

**Town of Perryville  
Town Meeting Minutes  
June 7, 2016**

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

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

**Pledge to the Flag**

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).

There were no requests for remote participation.

**APPROVAL OF TOWN MEETING AGENDA**

Mayor Eberhardt asked that an allowance for the item concerning Garrett Island be moved up on the agenda in the event that Delegate Lisanti shows up; it is currently last on the 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 March 22, 2016 FY Budget Work Session Minutes for Public Input, The April 7, 2016 FY 17 Budget Work Session Minutes, the April 14, 2016 FY 17 Budget Work Session Minutes and Closed Session Minutes, the April 19, 2016 Work Session and Special Meeting Minutes, the April 26, 2016 FY 17 Public Budget Hearing & Special Meeting Minutes to introduce FY 2017 Budget Ordinance, May 3, 2016 Town Meeting Minutes & May 3, 2016 Closed Session Minutes, Grant Extension request for Linda Yeatman, and approval of the Health and Dental Insurance Plan for FY 2017, with plans being CareFirst BCBS Health Blue Advantage HDHP Silver 2000 POS Plan with MetLife Dental.

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

**Mayor's Report -**

Mayor Eberhardt welcomed Robert Ashby who was newly elected to the board.

He reported that he was at the Good Shephard school on the 11<sup>th</sup> of May for the "If I Were Mayor Essay Contest", which is with 4<sup>th</sup> grade students throughout the State.

On the 14<sup>th</sup> he participated in the moving of our community garden. He also went to an event for the President of the Cecil Community College. On the 17<sup>th</sup> of May we hosted a meeting here at Town Hall with other towns in the region to discuss the Garrett Island transfer from the U.S. Fish and Wildlife Service to the National Park Service. On the 26<sup>th</sup> he, along with Commissioner Ryan, attended a recognition meeting by the Cecil County Emergency Management Team for First Responders.

### **Commissioners' Reports -**

#### **Commissioner Fox's Report –**

Commissioner Fox reported that Alvin Hathaway received an award from Maryland Rural Water Association for Wastewater Operations Specialist of the Year. Commissioner Fox commented that in response to recent water violations of exceeding TTHM and HAA5 levels that we have received, two companies have been identified that can handle cleaning the tanks and installing a mixer to hopefully eliminate future violations of that nature. The Water/Wastewater Plant Superintendent has identified one company as a company best suited for the job and both he and the Town Administrator feel that this might qualify as an emergency to get the issue taken care of more promptly.

#### **Commissioner Ryan's Report -**

Commissioner Ryan reported that as the Mayor reported earlier he attended the recognition meeting for the First Responders held by the Cecil County Emergency Management Team.

#### **Fire Company Report – Commissioner Ryan**

Commissioner Ryan reported that the Fire Company had 33 calls for the month of May and 5 of them were on I-95, the average personnel per call was 8.85 and the average personnel actually on the scene was 4.87. The top 3 Fire Police for the month were Charlie Thomas, Al Ryan, and Brenda Buchannan, and the top 3 Emergency Responders were Michael Helensky, Warner Daugherty and Kristy Calaman. They are working on looking into procedures and better use of their equipment to assist with preventing fire fighter cancer that has been reported in the news a lot lately.

#### **Commissioner Linkey's Report –**

Commissioner Linkey reported that the park report and public works report will be in the unified report on line. The DPW and Parks Departments are both down one person and notice will be going out soon to advertise for the positions. We now have a new welcome sign in front of the Good Shepard for people coming into town and also new crossroad signs. She also attended the Diamond in the Rough Triathlon Event meeting, the event will be held on July 9<sup>th</sup> and we can always use volunteers.

**Commissioner Ashby -**

Commissioner Ashby reported that he has been assigned to oversee the accounting, finance, engineering, and administration departments. He has been getting to know the staff and the operations of the various departments to make sure that they have what they need to perform their job duties effectively.

**Thomas J. Hatem Bridge Bicycle Access** - Deb Sharpless, MDTA Deputy Executive Director, Charles Glass, MDOT Assistant Secretary for Transportation Policy, Analysis and Planning, Colonel Jones, from the MDTA, John O'Neill, MDTA, Chief of Operations, Tim Cooke, MDTA, Project Manager of Community Relations. John Sales, from the Legislative Office and Michelle Gross.

Ms. Sharpless, Tim Cooke, John O' Neill, Colonel Jones, and others summarized the plan that they have put in place to accommodate bicycles crossing the Thomas J. Hatem Bridge effective July 1, 2016. They summarized bridge enhancements, operations, and outreach planned to inform the surrounding residents of what is going on. There will be signals installed at both ends of the bridge and signs designating finger joints at 7 locations throughout the bridge. The signals will be flashing beacons activated by the bicyclist which notify other incoming traffic that they are crossing and the signal will activate long enough for them to cross the bridge. The bicyclists will be allowed to travel on the right hand lane only during the hours of 9am-3pm Monday thru Friday and dawn to dusk on Saturday and Sunday including holidays with restrictions during inclement weather and possibly during other incidents that may occur. In some instances, if the bridge is undergoing general maintenance they may be allowed to travel in the left lane unless it begins to cause a backup. They will be required to pay tolls which would be the rate for a two axle vehicle. There will be various forms of public outreach that will start in the form of postcards and proceed with print advertisement, radio, email blasts, billboards, facebook ads, and their website, variable messages will be sent out in the event of inclement weather or other obstacles that may prevent the bicyclist from being allowed to cross the bridge.

Commissioner Linkey inquired if they will be allowed to use EZ passes, to which Ms. Sharpless replied that they would.

Commissioner Ashby inquired if they plan to paint a stripe for the bicyclists to remain in, and Ms. Sharpless responded that they were not. Bicyclists will have access to the full right hand lane preferably the middle of the lane, and they are being encourage to ride single file. There will be a reassessment eventually after the program has been started to look into any potential problems and possibly adjust some of the policies that may not be working as well as anticipated.

Commissioner Ryan inquired if there was going to be any changes expected as far as 1<sup>st</sup> responders handling of accidents and how the different departments work together

for incidents that may occur with bicyclists on the bridge versus motorists, for which the response was that there would not be.

Mayor Eberhardt inquired if the Hatem Bridge detachment would be enforcing such things as the helmet law, and Colonel Jones responded they would, along with the other laws applicable to cyclist who use our roadways will be enforced.

Jane Bellmyer, from the Cecil Whig asked where the EZ pass transponders would be mounted on a bicycle. The response was that it would be on the handle bars or top of the bike or the helmet.

Amanda Hickman inquired how they get an EZ pass for bicycle since they are not a registered vehicle by the MVA and do not have a vin number on them, to which Ms. Sharpless responded the license plate is not a required field on the application when you open up an EZ pass account, although the bicyclist is required to pay tolls.

Lieutenant Budnick asked if moped and scooters are now going to be allowed to cross the bridge when this bicycle plan goes into effect.

Colonel Jones responded that they will have to look into that.

Lieutenant Budnick inquired if there is a plan to eventually add a walkway or bicycle extension on one side of the bridge, to which Ms. Sharpless responded that there is not.

Matt Roath, inquired how such a small group of people could justify the allowance of bicycles on the bridge creating dangerous circumstances.

Ms. Sharpless responded that this is not just Cecil County residents requesting this, it serves a larger biker community and of course Interstate 95 is not an option.

John Meck, inquired if the implementation of this program is based on other successful programs for bicyclists.

Ms. Sharpless noted that there are other bridges that allow for bicyclist that do have similar implementation in place which was part of the research that has gone into this process.

Mr. Meck suggested consideration of lowering the speed limit on the bridge when they look into the program further down the line after it has started.

Mayor Eberhardt asked that we get a follow up answer to the question about allowing scooters on the bridge.

Pat Stetina, inquired what the cost was to implement this program.

Ms. Sharpless responded that it was approximately \$300,000.

Mayor Eberhardt asked for confirmation that the detachment center is alerted when a biker pushes the button and is about to cross the bridge.

The answer was that the alert is sent to the State Emergency Operations Center which has a dispatch there as well, so when the button is pushed the cameras will come on and can monitor their progress as they cross the bridge, in the event there is some kind of mechanical issue that may occur while crossing.

#### **VA Update – Mark Dallaire**

Mr. Dallaire reported that the truck entrance is now closed to all but truck traffic. The CLC is totally designed and the design for the actual building is approaching 90% and we anticipate bid documents in July, but we still don't have approval to move forward yet. Funding has been approved but the project has not received authorization yet.

#### **Town Administrator Report –**

Ms. Breder highlighted parts of her report which will be on line. She noted that her report showed that Joseph Barr had accepted the position as Park's Maintenance Crewman which is not happening now. The Public Works position and the Parks Maintenance Crewman Position will be re-advertised for the second time. There is also a Certified Lateral Police Officer Position being advertised. Jeff Morton, who was previously in our Parks Department, took a position in our Wastewater Plant. Jamison Durrance has accepted the positions as Public Works Crewman I and will be starting June 13.

Ms. Breder stated that mosquito spraying is starting this week. Almost all of the Town staff took CPR and fire extinguisher training this past month. The belt filter press project at the Wastewater Plant is coming along and Transviron Engineering completed their evaluations and recommended a manufacturer.

Ms. Breder summarized some events that were going to be taking place in the upcoming months. There was going to be yoga at Rodgers Tavern Friday's and Saturday's starting May 27 through September 3, 2016.

Commissioner Linkey reported that the Movies in the Park is on June 17 and the Diamond in the Rough Triathlon will be July 9.

Amanda Hickman stated that there will be a community campout and movie night at the Community Park on August 5. You do have to register to stay the night, you do not have to register to see the movie, we are letting people vote on the movie, the survey is on our website and facebook. We will have various vendors there during the movie.

Mayor Eberhardt announced that today, June 7, is Perryville High School Softball Team Day since they won the State Championship undefeated. He was glad to be able to attend their dinner meeting prior to coming here tonight to give each one of them a Proclamation and congratulate them. It has been suggested that we hang a sign along with our new welcome sign coming into town stating that it is the home of the State Champion Softball Team.

**Treasurer's Report - Rachel Deaner**

Ms. Deaner commented that her report will be on the website as part of the unified report and she will be up later to talk about some other items to do with finance.

**Police Report - Lieutenant Budnick**

Lieutenant Budnick stated that we did several traffic initiatives in town last month which lead to numerous warnings and a few citations in response to numerous complaints received. On June 25 from 9-11:30 we are having coffee with a cop at Subworks in Perryville.

Mayor had asked the Chief at the prior meeting to report on firework safety at this meeting and asked Lieutenant Budnick if he had any information regarding that.

Lieutenant Budnick commented that Maryland law only allows for ground based fireworks, anything that leaves the ground is illegal.

Commissioner Ryan would like to see some safety tips be put on the town website and he will provide those if needed.

Mayor Eberhardt would like to see that initiative continue and possibly looking into the reader board signage placed at strategic locations which tells your speed that you are traveling. He wondered if there were any agencies that may allow us to borrow one.

Lieutenant Budnick stated that he would look into it.

**Outreach Report -**

Danielle Hemling introduced Malik Perry who is interning as an activities coordinator for the summer with us and was a former Outreach Member.

Malik reported that the overall monthly attendance was 126 and there was 1 new referral. We were able to plant our community garden and worked with a few students from the Perryville Middle School who used the garden as a school project to help plan and plant the garden and provided updates to other classrooms around the world through blogging. The Mayor gave the students an interview and also helped out with the garden. Outreach participated in the 5<sup>th</sup> and final year of the CGR Relentless 5k which raises

money to provide scholarships to local youth in Perryville and surrounding towns. Outreach participant also did arts and crafts with the youth to help kids have a Mother's Day present for that special person.

### **Planning and Zoning Report – Mary Ann Skilling**

The new Subway is now open and we would like to do a Grand Opening at some point.

The Planning and Zoning board held a meeting where the Riverside Center made a request to add apartments to the first floor. There were recommendations made to the Board of Appeals to maintain the front part of the building for commercial use for revitalization purposes. It was a commercial building so the stipulation was that if they save the front part of the building for that use, the board would consider letting apartments be in the back part of the building.

Don, our Code Enforcement Officer, is back and catching up on things.

The other thing that we have been looking into was with Fairgreen Apartments. We are looking into a change to a regulation in our code from the age of 62 to 55, based on the State's consideration of seniors as 55 instead of 62.

### **From the Floor**

There were no comments from the floor.

### **Old Business**

#### **Resolution 2016 – 01 - Longevity Policy**

Ms. Breder summarized a new longevity policy for employees which includes compensation amounts for specific years of service. It begins with the amount of \$500 for 10 years of service for a full time employee, adding \$100 every 5 years, then additional \$150 after 20 years of service every five years up until 45 years. For part time employees it would be half of those amounts.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to approve Resolution 2016-01. **All in Favor: Motion Carried.**

#### **Ordinance 2016-10 - Personnel Manual**

Ms. Breder summarized some of the changes that were made to the personnel manual which are included in Ordinance 2016-01, some of which were changing some language and redefining of immediate family and holiday pay and other minor changes.

Commissioner Ryan asked for clarification in the point system regarding 50-4 hour absence, if that is 50 minutes or half an hour.

Ms. Breder responded that it should be a half an hour, and that needs to be corrected.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to approve Ordinance 2016-10 with that one correction.

Commissioner Ryan revised his motion after counsel reminded the board that there had been an amendment after the introduction of Ordinance 2016-10 that needs to be voted on first.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to approve amendment number 1 to Ordinance 2016-10. **All in Favor: Motion Carried.**

**Motion** was made by Commissioner Ryan and seconded by Commissioner Fox to approve Ordinance 2016-10 as amended. **All in Favor: Motion Carried.**

#### **Resolution 2016-02 - Assigning Funds**

This Resolution is assigning of the funds for the construction of the Police Department and the stormwater outfall for the entire site.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Ashby to approve Resolution 2016-02. **All in Favor: Motion Carried.**

#### **New Business**

#### **Resolution 2016-05 - Declaration of Intent**

This Resolution is a Declaration of Intent for the Town to reimburse expenditures to be incurred with respect to certain projects or programs or from certain funds with the proceeds of debt.

Ms. Breder indicated that we are considering participating with the Department of Housing and Community Development Infrastructure Financing Program to finance the Police Department and there is a lot we have to do before we can to that point. This is one of the first things that you do by declaring your intent for the town to reimburse itself for costs incurred before the financing is settled and bonds issued.



### **American Legion Grant Extension Request**

The American Legion Post 135 asked for an extension for the grant that they were awarded due to weather conditions that delayed the contractor from being able to perform the parking lot repairs.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ashby to extend the grant for the American Legion. **All in Favor: Motion Carried.**

### **Resolution 2016-03 - Corporate Banking**

A Resolution which allows PNC 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 Fox to approve Resolution 2016-03. **All in Favor: Motion Carried.**

### **Resolution 2016-04 -Corporate Banking**

A Resolution which allows 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 Ryan to approve Resolution 2016-04. **All in Favor: Motion Carried.**

### **Resolution 2016-07 - Assigning Funds to Facility Reserves**

Assigning funds to be added to facility reserves in the amount of \$50,000.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to approve Resolution 2016-07. **All in Favor: Motion Carried.**

### **Resolution 2016-06**

This Resolution recognizes the Town of Perryville as a Main Street Affiliate which will give us access to their consultants and their networking and help us develop a plan to become a Main Street town.

**Motion** was made by Commissioner Fox and seconded by Commissioner Ashby to approve Resolution 2016-06. **All in Favor: Motion Carried.**

### **Purchase Power Agreement**

Consideration of a purchase power agreement to purchase the Comfort Station for Lower Ferry Park.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Fox to approve the purchase power agreement for the Comfort Station at Lower Ferry Park.

**All in Favor: Motion Carried.**

#### **Ordinance 2016-11 – Amendment to Chapter 61 of the Town Code**

Amendment to Chapter 61 of the Town Code, which addresses the allowance of the consumption of alcoholic beverages in parks or on town property. The reference to the Farmers Market was taken out of the Ordinance after discussion at the Work Session. Discussion ensued regarding introducing the ordinance then tabling the actual implementation of it until November.

After discussion they decided to table the Introduction on the Ordinance until the October Town meeting.

#### **Driving Record Check**

The Town's Insurance Company made a recommendation to check employees driving records of anyone who will be driving a town vehicle.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to approve the MVA Driving Record Check. **All in Favor: Motion Carried.**

#### **Transportation Priority Letter**

Mayor Eberhardt summarized some of the transportation priorities that the Town of Perryville would like to send to the MD Department of Transportation for FY 2017 which includes the following:

- Allow Hatem Bridge passes to be used on I-95 during rush hours to alleviate traffic backups along MD 222 from U.S. 40 to I-95
- Redesign and construct a new MD 222/I-95 Interchange to include an updated bridge over I-95.
- Install sidewalks on MD 222 from Clayton Street to the intersection with St. Marks Church Road.
- Increase MARC Penn Line service to include mid-day and weekend service for the entire line and special event trains.
- Replace the bridge over the Amtrak line on MD327, but ensure maintenance of traffic during construction.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Fox to send the Transportation Priority Letter to the MD Department of Transportation. **All in Favor: Motion Carried.**

**Resolution 2016-08 – Transfer of Garrett Island**

A Resolution to request the transfer of Garrett Island from the U.S. Fish and Wildlife Service to the National Park Service as a component of the Captain John Smith Chesapeake National Historic Trail for the purpose of ensuring public access to this island and advancing regional economic development through partnership and heritage tourism.

**Motion** was made by Commissioner Fox and seconded by Commissioner Ashby to adopt Resolution 2016-08. Discussion Ensued.

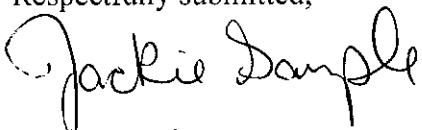
Commissioner Ryan expressed concern from a 1<sup>st</sup> responder aspect if it was to be opened up to more visitors. He has questions on the safety and service that would be able to be provided to them, such as medical and fire emergencies. He would like to know that this has or will be considered if they do plan to allow more public access.

The original motion was brought forth. **4 yeah, 1 abstain** (Commissioner Ryan) **Motion Carried.**

Mayor Eberhardt announced that we have awarded a contract for the Police Station to North Point Builders who was the low bidder at 4.318 million dollars, part of this contract is the \$800,000 for the stormwater outfall that will benefit the whole site and other existing drainage issues.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to adjourn the June 7, 2016 Town Meeting at 9:02 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample  
Town Clerk

**Statement Regarding May 3, 2016 Closed Meeting for Inclusion in Minutes of  
June 7, 2016 Town Meeting**

On May 3, 2016, the Commissioners of Perryville conducted a closed meeting at 8:15 p.m. in accordance with General Provisions Article, Sec. 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. Mayor Eberhardt, Commissioners Fox, Linkey and Ryan all voted in favor of conducting the closed meeting. In addition to the Commissioners, the Town Attorney, Frederick C. Sussman, Esq., the Town Administrator, Denise Breder, the Assistant Town Administrator, Cathy McCardell and the Town Planning Director, Mary Ann Skilling attended the entire closed session. During the meeting, the Mayor and Commissioners considered and voted upon a request from an employee for advanced sick leave. The meeting was adjourned at 8:50 p.m.