

**Town of Perryville  
Town Meeting Minutes  
May 3, 2016**

ATTENDANCE: Mayor: James Eberhardt, Commissioners: Michelle Linkey, Ray Ryan, Al Fox, and Town Administrator: Denise Breder

Absent: Commissioners Barbara Brown

**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**

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey 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 15, 2016 Work Session Minutes, The March 15, 2016 Special Meeting Minutes, the April 5, 2016 Town Meeting Minutes.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to approve the Consent Agenda items. **3 in Favor, 1 abstain, (Commissioner Fox): Motion Carried.**

**Mayor's Report -**

Chief Miller presented awards to two Perryville Town Police Officers. Perryville Police Officer Richard Huffstutler received a Lifesaving Award for his response to a cardiac arrest subject at the Principio Medical Facility. Perryville Police Officer Thomas Pierson received the Chief's Commendation for his immediate response to an assault of a female by two assailants which resulted in their capture and conviction. The next award recipient is Officer Dylan Dvorak with the MD Transportation Authority assigned to the Thomas J. Hatem Memorial Bridge who assisted Officer Pierson in the capture of the suspects, the award was in recognition of his efforts. The last one is for the Hatem Bridge Detachment, in which Sergeant Autry from the MD Transportation Authority was present to accept the award on behalf of Hatem Bridge Officers who work in cooperation with the Perryville Police Department.

### **Proclamation for Relay for Life**

Mayor Eberhardt read a proclamation proclaiming May 20, 2016 as Relay for Life Day, in celebration of cancer survivors and their caregivers and remembering those lost to the disease. The money raised from the Relay for Life 5k event in Cecil County goes towards supporting the American Cancer Society. He noted that the Town will be painting the town purple on that day.

### **Commissioners' Reports -**

#### **Commissioner Fox's Report-**

Commissioner Fox reported that the Wastewater Superintendent met with Amtrak officials to discuss re-connection of the sewage. Commissioner Fox stated that the town just received notice regarding elevated trihalomethane levels in the water system. He explained that this sometimes occurs when the chlorinated water sits at the bottom portion of the tank and they are working on putting a solution into the Pilot Water Tower to aerate and move the water.

Commissioner Fox attended the budget meetings and he attended the railroad bridge update on the 14<sup>th</sup>, and on the 16<sup>th</sup> attended the ribbon cutting ceremony for the new playground at the Perryville Park and he attended the MML meeting on the 21<sup>st</sup> of May.

Mayor Eberhardt announced that MD Transportation Authority will be here next month to discuss the bicycles on the Hatem Bridge.

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

Commissioner Ryan reported that he attended the various meetings this past month but did miss the Planning and Zoning meeting. Although he did not attend that meeting he had sent in some comments regarding the preliminary concept plan for a Royal Farms on 222 up near the Pilot truck stop. He is also working through the County TAC committee to submit requests and concerns of the Fire Department to the MD State Fire Marshalls Office about the same project. Mr. Reich and Mr. Barrett were both re-appointed to serve on the Planning and Zoning Board and Ms. Tina Young was appointed to serve as an alternate member.

Commissioner Ryan did not have a report for the Fire Department.

Mayor Eberhardt inquired if it is known whether the Royal Farms is going to have a charging station or not, to which Ms. Skilling replied that it was shown on the plans.

**Commissioner Linkey's Report -**

Commissioner Linkey was pleased with the amount of people that showed up for the annual Riversweep event considering the weather was rainy and cold. She stated that there were 35 people at the boat dock and 20 people at the park and they were able to round up a ton of trash and 12 tires.

**VA Update -**

Marc Dallaire, the Project Contract Supervisor for the VA Medical Center at Perry Point, stated that last Friday they had a couple of visitors from the Senators Veterans Affairs Committee who visited our facility, we believe that it was for our last pitch for the CLC. They had questions regarding the EUL which were answered and they were showed the village, investigations are still ongoing. We are working toward finalizing the leasing agreement for EUL by the end of the year for the terms and conditions that will be held for the next 70 years.

As for the truck entrance signage the notification signs have been ordered and there is only one that will be posted outside of the facility, which will be the one posted on MD 327, sharing the same post as the existing truck entrance sign, which should be received and posted this week some time. The signs state that the gates will be closed to all but truck traffic. He commented that the VA also received notification regarding their trihalomethane levels in the water system as well.

Commissioner Fox asked for clarification that there was going to be an alternate route from the VA to the park, to which Mr. Dallaire stated that there was.

**Rain Barrel Project Update - Diane and Joe Carabetta**

Mr. Carabetta wanted to follow up on the rain barrel project that they presented to the board at a meeting in the Fall. The board approved the purchase of 10 rain barrels and a drawing was held at the Halloween party for distribution. They were not installed at that time because of the winter weather approaching. Some of the winners of the drawings donated the barrels back to the town activities. One of the places that they would like to start the installation of the rain barrels is at the Outreach Facility on Otsego Street.

**Town Administrator Report -**

Ms. Breder stated that for the Elm Street project 14 water service saddles have been replaced and 4 more are planned to be replaced, two illicit connections have been found and fixed with the owners notified, and several random and abandoned pipes have been capped. They finished the storm drain construction of Elm Street south of Susquehanna Avenue and started on the north side of Susquehanna Avenue and are beginning the curb and sidewalk construction south of Susquehanna Avenue.

We currently have two job vacancies being advertised, one for a certified lateral Police Officer and one for a Water/Wastewater Operator I position.

The Farmers Market is expected to open this Friday along Roundhouse Drive at Lower Ferry Park.

The belt filter press project is coming along, Transviron is the engineering firm that we are working with on that project, we are looking to have that project completed by January of next year.

There are three 5K events that are scheduled for the month of May in Perryville. The town is working with a horticulturalist who is doing a guided trail walk on May 22 at the community park for those interested in participating.

#### **Treasurer's Report - Rachel Deaner**

Ms. Deaner thanked the board for their participation in helping prepare the budget for FY 17.

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

Chief Miller reported that they set up a drug collection site at the Perryville Library on April 30<sup>th</sup> for people to turn in their unused prescription medications. Also all of our officers have received domestic violence training.

#### **Outreach Report -**

Sean Jones, a member of the Outreach Program, reported on the activities of the members for the month of April. He reported that they were able to get outdoors and perform some outdoor community service activities. Five of the members participated in River Sweep 2016 to help clean up our community. A small group of members were able to go on an educational field trip to the Maryland Science Center. The Life Skill classes this past month have focused on how to avoid violence and work to deescalate conflict. The Outreach Program is in the process of hiring an Administrative Assistant/Activities Coordinator.

Ms. Hemling, from the Outreach Program, reported that they are working to get the Community Garden started again and have ordered some pre-made raised beds because they get a lot of water on the property. They are going to try to recycle what they can out of the old beds that are being relocated. They also purchased some netting to hopefully prevent the deer from eating the vegetables. Some Middle School students will also be assisting with the community garden who are not Outreach Members but will be working with the Outreach Members. The Middle School students will also be included in interviewing the Mayor about the community garden.

**Planning and Zoning Report - Mary Ann Skilling**

Ms. Skilling stated that the new Subway which will be located at Perryville Station should be opening within the next couple of weeks. We have not received any comments back yet from State Highway regarding the Royal Farms project.

The Lower Ferry Project is coming along, the decking for the stage will be put up as soon as the weather permits.

Commissioner Linkey inquired about the status of Dollar General.

Ms. Skilling commented that she is not sure about Dollar General there is some new information that they just received from the engineer that needs to be looked into further.

Commissioner Ryan sought clarification regarding the agreement with the owner of the hotel and that the hotel was to be down by this December, Ms. Skilling replied that she believes that is correct.

Mayor Eberhardt wanted to mention that the Planning Department also oversees code enforcement and for medical reasons they are understaffed at the moment, and realizes that it the time of year for high grass and other issues, so he asks that people be patient during this time.

**From the Floor**

Ivan Reynolds, stated that there has been an ongoing issue with people speeding throughout the downtown area, and barely stopping at stop signs. He noted that there are very little speed limit signs throughout town and if there was a possibility of having more put up and replacing some of the older ones that have been there forever and the reflection is gone from them. Also more presence of police in the problem areas, so that people are at least warned when they are in violation.

Chief Miller stated that he has an open door policy and that he can come in and talk to him at any time and he would like to follow up with him and get his information.

Some options that have been discussed previously were speed bumps, speed humps and rumble sticks but there seemed to be no definitive response one way or the other from residents. Digital signage was brought up, plus one initiative that the police department is going to do is actually advertise where they will be on a certain date, which has been done in other municipalities. Things that the town has already done was put the center lines in some of the roads, most of them already had them but some had not and that sometimes slows people down, along with painting the stop bars.

## **New Business**

### **Ordinance 2016-08 – Budget Amendment**

Ordinance 2016-08 is a budget amendment to recognize police asset seizure funds that have been forfeited to be used for laptop holders, funds needed from contingency to purchase items needed by various departments, and additional funding needed to purchase the Comfort Station at Lower Ferry Park.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to approve Ordinance 2016-08. **All in Favor: Motion Carried.**

### **Ordinance 2016-09 – FY 17 Budget**

Ordinance to adopt the FY 2017 budget, real and personal property tax rates for the taxable year beginning July 1, 2016.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Fox to approve Ordinance 2016-09. **All in Favor: Motion Carried.**

### **FY 17 Trash Bids**

Ms. Deaner noted that this year we requested bids for a three year contract versus one year. We also requested several options. Option A, was the same service we currently have with trash pickup on Mondays and recyclables on Thursdays. Three bids were received for Option A, with Waste Management being the low bidder at \$272,158. Option B is with 96 gallon trash bins provided, two bids were received and Republic Services was the low bidder on that option at \$284,856. Option C was just for them to haul the trash and the town paying the tipping fees, Republic Services was the only contractor to put in for that bid at \$187,044.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to accept the lower bidder of Waste Management for trash services with Option A. **All in Favor: Motion Carried.**

### **FY 17 Chemical Bids**

Ms. Deaner summarized the bid results for chemicals for FY17. USALCO had the low bid of \$410.15/dry ton for Aluminum Sulfate, Univar at \$15.62/bag for Soda Ash Dense, Shannon Chemical at \$383.83/drum for Aqua Mag and also for Citric Acid 50% at \$355.87/drum. USALCO at \$0.2220/pound of Poly Aluminum Chloride 35%, Coyne Chemical was the low bidder for Hydrochloric Acid 10% Solution at \$333.20/drum and Sodium Bisulfate 38% Solution at \$219.37/drum. Univar was low bidder for Potassium Permanganate at \$265.50/pail, Sodium Hydroxide 50% Solution at \$200.00/drum and Sodium Hypochlorite 10 15% Solution at \$1.21/gallon.

**Motion** was made by Commissioner Fox and seconded by Commissioner Linkey to approve the highlighted bids for the chemicals. Discussion Ensued. **All in Favor: Motion Carried.**

Item E., Resolution 2016-02 and Item F., the Police Department Contract were both tabled pending additional information needed.

### **Ordinance 2016-10**

Introduction of Ordinance 2016-10 concerning amendments to the Town's Personnel Manual.

### **Resolution 2016-01**

A Resolution to establish a longevity pay program for various landmark years.

Ms. Breder wanted the board to be aware that there is an error on this Resolution; there were some additional years recommended after thirty years that had been left out.

The board tabled the Resolution until next month to be corrected.

### **Beacon Point HOA**

A request was made by the Beacon Point HOA to use the town's meeting room to hold their HOA meetings. They have provided the necessary paperwork that we require.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to approve the Beacon Point HOA request to use the Town Hall meeting room. **All in Favor: Motion Carried.**

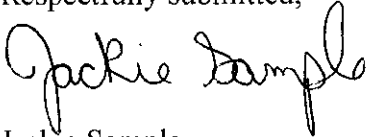
### **Community Mediation**

A request was made by Community Mediation to use the Town Hall meeting room on an as-needed basis, however, they did not provide their insurance certificate.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to allow Community Mediation to use the Town Hall meeting room pending they provide the certificate of insurance before their first use of the meeting room. **All in Favor: Motion Carried.**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to go into a closed session at 8:10 p.m. after a 5 minute break 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. **All in Favor: Motion Carried.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Jackie Sample". The signature is written in black ink and is positioned to the right of the typed name.

Jackie Sample  
Town Clerk



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

Location: Town Hall Date: 5/3/16 Time: 8:10p.m  
 Motion By: Linkey Seconded By: Ryan

**VOTE TO CLOSE SESSION:**

|                     | AYE                                 | NAY                      | ABSTAIN                  | ABSENT                              |
|---------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Mayor Eberhardt     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Commissioner Brown  | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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:**

#1 above

To consider the request from an employee for an advance on sick leave.



Signature of Presiding Officer

**Statement Regarding April 14, 2016 Closed Meeting for Inclusion in Minutes of  
May 3, 2016 Town Meeting**

On April 14, 2016, the Mayor and Commissioners of Perryville conducted a closed meeting at 6:50 p.m. in accordance with 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. Mayor Eberhardt, Commissioners Fox, Linkey and Ryan all voted in favor of conducting the closed meeting. In addition to the Commissioners, the Town Administrator, Denise Breder, the Assistant Town Administrator, Cathy McCardell, the Finance Director, Rachel Deaner, the AP/AR Clerk, Kelli Jamison, and consultants Dr. Paula Singer and Lorraine Kituri of The Singer Group attended the entire closed session. During the meeting, a presentation was made by The Singer Group and there was general discussion about the employee Classification and Compensation Plan. The Board did not vote during the meeting. The meeting was adjourned at 9:30 p.m.