

**Town of Perryville  
Charter Amendment Public Hearing Minutes  
December 6, 2022**

ATTENDANCE: Mayor: Matthew Roath, Commissioners, Michelle Linkey, Robert Taylor, Timothy Snelling, Christina Aldridge, Town Administrator: George Patchell, Assistant Town Administrator: Cathy McCardell, Finance Director: Debra Sharpe, Planning and Zoning Director: Dianna Battaglia, Planning and Zoning Coordinator: Amanda Paoletti, Police Chief: Robert Nitz, Outreach Director: Danielle Hemling, Town Clerk: Jackie Sample.

The Town Meeting in its entirety can be listened to on the Town's web site at [www.perryvillemd.org](http://www.perryvillemd.org).

**The December 6, 2022, Town Meeting was called to order at 6:30 p.m. by Mayor Roath.**

Mayor Roath and Mr. Patchell discussed the protocol for the meeting.

Mayor Roath inquired if there was any remote participation tonight, which Mr. Patchell replied there was not.

**Charter Amendment Resolution 2022-01 - Governance**

Mr. Patchell summarized Charter Amendment Resolution 2022-01 as follows: A Resolution of the Mayor and Commissioners of the Town of Perryville, Maryland, to amend certain provisions of the Charter of the Town of Perryville to alter certain terminology relating to the Mayor and Commissioners of the town and other obsolete and archaic terminology; altering certain provisions of the Charter relating to the powers, duties, qualifications, meetings, compensation, and responsibilities of the Mayor and Commissioners; providing a code of conduct for the Mayor and Commissioners; providing for removal of a Mayor or a Commissioner from office; and generally relating to amendments to the Charter of the Town of Perryville. The Public Hearing is in accordance with §4-304 of the Local Government Article of the Maryland Code.

Mayor Roath asked the board members if they had any comments before getting public comments starting with Commissioner Linkey.

Commissioner Linkey requested to hold her comments until the public has spoken, the other board member concurred.

**Public Comment**

James Eberhardt, 445 Sumpter Drive, asked if they would expand on what the compensation portion of the proposed Charter Amendment Resolution 2022-01 entails.

Mayor Roath responded that it is to set up an opportunity in the Charter to allow for the Commissioners and the board to be paid for their time and efforts and not talked of a level of financing or budgeting.

Mr. Eberhardt commented that was his concern and what he wanted to speak to. He made note for those that may not know who he is, he was a former Mayor of the Town of Perryville for 14 years. During that time he found that this community along with many other small communities thrived and get their well-being from volunteers. He provided a list of organizations that thrive with volunteerism, including the Fire Company, the Little League, the American Legion, the churches of the Town, people who feed cats, people who pick up at Riversweep, Triathlon volunteers, the people who are at Rodgers Tavern, the people who are at the train museum, the people who come out to our festivals to volunteer. This board in the future as we do now are going to be asking for people to volunteer and he believes that this board should remain as a volunteer board and not be compensated. He sees this board as all good people who wanted to serve their community, and all of you knew when you signed up to do that you would be serving on a volunteer basis with no compensation and there have been good people in the past. When he first served on the board he was volunteering to help the community as these other people do that volunteer for these other organizations. He reiterated that is what you signed up for and he believes that is what the good citizens will sign up for in the future. He just wanted to voice his opposition to putting something in the Charter for the Mayor and Commissioners.

Mr. Patchell answered Mr. Eberhardt's initial question in stating the it is in the Charter Resolutions under Article III, C3-3 under compensation, reciting what has made it through so far during this process.

Mr. Eberhardt commented referenced seeing the Mayor of Baltimore on tv tonight and made note that when the citizens voted to limit their terms, they limited their serving time to 8 years to get a retirement from that part time job that they have and they are now getting a raise. He feels that this would start something that he personally would not want to see.

Tracie Mahan, 66 Riverview Drive, stated that Havre De Grace started out as volunteers and they are now getting paid and they increase it each year among themselves and her thoughts are the same that when you sign up it is because you are willing to volunteer and you love your community. She believes it should remain as a volunteer position.

Commissioner Aldridge arrived at this point at 6:33 p.m.

Mayor Roath thanked them for their opinions regarding that and realizes that Mr. Eberhardt has a significant amount of experience with this and he apologizes for him not being properly compensated for his efforts. He has not found a company that has a 6 million dollar budget where the people making decisions for those companies that are not being paid. This concept of being paid has more to do with the evolution of our community, our budget and our tasks that are more complex than they have been in the past, and the majority of municipalities in our area decision makers are paid. He also made note that a lot of the organizations that were mentioned earlier he has personally volunteered for currently and in the past and will continue to do so in addition to this board. He made note that volunteerism is a very difficult thing to come by right now, along with finding employees and he strongly disagrees that this is still a volunteer

type of community and the volunteers that we have are aging significantly and if or when they become unavailable we do not know how we are going to replace them. These are challenges that every volunteer organization has. He spends 15 to 20 hours a week doing this job, he does not think that anyone on this board is suggesting that they are trying to make a living off of this, just to rationalize the stress and responsibility incurred.

Commissioner Linkey commented that the board has had some lengthy discussions about this, she made note that the amount that was discussed was \$40,000, not individually but across the board, a compensation that would not necessarily make or break anyone, compensatory on time spent.

Mayor Roath responded that to keep that in mind that the proposed aggregated amount for the entire board is less than the lowest paid employee of the Town of Perryville.

Commissioner Linkey stated that we would not be giving ourselves a raise, if this was voted on and approved tonight, you would not get paid until you were elected again.

Mr. Eberhardt also wanted to state that there was no need to apologize to him for not being adequately compensated when he served on the board, he received more personnel compensation and rewards by volunteering for this job.

Commissioner Linkey believes that the only two towns in Cecil County that are not compensated in some form or fashion is Port Deposit and Charlestown.

Commissioner Taylor responded that Port Deposit gets health insurance.

Ms. Mahan asked if that passes it will be a matter of public record in how much you will be getting and how much the increases are, Mayor Roath responded that it would be.

Commissioner Linkey responded that it would be during the budget process.

Mayor Roath commented that the idea that this would make a change in the tax base is false, not even a percentage of what the budget that we have would actually be.

Commissioner Taylor stated that when he first ran for this one of the things that appealed to him was that it was a volunteer position, he likes the direction it is going and happy to be part of seeing it move forward. He understands the mayors comments that we have a large budget, six to ten million depending on the year and there are no other businesses that have volunteer people to run them, a government is not a business and you should not run it as a business. He respects the board and their opinions and he pointed out that the proposed amounts discussed at the meetings have been \$7,500 for the mayor and \$5,000 for each commissioner that was suggested as a possible starting point. He understands that there is difficulty in getting volunteers, but at the last election there was four highly qualified candidates running for two positions with all of them knowing that this was a volunteer position and they would not be paid. He opposes this particular part of this Charter Amendment but he would vote for this Charter Amendment because there is

a lot of things that he appreciates but does not feel that this is the right time for the compensation.

Commissioner Snelling agrees with Mr. Eberhardt, he understands Commissioner Linkey's position that it is minimal in salary but it is a salary none the less and he does not think that our taxpayers should be footing the bill for a salary that should be a volunteer job.

Julie Rachel, 301 Beacon Point Drive, thanked the commissioners and the mayor for their service to the community which is vital. She is a volunteer herself as a member of the Planning and Zoning board and as a member of the community who helps pick up garbage on our streets and common areas and volunteering at our local schools where her children attend and sport teams at whatever capacity she can. She knows the type of commitment involved and the level of effort that goes into community service and wants them to know how appreciated they are. She is not in favor of this compensation scheme for this volunteer position. Perryville is not comparable to your surrounding areas like Aberdeen, Bel Air, Elkton, or Havre De Grace, Perryville is not even half the size of those places, so we do not even get half the tax dollars that any of those are getting to pay the mayor and commissioners. She believes that it is unfair when the community has already suffered a loss of service, all being aware of the trash situation, the trash company that we had to accept was a lower standard. This financial decision has left taxpaying citizens of our community with horrible service, trash left in neighborhoods, cans dropped in the street and cursing by the drivers along with no pickup at all. Her suggestion would be to use the \$20,000, \$30,000, or \$40,000 toward better quality services for our community that were taken away from us versus paying our board members. She questioned what happens if this money is not available if you choose to compensate the board members, if additional services would be reduced out cut out entirely, she has issues with using our tax dollars for those purposes. She believes that she read in one of the Work Session meeting minutes that one of the reasons for instituting this compensation scheme was drumming up more interest. Commissioner Taylor had brought up the recent election for Commissioner Linkey and Commissioner Aldridge's seats, there was a lot of interest serving on a volunteer basis. She also saw interest in vacancies in the Planning and Zoning position, well qualified folks vying for one open seat, the interest is definitely there. Commissioner Taylor had mentioned the breakdown of the proposed dollar amount for the proposed compensation scheme, which she disagrees with, she has read the read the Charter and the proposed changes to the Charter and one thing is very clear to her is that the mayor and the commissioners are all equal. No one of you has more power or authority or no more responsibility than the others, excepts for the mayor and future mayors running the meeting, she again wanted to voice her opposition to the proposed compensation for the mayor and commissioners whether it is now or in the future.

Charlene Hall, 1018 Frenchtown Road, commented that she has been a volunteer in this community and other communities for years, and in volunteering for some of these such as the legion, etc., if you do not want to go to something you just say you are not available and don't go. The mayor and commissioners have obligations, they have to be at ribbon cuttings and other things that they are obligated to attend that takes up a lot of their time. Her opinion is for that little amount of money to compensate them for the large amount of time that they put in is more than adequate.

Jackie Weih, 730 Aiken Avenue, commented that missed the first part of the meeting, but she is also in support of some form of compensation not knowing what the numbers were, she believes that it requires a lot of your time and effort and a lot of planning for all of the events and functions that are going on for the residents and all of the infrastructure happening. With compensation comes additional obligations because the decisions being made are no longer on a volunteer basis, liability can also tie to those decisions, she thinks that is something that this board has lacked. Her opinion is that if future mayor and commissioners would receive monetary for their service that more thought would go into those decisions because of the potential risks that you are taking upon yourself in accepting that compensation. She would be in support of this, and will request to see your books and records and all of the freedom of information things that comes along with it.

Ms. Rachel, made a comment that at the end of the compensation section in the Charter there is a statement about paying for expenses.

Mayor Roath believes that is currently already in there.

Ms. Rachel responded that it is in capital letters like it is new material, she wanted to ask if it was more appropriate to limit that to not pay for expenses but reimbursement of reasonable expenses, it seems very wide open.

Mayor Roath asked if there were any other comments, there were not.

#### **Charter Amendment Resolution 2022-02 - Electoral Process**

Mr. Patchell read the summary paragraph regarding Charter Amendment Resolution 2022-02 Electoral Process as follows: A Resolution of the Mayor and Commissioners of the Town of Perryville, Maryland, to amend certain provisions of the Charter of the Town of Perryville to alter certain terminology relating to the Mayor and Commissioners of the Town and other archaic terminology; altering certain provisions of the Charter relating to the Town's electoral process; providing certain campaign finance requirements; renumbering certain provisions; and generally relating to amendments to the Charter of the Town of Perryville. The Public Hearing is in accordance with §4-304 of the Local Government Article of the Maryland Code.

Mayor Roath asked of the board had any comments.

Commissioner Taylor made note that one of the things that they are doing throughout the Charter is to make it gender neutral. He also commented that we are also adding a filing date to run for office no sooner than February 1<sup>st</sup>, there previously was not a date stating when you could start filing and defining what a poll watcher is for the elections and that we must follow the Maryland laws regarding campaign finances.

Mayor Roath stated that this is just a matter of updating our language in going along with the evolution of our culture and community.

### **Charter Amendment Resolution 2022-03 - Finance**

Mr. Patchell read the summary paragraph regarding Charter Amendment Resolution 2022-03 Finance as follows: A Resolution of the Mayor and Commissioners of the Town of Perryville, Maryland, to amend certain provisions of the Charter of the Town of Perryville to alter certain terminology relating to the Mayor and Commissioners of the Town and other archaic terminology; altering certain provisions of the Charter relating to the Town's budgeting, expenditures, payment for Town obligations, procurement and borrowing authorization; and generally relating to amendments to the Charter of the Town of Perryville. The Public Hearing is in accordance with §4-304 of the Local Government Article of the Maryland Code.

There were no comments from the board or public.

### **Charter Amendment Resolution 2022-04 - Personnel**

Mr. Patchell read the summary paragraph regarding Charter Amendment Resolution 2022-04 Personnel as follows: A Resolution of the Mayor and Commissioners of the Town of Perryville, Maryland, to amend certain provisions of the Charter of the Town of Perryville to alter certain terminology relating to the Mayor and Commissioners of the Town and other archaic terminology; altering certain provisions of the Charter relating to the town's personnel system; providing for the appointment of a Town Administrator and specifying the duties and responsibilities of the Administrator; renumbering certain provisions; and generally relating to amendments to the Charter of the Town of Perryville. The Public Hearing is in accordance with §4-304 of the Local Government Article of the Maryland Code.

Commissioner Linkey commented that this Charter Amendment mostly establishes the Town Administrators functions, powers and duties.

Mayor Roath stated which does not have full hiring and firing capabilities.

Commissioner Linkey inquired where it says that.

Mayor Roath responded that there is a provision in the employee handbook that any firing comes back before this board, suggesting we have that power, but there is another document that states that we do not.

Commissioner Linkey thought that the employees handbook stated that if an employee feels they are wrongfully terminated then they could come back to us.

Mr. Patchell commented that the employee has the right to file a grievance it is an appeal process that could come back before the Mayor and Commissioners.

Mayor Roath reiterated that it removes the authority from our Town Administrator.

Commissioner Taylor responded only if it is appealed to the board through the appeal process.

Mayor Roath questioned which takes precedence then are we giving the authority or not.

Commissioner Linkey responded that he has the authority but if a grievance is filed would be the only time that it comes before the Mayor and Commissioners.

Mayor Roath commented that this is very wishy washy, we give you that authority unless we remove it.

Commissioner Taylor disagrees with that characterization, he believes that the Town Administrator has the authority to hire and fire and if there is an appeal process then it would come before us.

Mayor Roath commented that we have one document that says full authority and one document that says that he doesn't.

Commissioner Taylor responded that the section C7-3. that we are amending states that the Town Administrator has the ability to hire, suspend, transfer and discharge Town employees except as otherwise provided by the Mayor and Commissioners.

Jackie Weih, 730 Aiken Avenue, wanted to touch on what you are saying. She questioned if the Town Administrator is allowed to hire and fire somebody why do we have an appeal process where the board of commissioners can undue that. If we are giving the Town Administrator to solely make those decisions, then why are we not abiding by those decisions.

Commissioner Taylor responded that we are not making a change it is already in the Charter now. The Town Administrators duties in the Charter were not clearly defined so it was a little ambiguous as to what the Town Administrators duties were, this defines it in the Charter to go along with the employee handbook.

Commissioner Aldridge inquired if the Town employees were under the merit system.

Mr. Patchell responded that there is a merit system and an employment at will for exempt employees and non- exempt employees, or hourly employees are on the merit system.

Ms. Weih responded that it seems silly that we are outlining duties for our administrator but giving the authority to undermine his decisions for hiring or firing.

Mayor Roath commented that is we look at the suggestions that were made on these changes, there are certain things that are suggesting that this board has no ability to communicate and participate in employees unless you speak with one employee, then we essentially say don't participate in the process and don't communicate and don't hold people accountable, but the person that we hired to do those things, we have the ability to undermine after the fact. In his mind this document takes precedent over any type of employee handbook and assumes that this should provide the Town Administrator the source of responsibility needed for their position. He asked if there were any final comments.

Town Meeting Minutes  
December 6, 2022

Commissioner Linkey inquired if you are suggesting to remove the grievance process in the employee handbook, to which he responded that he was.

Ms. Rachel asked to speak, the Mayor responded that she had her turn.

Ms. Rachel responded that was a different subject matter and you let Ms. Weih speak to it.

The Mayor apologized and allowed her to speak.

Ms. Rachels questions was how this was any different from any other government or business or court of law where you always have an appeal process.

Mayor Roath responded that not everything has an appeal process.

Ms. Rachel inquired what doesn't.

Mayor Roath commented any business out there.

Ms. Rachel commented that any employee whether this State or not has the right to go to court and pursue your case.

The Mayor responded that she just answered her question.

Ms. Rachel commented that here you would want to avoid the court of law and keep it in house, and if someone has a problem with Mr. Patchell or whoever else terminating them she questioned why you would not want them to come to you for the appeal process.

Mayor Roath responded it is because we hired somebody to do that.

Ms. Rachel responded that everything has an appeal process.

Mayor Roath responded that he believes that is a significant over generalization and that the large majority of businesses and other things do not have an appeals process and you also suggested what the legal appeal process is.

Ms. Rachel can understand that a mom and pop shop may not have a grievance process but this is a government and most large companies do have an HR departments and a grievance process and code of conduct provides for the grievance process which is normal.

Mayor Roath commented that his understanding is that this is not normal, this is a provision in ours that many municipalities in this area have.

Ms. Rachel does not know what to tell him about that but maybe they are behind the times.

There were no further comments.



**Charter Amendment Resolution 2022-05 – Miscellaneous**

Mr. Patchell read the summary paragraph regarding Charter Amendment Resolution 2022-05 Miscellaneous as follows: A Resolution of the Mayor and Commissioners of the Town of Perryville, Maryland, to amend certain provisions of the Charter of the Town of Perryville to alter certain terminology relating to the Mayor and Commissioners of the Town; and generally relating to amendments to the Charter of the Town of Perryville. The Public Hearing is in accordance with §4-304 of the Local Government Article of the Maryland Code.

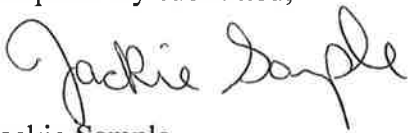
There were no comments from the board or the floor.

**Motion** was made by Commissioner Taylor adjourn the December 6, 2022, Public Hearing at 7:14 p.m. and go into the Town Meeting.

Commissioner Linkey inquired if we will need to take a break, Mr. Patchell responded that we will need a couple of minutes to go to the correct webinar.

Commissioner Linkey requested to change the motion to include a five-minute break. Mayor Roath stated that we have a motion and an amendment who are in favor. **All in Favor: Motion Carried**

Respectfully submitted,

A handwritten signature in cursive script that reads "Jackie Sample".

Jackie Sample  
Perryville Town Clerk

