

**Town of Perryville
Town Meeting Minutes
September 6, 2016**

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

Absent: Commissioner: Alan Fox

The Town of Perryville 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.

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 July 19, 2016 Work Session Minutes, the July 19, 2016 Special Meeting Minutes, and the July 19, 2016 Closed Session Minutes, the August 2, 2016 Town Meeting Minutes.

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

Mayor's Report -

Mayor Eberhardt stated that there has been a significant change to the bicycles being allowed to cross the Hatem bridge since it first started in July. They are now only allowed to cross on holidays and weekends.

Swearing in Ceremony

Mayor Eberhardt performed the swearing in ceremony for a new Perryville Police Officer, Austin Gutridge and Chief Miller presented him with a Certificate of Employment for the Perryville Police Department.

Chief Miller announced that Perryville was listed as number 24 out of 150 as the safest cities in the State of Maryland.

Chief Miller presented Meritorious Unit Citation Awards to two Perryville Detectives, Detective Warner and Detective Hoffman for arrests and convictions above the National average.

Commissioners' Reports -

Commissioner Ashby -

Commissioner Ashby met with representatives from the casino to open up the lines of communication between the town and the casino. They are having a beer fest and car show on the 1st of October that he would like to see put on our website.

Commissioner Linkey's Report -

Commissioner Linkey stated that the Public Works report will be on-line as part of the unified staff reports. She also reported that she attended the regularly scheduled meetings. DPW has been taking advantage of the LGIT continuing education classes. She also reported that the park is now closing at 8 p.m. instead of 8:30 p.m.

Commissioner Ryan's Report -

Commissioner Ryan reported that he attended the Planning and Zoning meeting this past month where they have been discussing changes to some of the town zoning codes.

Fire Company Report - Commissioner Ryan

Commissioner Ryan reported that he does not have the stats tonight but does know that the VA responses went down last month. The fire department has now added a second employee to work part time from 9 a.m.-5 p.m. for the E.M.S. side of things. The Fire Department continues to work on their cancer initiatives and is looking into purchasing the washer and dryer that was discussed in the past. The board has discussed a possibility of buying a new ambulance to replace one of the ones that we currently have, hopefully, to be delivered July of next year. They are applying for a grant to purchase ventilation systems for the fire departments.

VA Update - Mark Dallaire

Mr. Dallaire reported that the Community Living Center, the nursing home type of facility, design is complete and the central office is preparing for bids.

Mayor Eberhardt inquired if the new bridge will be part of the construction contract for the Community Living Center.

Mr. Dallaire replied that it will be funded from the same pot but will be a separate contract.

Mayor Eberhardt inquired if there will be some point in time where we will see that design again, to which Mr. Dallaire replied that we would.

Mr. Dallaire believes that a draft of the EUL agreement is coming to the facility within the coming weeks.

Mr. Dallaire wanted to express his disappointment in the recent changes made to bicycles crossing the Hatem Bridge allowing crossing only on holidays and weekends. He announced that he was able to ride to work last Friday from Bel Air to the VA for the last time, since he will not be biking to work on weekends and holidays. He stated that the bridge was by far the safest part of his commute to work.

Mayor Eberhardt stated that in the meeting that he attended with the Secretary of Transportation there was participation from various levels of Government and the majority of requests that he heard were for it to be ended all together. The attempt was made at that meeting to get the Secretary of Transportation of Maryland to support pedestrian and bicycle crossing on the new AMTRAK bridge, and the Secretary indicated that he would pass that request to other members of the bridge Commission, which he is a part of.

Commissioner Ryan wanted to share that our firefighters were very appreciative of the assistance they received from the VA emergency personnel in response to the motor vehicle accident that occurred on Route 222 over the weekend.

Town Administrator Report - Denise Breder

Ms. Breder reported that there are two vacancies to be filled for the Town of Perryville, a part time DPW employee and a part-time employee in Outreach.

Ms. Breder wanted to thank all of the volunteers and staff that assisted with the August 5 campout at the Community Park, with a special thanks to Amy Yackanech and Amanda Hickman who were there overnight and did most of the planning for the event.

The Notice to Proceed was issued for construction of the new Police Department and we had a groundbreaking ceremony this evening. There is a one-year turn around for that project, so we will hopefully be doing a dedication ceremony after the one-year time frame is up.

The electrical meter box at the Water Storage Tank off of Heather Lane was in need of repair, it was believed to have been struck by a tractor trailer. The repair has been made and concrete barriers have been placed in front of it to protect it from being struck in the future.

Transviron Engineering, who we are working with on the Belt Filter Press project, are reviewing our contractor's electrical and press shop drawings.

In regards to the cleaning of the water tanks and installation of mixers and ventilation, Utility Service Group has applied to MDE for the required permits to make modifications to the water towers. We have a guided trail walk scheduled for September 18 at the Perryville Community Park lead by Ms. Christy Michaud, Certified Professional Horticulturist and Master Gardener, and in conjunction with the University of Maryland Cecil County Extension Office.

Mayor Eberhardt announced that the town Halloween Party will be October 14 at Lower Ferry Park, and we will be having a Ribbon Cutting Ceremony for the new bandshell and the Perryville High School Band will be there to perform.

Commissioner Linkey asked Ms. Breder if we had heard from Fairgreen, Ms. Breder responded that they are scheduled to come to the September Work Session.

Commissioner Linkey stated that she will not be at the next Work Session.

Treasurer's Report - Rachel Deaner

Ms. Deaner reported that the audit was a success, they were in on Monday and were out by Wednesday, the final presentation of their report should be in December.

Mayor Eberhardt inquired if we have to do a budget amendment to accept that money from FEMA for the snow storm reimbursement.

Ms. Deaner commented that this time it was for last fiscal year, so it had been accrued, so the revenue would be where it is supposed to be in the reserve.

Ms. Deaner stated that she had heard that the new casino was going to be open in December and at that time we should be getting that annual amount of \$70,000, plus 5% of the table games.

Mayor Eberhardt stated that the Maryland Racing Commission is holding a Public Hearing at the Casino on October 5 at 6:00 p.m. to consider public comment on a request from the MD Jockey Club to operate a Simulcast Betting facility at the casino.

Police Report - Al Miller

On-line training classes have been offered by the Maryland Police Training Commission, which will save the department wear and tear on the vehicles, gas, and overtime, the cost will be \$75 per officer. Detective Hoffman is working on a policy for a Neighborhood Watch Program. We are looking into purchasing rifle racks for all police vehicles. The Chief met with the Principals and Vice Principals of the Perryville

Elementary School and the Perryville Middle School and had our officers out on bicycles on the first day of school, which was greatly accepted by the children and the schools. We received recognition from the American Legion in Harford County for escorting their American Legion riders every year through the Town of Perryville.

Commissioner Linkey inquired if we found any more information regarding speed signs, or if we had gotten any response to possibly borrow one from another Municipality.

Mayor Eberhardt replied that we had not gotten a response. He commented that Havre De Grace indicated that there was one listed on the Government bid site as a surplus but it is about five hours away and went for a substantial amount. Rachel is continuing to look on the Government bid site for other opportunities while we continue to see if we get any responses to borrow one.

Outreach Report

Two members of the Outreach Program reported on the activities for the month of August. Some Outreach participated in the National Night Out. Members were given the opportunity to go to the pool twice a week this summer. This month we had our annual school supplies drive and were able to collect over 100 book bags and other school supplies for children in need in the community. This month our life skill classes focused on career opportunities. They participated in OP clean up as well as other usual monthly activities.

Jesse Lilly, the Outreach Program Director, wanted to give a special thanks to Lisa Tome who assists every year all throughout the County but gives priority to reach a goal of 100 backpacks each year for the Perryville Outreach Program filled with supplies for at least three years now.

Planning and Zoning Report

Ms. Skilling has been in contact with Russ Parrish of the Severn Company regarding Fairgreen Apartments, they are scheduled to come to the next Work Session to discuss concerns with their facility.

Ms. Skilling stated that a Text Amendment is being developed for a Redevelopment/Infill Floating Zone as part of the Town's revitalization efforts.

A grant application has been prepared to Community Parks and Playgrounds for solar lighting and cool topper (water feature) for Lower Ferry Park in the amount of \$82,521.00.

Mayor Eberhardt inquired who Mark Rajkowski was in regards to the Dental School and what role we have in that.

Ms. Skilling stated that he is the Executive Director of the Cecil Health Center, and he is in negotiations with the Dental School.

Commissioner Linkey inquired about the Perryville Outlet Center status.

Ms. Skilling replied that we are working with a prospective buyer for the Perryville Outlet Center and the infill overlay district intended potentially for that property and other properties throughout town for redevelopment. We are looking to possibly expand that property into our Enterprise Zone which is currently in the downtown area, which would be approximately 40 acres, it is scheduled to be presented at the next Work Session. Cecil County has been working with her on this process and the application would have to be in by October 15. The Department of Business and Economic Development seemed very interested in making that expansion to that piece of property for the potential revenue that would come in.

From the Floor

There were no comments from the floor.

New Business

Outreach Budget

There was discussion whether to continue full funding of the Outreach Program.

Motion was made by Mayor Eberhardt and seconded by Commissioner Linkey to keep the budget as is to continue with the Outreach Program. **All in Favor: Motion Carried.**

Resolution 2016-12

Resolution 2016-12 was presented for approval regarding an extension of our current Cable Franchise Agreement and approval of the drafted letter to Atlantic Broadband.

Discussion ensued regarding a deadline not being put on the Resolution extending the contract and the options available in the event that the Cable Franchise Agreement is still not resolved by next year.

Motion was made by Commissioner Ryan and seconded by Commissioner Linkey to approve Resolution 2016-12 and the letter as drafted to be signed by the Mayor and sent to Atlantic Broadband. **3 in Favor: 1 nay (Commissioner Ashby): Motion Carried**

Budget Amendment Ordinance 2016-15

Mayor Eberhardt stated that it was suggested to combine amendments from Budget Amendment 2016-17 into Budget Amendment Ordinance 2016-15 to be voted on tonight instead of introducing it as a new budget amendment of its own, which were discussed at the last Work Session.

Motion was made by Mayor Eberhardt and seconded by Commissioner Ashby to adopt amendment number 1 and amendment number 2 to Ordinance 2016-15. **All in Favor: Motion Carried.**

Ms. Deaner summarized the amendments to Ordinance 2016-15, the full amendments were handed to the board members which are included below.

Amendment No. 1

Section 1 is amended on page 2 of the proposed Revised Ordinance, change the following:

12. Increase the Parks & Recreation, Dept. No. 1700, appropriation for "Capital Expenditures" from \$325,000 to \$750,806.
13. Increase the Total Parks & Recreation, Dept. No. 1700, appropriation from \$577,970 to \$1,003,776.
14. Increase Total General Fund appropriation from \$5,095,678 to \$10,257,437.

17. Increase "Decr Unreserved Fund Balance", Revenue No. R1601, from \$246,000 to \$1,735,051.
18. Increase "Decr Reserved Fund Balance", Revenue No. R1604, from \$44,313 to \$1,228,788.

19. Increase the Total Revenues General Fund from \$5,095,678 to \$10,257,437.

Amendment No. 2

Section 1 is amended on page 2 of the proposed Revised Ordinance, insert the following to immediately follow after #15 of page 2 which will be renumbered accordingly:

16. Decrease "DNR Grant", Revenue No. R1218, from \$125,000 to \$89,058.

Commissioner Linkey inquired whether the increased parking was included in these amendments.

Mayor Eberhardt responded that it was.

Commissioner Linkey inquired if we heard back from the County regarding the sediment pond.

Ms. Skilling replied we had heard back from them that they are reducing the bio-retention pond to a bio-swale, so the extension going out would be smaller. We do not know yet if this will reduce the cost or not; we meet with Cecil County tomorrow, there are other areas in the contract of things that may not have to be done now which could possibly reduce some of the cost, such as some of the concrete for the bandstand.

Ms. Breder indicated that there were some additional things that were being added, such as additional fencing between the Front Street side which was not included.

Ms. Skilling stated that we are extending the fence on our property line so that people do not walk across Mr. Herpick's property and there is the possibility for a fence along Clarks property where the parking lot is because that is where the tot lot is going to be with an opening for people to come through.

Commissioner Ashby inquired whose responsibility it would be for the fences to be installed, Ms. Skilling replied that it would be ours, they are on our property line.

Motion was made by Commissioner Ryan and seconded by Commissioner Ashby to approve Budget Amendment Ordinance 2016-15 as amended. **All in Favor: Motion Carried.**

Ordinance 2016-16

Introduction of an Ordinance allowing the Mayor and Commissioners to set by Resolution the number of non-resident seasonal boat permits that may be issued to an individual in any year.

Mr. Sussman noted that the below Resolution deals with the number of non-seasonal boat permits allowed per year but does not deal with the cost, which would need to be on a separate Resolution so the cost can be changed without changing the number, or language included in one Resolution to allow changes for both.

Discussion ensued.

Commissioner Ryan expressed concern with the way the first paragraph was worded regarding setting by Resolution the number of non-resident seasonal boat ramp permits that may be issued to an individual in any year. He would like to take the words "to an individual" out of the paragraph.

Mr. Sussman stated that he can prepare an amendment to the Ordinance to take that language out after tonight's introduction of the Ordinance to be included in next month's Town Meeting.

Commissioner Ryan suggested holding off on the action of Resolution 2016-13 until the Ordinance is passed.

Mayor Eberhardt stated that we have not had any discussions during the Work Sessions regarding the fees and since the Ordinance has allowed for the fees to be set by Resolution he would like to have that discussion as well.

Mayor Eberhardt tabled Resolution 2016-13.

Mr. Sussman stated if you want to table the Resolution to be voted on after the Ordinance is effective then you would schedule it for the November meeting because the Ordinance would be voted on at the October meeting and if passed would not be effective until 20 days after the meeting date. This would also allow you to discuss changes to the fees at the next Work Session prior to that and if you choose to change them then you could include them in the Resolution by amendment to be presented at the November Town Meeting for vote or do a new Resolution.

Charter Amendment 2016-03

Charter Amendments were produced to address tie votes in our Municipal Elections, Charter Amendment Resolution 2016-03 requires the Chairman of the Board of Supervisors of Elections tossing a coin to break the tie. Charter Amendment 2016-04 has the Senior member of the Elected body who is not part of the tie vote flipping the coin.

Consideration of a Charter Amendment to address tie votes in the Perryville Elections.

Motion was made by Mayor Eberhardt and seconded by Commissioner Linkey to approve Charter Amendment 2016-03 with the Chairman of the Election Board flipping the coin. Discussion Ensued.

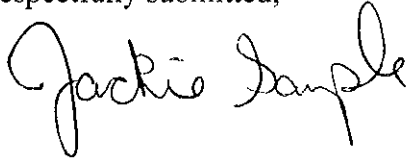
Commissioner Ryan felt that there has to be a better way of making that decision.

After discussion the motion was moved forward. **All in Favor: Motion Carried.**

Commissioner Ryan inquired if Charter Amendment 2016-04 would need to be acted on since the other one was acted on, and both Mayor Eberhardt and Commissioner Linkey stated that it would not have to be acted on.

Motion was made by Commissioner Linkey and seconded by Commissioner Ashby to adjourn the September 6, 2016 Town Meeting at 8:28 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,

A handwritten signature in black ink that reads "Jackie Sample". The signature is written in a cursive, flowing style.

Jackie Sample
Perryville Town Clerk

**Statement Regarding July 19, 2016 Closed Meeting for Inclusion in Minutes of
September 6, 2016 Town Meeting**

On July 19, 2016, the Mayor and Commissioners of Perryville conducted a closed meeting at 7:51 p.m. in accordance with General Provisions Article, § 3-305(b)(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; Mayor Eberhardt, Commissioners Fox, Linkey, Ryan and Ashby all voted in favor of conducting the closed meeting. In addition to the Commissioners, Chief of Police, Allen Miller, Police Sergeant, Joe Appleby, and Office Clerk, Tara Dvorak attended the entire closed session. During the meeting, there was discussion about police preparedness for certain types of events and discussion of Town Code and Code changes as they relate to policing. The Board did not vote during the meeting. The meeting was adjourned at 8:44 p.m.