss overages in billings for dumpsters that are over filled in the Owens Landing area. They agreed to bring in larger dumpsters and in the interim they are waiving the overage fees. While we were out we looked at some of the other areas that had dumpsters and part of our contract allows for two dumpsters for the Fire Department, so we will now be putting one at the Fire House located off of Route 222 as well. She also attended a meeting with Cecil County for the tax set off and there are no changes to the prior revenue that they had sent us. The new auditors came in and performed internal control testing along with reviewing activity in our restricted and assigned funds and will be preparing a report with their findings. The full release of the lease agreement for the old copiers has been finalized and we are in the process of getting rid of them. The various internal department heads have been notified to the availability of the copiers and the Police Department took three of them, the rest of them will be put on Municibid in staggered rounds. We received \$135,190 in Local Impact Revenue in April for the month of March, she made a calculation to see where we stand compared to what we have budgeted, and we are roughly \$64,000 over what we had projected.

Commissioner Reich thought that we recently had to turn some of that revenue back to them.

Ms. Laubach responded that what happened was they had given us too much one month.

Commissioner Reich inquired if we are sure that is not what is happening now.

Ms. Laubach responded that the calculations seem to be right on target.

Commissioner Reich inquired if the problems with the water bills should have been something that our auditors should have caught.

Ms. Laubach responded not to the full extent, possibly some of it, in their analysis of the procedures not being looked into as in depth as they should have.

Commissioner Ryan received a phone call from the Mayor of Port Deposit stating that Port Deposit was overpaid by the State, they had been getting money for the number of people that had lived in town. They did an audit and the number of people that they were getting paid for was less, and they were going to lose some money this year and

next year, amounting to about \$20,000, and Chesapeake City was going through the same thing losing about \$10,000 over the next two years. He inquired if we have heard anything about that yet.

Ms. Laubach responded that we had not heard anything yet.

Commissioner Ryan commented that they had called someone at the State to find out why they were not getting their usual amount of money, so you may want to touch base with them to get more information.

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

Chief Miller reported that both of the two new Police Officers are doing well. We have been in contact with the MDTA to work in conjunction with them in using their tag reader. The tag reader is placed on the Police car and it can read the tag of a vehicle to determine if the vehicle has been stolen or the driver's license has been suspended, etc. As Commissioner Ryan mentioned earlier we are also working on the final stages of the new radio systems. Some of the officers attended "Wheels Day" at the Perryville Elementary School and their career day was also attended. The chief, along with Corporal Nitz, gave a tour of the Police Station for 20 Boy Scouts and 15 Cub Scouts. Our Police Department along with the Fire Department provided protection for those who attended the concert at the Hollywood Casino, approximately 1,200 people. On June 15-17 a local Cub Scout pack will be camping out at the Perryville Park. He has been informed by the promoter of the Cesky ½ Marathon that the event is a go, so he will be meeting with the Chief of our Fire Department to go over the logistics of this event. Chief Miller reported that the Triathlon is going to be held on July 14, 2018. August 7<sup>th</sup> will be "National Night Out" and we like to hold it at Fire Station 6. In talking to the Mayor and some of our staff, the Police Department is looking to change the colors of their police vehicles. They are looking to go from a white police vehicle to a bolder colored vehicle, blue with gold striping, so that we will have our own identity and it will bring a higher re-sale value and change our image.

Ms. Breder stated that the Triathlon date is July 7, 2018.

Commissioner Reich inquired if we have an estimated cost for the new police car colors.

Chief Miller responded that the decals are the same as what we are paying now and since the paint is a solid color that should not change in price either, the difference usually comes in if you are doing a two-toned color. They would like to start with the two new vehicles that they are ordering. We will keep our existing vehicles white until we order new ones.

Commissioner Ryan inquired if the blue colors will affect the lighting package, if it will be less easy to identify.

Chief Miller responded that it should not affect that, there are other agencies that have dark blue or black vehicles. A lot of the agencies are going with black vehicles and with the striping it reflects the LED lighting.

**Outreach Report - Danielle Hemling**

Danielle introduced Devin, she is the new Activities Coordinator, who will be reading the report for tonight. The renovations for the Outreach building started a week early. We will be closed Thursday and Friday this week to the kids so that we can move everything out of the main living space downstairs, and be closed Monday, Tuesday, and Wednesday of next week while they renovate that area. Unfortunately, we had some flooding in our basement that we discovered when we came in on Monday, luckily the freezer is still working although some items that we had in bins that were stored had been lifted by the water and they fell over into the water.

Commissioner Linkey inquired when schools are out and if it would be possible to have some of the children who are provided with the homework assistance the ability to utilize this meeting room so that they are not missing that assistance.

Ms. Hemling responded that they have half days on the 13<sup>th</sup> and 14<sup>th</sup>. She had thought about the homework help as well and tried to prepare the parents as much as possible. She could talk with Chief Miller about possibly utilizing their conference room, if that would not cause any security issues.

Commissioner Reich inquired if the guy with the boat, to provide boat safety training, had ever gotten back to her.

Ms. Hemling responded that he did, however he was too busy and was not going to be able to do it. She was able to talk to George Patchell, the Branch Executive Director at the YMCA in Northeast, who put her in touch with the Janet Nelson, who is the Swim Coordinator at the YMCA, who is willing to set up some water safety lessons for the kids. We are still working on whether we are going to go to them or whether they are going to come to us. She also met with Debbie and gave her some quotes to finally get the basement fixed. We really need a commercial grade sump pump down there, the existing one cannot keep up with the amount of water that we are getting down there.

Devin reported on behalf of the Outreach Program. She reported that we have had roughly 15 to 20 kids daily at the program. The overall monthly attendance has been around 325 with one new referral and 5 new members. Members made teacher appreciation gifts and Mother's Day gifts. There was another food distribution at Perryville Middle School and they gave us their leftovers for us to continue to serve the community. We accepted donations of snacks from Ray of Hope and were able to give back to them clothing and food from the food pantry. We made homeless kits for those in our community who are less fortunate and gave them to Meeting Ground to distribute. We have started a walking group each afternoon to help build healthier kids. We have

started to use a new app called Charity Miles, allowing members to pick a charity and walk for that charity which earns money for that charity every time they walk. Life skills focused on aggression versus assertiveness and knowing the difference and how to work through each of them. Our members have been given community service hours to be completed this summer. If they complete their minimum amount of community service hours they will be invited to go to one of three field trips planned this summer.

**Planning and Zoning - Dianna Battaglia**

Ms. Battaglia reported that we received the final version of the Corporate Boundary Survey and there is one correction being made and then we will have it. Another item that is not part of her report was that we have three single family dwelling Zoning Certificates that we are reviewing and getting ready to approve. One is on Maryland Avenue and two are Habitat for Humanity on Richmond Street.

Commissioner Linkey inquired about the status of the Woodlands property and if Doug Hill is still in the picture.

Ms. Battaglia reported that he is still involved with that property and still wants to do something with it, but he lives in Florida, there are other investors that are here, it is a mixed-use property, so it can be residential and commercial.

**From the Floor**

There were no comments from the floor.

Mayor Ashby announced that Commissioner Robert Taylor will be attending and participating via speaker phone.

Commissioner Taylor was called for the remote participation.

Mayor Ashby asked Commissioner Taylor if he could hear him, to which he responded that he could.

Mayor Ashby asked the members of the board and others present if they could hear Commissioner Taylor, to which the response was yes. He let the record reflect that Commissioner Taylor, who is attending by remote participation, can be heard by all present. All votes taken during any meeting in which the Commissioner participates remotely shall be by roll call vote.

**Old Business**

**Ordinance 2018-07 Personnel Manual - Cathy McCardell**

Mayor Ashby stated that this Ordinance for consideration is to add sick leave for part time employees per Maryland law.

Ms. McCardell stated that State law is now requiring that sick leave be provided for regular part time employees that work twelve hours each work week, so we needed to amend our personnel manual with Ordinance 2018-07 to meet that requirement.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Reich to approve Ordinance 2018-07. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

### **New Business**

#### **Health Insurance Plans - Cathy McCardell**

Mayor Ashby stated that before us is consideration of a health plan for the employees for fiscal year 2019.

Ms. McCardell stated that after speaking to the board members at the Work Session she went back over the average being put toward the deductible in the Health Insurance, which is shown on the two new highlighted areas of the worksheet. We average about \$60,000 with using the deductible and our allowed amount is about \$120,000. She compared proposal number 1 and proposal number 2 with the deductible and insurance and had originally recommended proposal number 2, but once she added in the average for the deductible, we will actually be saving \$4,166.99 going with proposal number 1, which is the exact same plan that we currently have. If the deductible goes over that amount it would be a requirement by the town that the overage amount would need to be paid if it came to that. Her recommendation is proposal number 1.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Reich to accept the staff recommendation of proposal number 1 for the town's health care. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

#### **Grant Extension for Riverside Center - Amanda Hickman**

Ms. Hickman announced that this request for a Grant extension has not changed from the Work Session. They are doing the work right now and are projecting to complete by the end of the fiscal year, but this request was put in just in case the weather conditions are not favorable to complete it by then. She is requesting that August 31 be put on the modification form to be specific, other than that there are no changes.



Commissioner Taylor could not hear her and asked if she would repeat what she said, which she did.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Taylor to approve the Riverside Grant extension request and give them until August 31, 2018 to complete the project. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

#### **Business Development Grant - Amanda Hickman**

Mayor Ashby commented that we have a Business Development Grant Request presentation and recommendation made by the Grant review committee for consideration.

Ms. Hickman announced that we currently have one Business Development Grant application that the grant review committee is recommending for funding. The applicant is W.R. Investment Group LLC., the funding would go toward acquisition of the Muller Thyme building for construction of 5<sup>th</sup> Company Microbrewery and Restaurant. The total cost will be \$300,000, they requested \$30,000 and the committee is recommending full funding. She stated that two out of three partners are here tonight for any questions for the project that you may have, Brandon Phillips and Phil Lambo.

Ms. Breder asked if this was the only Business Development Grant application that we received this year.

Ms. Hickman responded that we have one other one that is still in process, for a residential rental property and they were granted \$6,400 and are still working on that now. There were two other applications that came in and were reviewed with this applicant and they did not score high enough to be considered for funding, so there was about \$3,600 left over after this one, because last year was budgeted for \$40,000, next year is \$30,000.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Reich to approve the Business Development Grant request for the Muller Thyme building. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

#### **Ordinance 2018-08 Chapter 32 Building Construction**

Mayor Ashby introduced Ordinance 2018-08 regarding Chapter 32 to repeal certain Town of Perryville regulations relating to building construction in town and providing for building construction in town to be undertaken pursuant to certain provisions of Cecil County law.

Ms. Battaglia stated that Ordinance 2018-08 is an introduction to recognize in Chapter 32 of the code what Cecil County has been doing for us for a long time.

**Ordinance 2018-09 Chapter 30 Brush, grass, and weeds**

Ms. Battaglia introduced Ordinance 2018-09, on behalf of the Mayor, regarding Chapter 30 of the code defining certain terms and modify certain penalties to assist in the enforcement of regulations relating to brush, weeds, and grass in the Town of Perryville.

**AT&T Susquehanna River Bore**

Mayor Ashby stated that we have a request for a revision to Exhibit A for an AT&T easement previously granted across town property between Roundhouse Drive and the Susquehanna River south of the boat ramp for installation of a new fiber optic conduit route crossing the river.

Ms. Battaglia commented that this was discussed at the Work Session, it is for AT&T boring and they just changed the alignment of where the conduit is going to go under ground and it is a change to the Appendix Exhibit A, so we just need the approval of that, so they can continue to get that agreement recorded.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Reich to approve the revision to Exhibit A for the AT&T easement agreement that we had previously granted. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

**Resolution 2018-04 Unassigned Fund Balance assignment of funds**

Mayor Ashby stated that Resolution 2018-04 was to assign \$75,000 per our Fund Balance Policy and transfer to the facilities reserve fund to be used for the Town Hall Project.

Ms. Laubach stated that this was just a formality to transfer our funds to the facility reserves and the funds were already allocated in our budget.

**Motion** was made by Commissioner Reich and seconded by Commissioner Taylor to approve Resolution 2018-04. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

**Resolution 2018-05 Unassigned Fund Balance assignment of funds**

Mayor Ashby stated that Resolution 2018-05 was to assign \$25,000 per our Fund Balance Policy and transfer the facilities reserve fund to be used for the Little League field.

Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

Ms. Laubach stated that this was again to transfer our funds to the facility reserves and the funds were already allocated in our budget.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Reich to approve Resolution 2018-05. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

**Resolution 2018-06**

Mayor Ashby stated that this Resolution is to allow Howard Bank to recognize and deal with the Mayor and Commissioners as signers on the bank accounts of the Town of Perryville.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Reich to approve Resolution 2018-06.

After discussion Commissioner Ryan withdrew his original motion and Commissioner Reich withdrew his second and a new motion was made to reflect both Corporate Banking Resolutions. Resolution 2018-07 is to allow PNC to recognize and deal with the Mayor and Commissioners as signers on the bank accounts of the Town of Perryville.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to approve Resolution 2018-06 & Resolution 2018-07. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

**Budget Amendment Ordinance 2018-10**

Mayor Ashby introduced Budget Amendment Ordinance 2018-10 which was to amend the FY19 budget for fiscal year July 1, 2018 and ending June 30, 2019 to appropriate funds for the waste water Denitrification Filter Engineering Preliminary Report.

Ms. Laubach explained that this is basically moving \$20,000 from the Sewer Contingency fund to Capital Outlay for the FY 19 budget for the preliminary waste water denitrification filter engineering report.

### **Owens Landing I Request**

Mayor Ashby stated that this was a request for consideration of an abatement for water and sewer fees for the 18 units lost during the fire until the receipt of the occupancy permit to re-build.

Ms. Breder announced that Owens Landing did put in a formal written request, to waive the water and sewer fees just for the 18 units that were completely destroyed by fire and the total cost was put together and discussed at the Work Session. For the last quarter of this fiscal year it is around \$1,500, and for the next 3 quarters for the next fiscal year it will be about \$1,600 a quarter. These fees would be waived for one year and at that time we can re-evaluate where they are at and if we want to move forward with any additional abatements since they did ask for up until they got final occupancy.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Reich to approve the abatement for water and sewer for the 18 lost units at Owens Landing until March 2019.

Commissioner Ryan asked if that is the date we wanted to go with, after discussion it was determined to go with March 31, 2019, which would be the end of the quarter.

Commissioner Linkey withdrew her original motion and presented a new motion.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Reich to approve the abatement for water and sewer for the 18 lost units at Owens Landing until March 31, 2019. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Reich to adjourn the May 1, 2018 Town Meeting at 8:09 p.m. Roll Call Vote, Commissioner Reich: aye, Commissioner Ryan: aye, Commissioner Taylor: aye, Commissioner Linkey: aye, Mayor Ashby: aye. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample  
Perryville Town Clerk