

**Town of Perryville
Town Meeting Minutes
June 6, 2017**

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

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.

APPROVAL OF TOWN MEETING AGENDA

Mayor Eberhardt asked for a motion to approve the Town Meeting Agenda with one modification, to move the CC LIP Rippers request from the end of the new business to the beginning of new business.

Motion was made by Commissioner Ryan and seconded by Commissioner Ashby to approve the Town Meeting Agenda with the change as requested. **All in Favor: Motion Carried.**

Consent Agenda Items: Mayor Eberhardt asked for a motion regarding the consent agenda items, which include the April 18, 2017 Work Session Minutes, the April 25, FY18 Budget Public Hearing & Special Meeting to Introduce FY18 Budget Ordinance & Resolutions Minutes, the May 2, 2017 Town Meeting Minutes, the Ethics Board re-appointments, and the April 13, 2017 Closed Session Minutes.

Motion was made by Commissioner Ashby and seconded by Commissioner Linkey to approve the Consent Agenda items. **Four in Favor: 1 abstain:** (Commissioner Reich), because he was not in attendance at the April 13 Closed Session. **Motion Carried.**

Commissioner Linkey informed Commissioner Reich for future reference that he does not have to abstain for Consent Agenda items.

Mayor's Report

Mayor Eberhardt reported that we had our Election last month and Commissioner Linkey was re-elected and Pete Reich is our new Commissioner. Mayor Eberhardt announced the departments that each one would be the liaison for on the coming year. Commissioner Linkey, Public Works, Commissioner Ryan, Planning and Zoning, Commissioner Ashby, Finance, Engineering and Administrative, Commissioner Reich, Water and Sewer, Mayor Eberhardt, Police/Public Safety.

Mayor Eberhardt stated that he along with Amanda Hickman met with a contractor for Cecil County regarding the branding of Cecil County and supplied them with information on our town to include Perryville in their branding efforts. The Mayor was at the Good Shepherd and Perryville Elementary Schools to discuss the Mayor's Essay Contest sponsored by MML for fourth grade students. Two students from Perryville Elementary School were finalist in the Statewide contest and were recognized at a gathering at the school. On the 13th of May, he along with the Police Chief, attended the groundbreaking ceremony for the Veteran housing at Perry Point and the Work Session on the 16th. On the 24th of May, Denise, Dianna and the Mayor met with a developer to discuss possible annexation into town.

Commissioner Ashby's Report -

Commissioner Ashby reported that most of his report is covered by the Town Administrators Report. Commissioner Ashby reported that Mr. Collette contacted him about the sign issue and is ready to talk to the town some more about it. Commissioner Ashby was also approached by a resident from the end of Richmond Street who complained about the stray cats that are around that area again.

Commissioners' Reports -

Commissioner Linkey's Report –

Commissioner Linkey reported that the DPW Report will be posted to the web site with the other Staff Reports and that she attended all the scheduled meetings.

Mayor Eberhardt inquired if the new restrooms at Lower Ferry park were open and working.

Ms. Breder replied that they are working, there was an electrical issue that needed to be resolved that was fixed today. We are meeting Thursday morning to discuss scheduling of the opening and closing and cleaning of the restrooms.

Mayor Eberhardt assumes that once we get that scheduled we will no longer be renting the portable unit across the street.

Ms. Breder responded that she was not sure but we do receive reimbursement from the State for the rental of that unit.

Mayor Eberhardt questioned the need for a port-a-pot across the street from a restroom.

Commissioner Ashby inquired if the signs had been put up for the boat launch in a more visible place so that people are made more aware that you must pay to launch their boats.

Ms. Breder was not sure if the signs had been made and posted yet or not.

Commissioner Ashby also inquired about the amount of sales that we have received from the honor box.

The amount of sales can be found on the Administrative Report.

Commissioner Ryan's Report -

Commissioner Ryan reported that he attended the regularly scheduled meetings this month, however, he was not able to attend the Planning and Zoning Meeting because of a work conflict.

Commissioner Reich's Report -

Commissioner Reich stated that the full Water and Wastewater Plant Reports will be on the town website. Alvin Hathaway and Shawn Patchell have completed the wastewater training course for certification renewal and are working on the water course for cross training. Jeff Morton and Jeremy Cregar completed the wastewater course. The Water Plant is in compliance with MDE for the month of May, the Wastewater Plant was in full compliance with the NPDES Discharge Permit for the month of April and May 2017. The Wastewater Plant is working with MDE on a possible grant for Enhanced Nutrient Removal. There are some concerns that he would like to discuss concerning this grant agreement when it comes up later on the agenda.

VA Update - Marc Dallaire

Mr. Dallaire stated that as mentioned earlier the groundbreaking for the village EUL occurred this past month and they are mobilized and starting to put up the silt fence and starting to tear things up. A value management workshop is going to be scheduled for the month of July for the CLS project to look into all aspects of the project to see where costs can be cut. The Water Treatment Plant project is well underway now.

Town Administrator Report - Denise Breder

Ms. Breder wanted to highlight that the Town is doing mosquito spraying again this year in the months of June, July and August and the information is posted on our website and our Facebook page and is readily available downstairs at Town Hall. If anyone wishes to opt out of the spraying there is a process that you can go through with the Department of Agriculture which is also on our website. The whole report will be on the Town's website.

Mayor Eberhardt inquired what the status of the contract with the geese police was, because there is a ton of them at Ice House Park.

Ms. Breder commented that we do have an existing contract with them, she believes that it also includes Ice House Park.

Treasurer's Report - Debra Laubach

Ms. Laubach reported that we received our seventh reimbursement payment for the new Police Station on March 27. The State of MD just held a reverse auction bid for electricity procurement on May 24, MD recommended Agera Energy, LLC., Agera bid \$.03820/per kwh-substantially lower than the current rate of \$.0618. The contract would be for four years instead of three years this time and would be effective July 1st. This savings would be about 38% on the delivery charges only since Delmarva is still the producer, but it would still save us several thousand dollars over the year. We did receive March slot revenue from Cecil County and the State of Maryland in the amount of \$249,964.37, which was two months' worth. To date slot revenue received from September 2010-March 2017 total is \$9,327,585.82.

Police Report - Police Chief Al Miller

Chief Miller stated that they had an incident this morning involving a person who passed several cars on Aiken Avenue this morning and was pulled over by one of our officers on patrol. During the stop the officer observed a wad of something that caught his attention on the persons lap and when the officer inquired about it the person took off in the vehicle and turned onto Maywood Avenue and bailed out at the Elementary School area. The schools and the library were shut down for a short period of time and other agencies were called to assist in the search for him. The guy eventually turned himself in that afternoon and was arrested and charged with several traffic and criminal violations.

Chief Miller stated that they recently had three officers graduate from the police bicycle training. Chief Miller is requesting that each one of the officers be issued Narcan, which is a substance that is injected into the nostrils of someone that is under the influence of opiates, for their individual use as protection if exposed from another person under the influence that they may come into contact with while treating. We have continued to have bi-weekly meetings with the new Police Department Construction Contractor and the date is still schedule for September 16 for completion. One of our new Police vehicles is equipped and ready and the second one should be ready this Friday to be picked up. They are also looking to purchase a new van for the Outreach Program. They are getting quotes for furniture for the new Police Department. They met with the promoter of the Lynyrd Skynyrd tribute fundraising concert.

Commissioner Ryan wanted to let the Chief know that there will be a training class at the Perryville Fire Company tomorrow night for our 1st responders who are responding to these opiates that are being enhanced with additional substances at 7 p.m.

Outreach Program -

Jacob and Jordan reported on the functions of the Outreach Program during the month of May. The mural on the stairwell wall has been completed. They are continuing with the healthy kid's initiative by letting our members participate in Pura Vida's youth fitness class. Some participants created paint rockets and made designs with them on paper and went to the park and enjoyed a picnic lunch and played at the playground. The Outreach Program partnered with Restore Church this month to help organize some of their clothes donations for the community. We cannot thank our community partners enough this month, especially the Lions Club. We will be partnering with the Susquehanna Workforce this summer and providing jobs for 3 of our members. Outreach will be helping them set up bank accounts and teach them some financial planning as well.

Planning and Zoning Report

Ms. Breder highlighted on a couple of items for Planning and Zoning. The County has approved the Enterprise Zone Expansion request that was submitted and it still needs to go to the State for approval. Under Economic and Community Development we did hire a new employee whose name is Billy Nelson and he will be here at the next Work Session for introduction. The Farmers Market has begun.

Mayor Eberhardt inquired what was going on with the Royal Farms.

Ms. Breder indicated that Ralph Ryan, the Town Engineer, was going to reach out to Royal Farms and find out what the holdup was, but the last thing that we are waiting for was the State Highway approval.

From the Floor

There were no comments from the floor.

New Business

CC Lip Rippers Request

Greg Waters, presented a request to hold a fishing tournament at the Perryville Park for ages 4-12, broken down into age groups of 4-6, 7-9, 10-12. Mr. Waters briefly summarized an event that they had last year at the park not realizing the rules and regulation in place to use the park facilities. They had various sponsors who provided such things as the worms for bait and Bass Pro Shops provided fishing rod and reels for the kids who participated as well as first place prizes. Hamburgers were also donated for the event and there were some friends that volunteered to help, there were approximately 34 kids that participated and it was from noon until 4 p.m.

Mr. Waters stated that they had put in a request to use the park this year on June 24, but was informed that both pavilions were rented for that day and were given other dates as an option. They are once again talking to various sponsors and the hope is for the event to get bigger with more assistance. They are looking for support in some way from the Town in possibly more prizes or more food or events during the day. Each kid must bring their parents with them.

Commissioner Reich inquired if they have some kind of regulations requiring the young kids to wear some type of life vest. He wanted to bring that to his attention because he has seen marinas in Havre De Grace which require young kids to have a life vest even to walk on the dock.

Mr. Waters commented that he did not think of that but can have that put into the guidelines.

Mayor Eberhardt commented that he is not sure if he has a timeline in mind for another date and exactly what they are looking for from the town, but believes that if a date and specifics could be worked out the board may possibly be agreeable to this event depending on what they are requesting from the town. He would like to see a specific request so that we know what we are committed to.

Commissioner Ryan suggested setting him up with our new Economic Development Coordinator to get some suggestions or ideas on promoting this event.

Ms. Breder mentioned that Dianna had provided the new Economic Development Coordinator with the information that Mr. Waters provided so that connection has already been made.

Mayor Eberhardt assumed that a fishing license was not needed for the age group that he is promoting for the event.

Mr. Waters confirmed that it is not required for anyone under the age of 16.

Mayor Eberhardt commented that for some time we have requested that the State make us a license free fishing zone, he thinks that we may have a better chance this year than we have had any other year.

Mary Carol Durange, a Commissioner from Charlestown, commented that Mr. Waters has come to a couple of their meetings and that the Town of Charlestown is going to be having a fishing tournament on August 19, which will be their 14th year. Ms. Durange commented that they are trying to help Mr. Waters out and he is trying to help us out with manpower on the day of the event through his contacts on his facebook site. She suggested that he come to Perryville's Town Meeting to discuss his plans to hold this tournament since his desire is to make this an annual event and for the event to grow.

Mayor Eberhardt commented that there seems to be a consensus that the board is agreeable to allow Mr. Waters to continue working on this event providing that he comes up with another date for the event and gathers more details on exactly what will be going on and what they are requesting from the town. Then once he comes back with that information we can vote on it. He appreciates him helping the youth in our area.

Health Insurance

Cathy McCardell provided the board the various plan options for Health Insurance that were discussed at the previous Work Session and her recommendation.

Commissioner Linkey inquired what percentage increase we built into the budget.

Ms. McCardell replied that an 8% increase was put in the budget.

Motion was made by Commissioner Ashby and seconded by Commissioner Reich to approve Health Care plan #1 recommended by staff (Care First POS Healthy Blue Advantage)

All in Favor: Motion Carried.

Concession Agreement- Consideration of a request from Benson Outfitters to set up a concession operation of kayak rentals at the community park.

Discussion Ensued regarding the location of the stand and a locked storage unit, which, in the beginning would only hold 6 kayaks, at the maximum would be 12 if he eventually felt that he needed a 2nd storage unit and a plastic storage container for life jackets.

Ms. Hickman provided an exhibit showing where the stand would be located. It would be near the kayak launch but not in the way of anyone else who would be launching their own kayaks. She stated that they would only need like a 10' by 15' area.

Mr. Reich feels that the agreement should include that part of the rental should include personal floatation devices to all the people using kayaks.

Discussion ensued regarding adding language to the agreement on number 6 where it discusses ensuring that all kayaks rented are seaworthy, to also require all people renting kayaks to use personal floatation devices.

Commissioner Linkey asked since she is the Parks and Recreation Commissioner, if she can be informed of any future requests at the park in advance in case she has any questions for the vendor, or can help with supporting a request.

Motion was made by Commissioner Ryan and seconded by Commissioner Ashby to approve the kayak rental agreement with Benson Outfitters as long as we get floatation devices for the kayakers added to the agreement. **All in Favor: Motion Carried.**

Ordinance 2017-10 - Introduced a Budget Amendment Ordinance for correcting an error in Ord. 2017-08 regarding the adoption of FY 18 budget, providing that in all other respects Ordinance 2017-08 remains in full force and effect.

Mayor Eberhardt wanted to put to rest some discussion that the board had about a prior budget amendment where they had appropriated some money for Water and Wastewater and the board discussed whether they could use the funds to purchase a new mower and whether the Water and Wastewater Plant employees or the DPW employees would cut the grass at the Wastewater Plant. He is hoping that everyone has seen the comments from staff on this, along with comments from the DPW Supervisor and the Water and Wastewater Plant Supervisor, as well as, a paper that Commissioner Reich has put together on the issue. He asked for a motion regarding the funding for the lawn mower.

Motion was made by Commissioner Reich and seconded by Commissioner Linkey to purchase of a new lawn mower hopefully before the end of this month for the Wastewater Plant.

Ordinance 2017-11 - Budget Amendment - Introduced a Budget Amendment Ordinance for funds needed to cover dump fees for the year, to cover costs for additional overtime in DPW and the Police Department anticipated for the year, and to cover additional workman comp insurance per invoice in the Water and the Sewer Department.

Resolution 2017-05 - Loan from Sewer Fund to Water Fund - Consideration of transferring sewer funds to the water fund and establishing terms for repayment.

Motion was made by Commissioner Linkey and seconded by Commissioner Reich to approve Resolution 2017-05.
All in Favor: Motion Carried.

Resolution 2017-06 - Assignment of Fund Balance - Consideration of a Resolution for assigning \$50,000 as budgeted for facilities reserve.

Motion was made by Commissioner Reich and seconded by Commissioner Ryan to approve Resolution 2017-06.
All in Favor: Motion Carried.

Resolution 2017-07 - Corporate Banking PNC - Consideration of a Resolution allowing PNC Bank to recognize and deal with the Mayor and Commissioners as signers on the bank accounts of the Town of Perryville.

Resolution 2017-08 - Corporate Banking Howard Bank - Consideration of a Resolution allowing 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 Linkey and seconded by Commissioner Reich to approve Corporate Banking Resolution 2017-07 & Corporate Banking Resolution 2017-08.

All in Favor: Motion Carried.

MDE Grant Agreement

Mayor Eberhardt commented that MDE is offering to provide funding for an ENR project that will help us at the Wastewater Treatment Plant.

Commissioner Reich stated that our Water and Wastewater Superintendent estimated that there would be a possible savings of 1.1 million dollars for the Town if MDE was to fully fund the enhanced nutrient removal project at the Wastewater Plant which the Town could be forced to do without possible funding in the future. They have a meeting scheduled with MDE on June 12 to discuss some concerns and get some questions answered regarding the proposed Grant Agreement with MDE. He is concerned that if we sign this agreement and are forced to proceed with the project and the State decides not to fund it the town will have to come up with the funding. If we do not go for the grant in a couple of years we may be forced to do it with no potential for possible funding. He would like to have a lot more information on the grant before we obligate ourselves to it.

Ms. Breder commented that her concerns were that it is written as a grant agreement but it really obligates the town to do the project but does not obligate the MD Department of the Environment to provide us funding for it. We are trying to get a feeling from MDE that if we do sign this grant agreement we will be getting some funding.

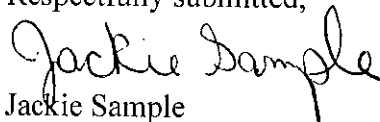
Mayor Eberhardt stated that it appears that we are not ready to act on this tonight and he also brought up item number 1.7 on the agreement which states that "the Town of Perryville shall apply the proceeds of this grant to finance eligible project cost only". He would like to know what the eligible project costs are, and he finds it unusual that there is no dollar amount listed in the agreement either.

Motion was made by Commissioner Ryan and seconded by Commissioner Ashby to table the MDE Grant Agreement until they get additional information possibly by the night of the next Work Session.

All in Favor: Motion Carried.

Motion was made by Commissioner Reich and seconded by Commissioner Ryan to adjourn the June 6, 2017 Town Meeting at 8:23 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample
Perryville Town Clerk

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

Location: Town Hall Meeting Room Date: 4/13/17 Time: 8:30

Motion By: Commissioner Ryan Seconded By: Commissioner Fox

VOTE TO CLOSE SESSION:

	AYE	NAY	ABSTAIN	ABSENT
Mayor Eberhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ashby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Fox	<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"/>

STATUTORY AUTHORITY TO CLOSE SESSION

General Provisions Article §3-305(b):

- (1) To discuss 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 any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (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 on a legal matter;
- (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:

Discussed employee compensation to include in regard to individual employees.


Signature of Presiding Officer