

Town Charter Review Meeting #2 Meeting Minutes
September 13, 2022 at 6pm

Attendance: Mayor Roath, Commissioners: Michelle Linkey, Robert Taylor, Timothy Snelling, Christina Aldridge,
Town Administrator: George Patchell, Billing Clerk: Tara Blevins

Mayor Roath called the meeting to order at 6:01pm.

No remote participation requests.

Approval of the Town Charter Review Meeting #2 Agenda

Commissioner Taylor made a motion to approve the Town Charter Review Meeting #2 Agenda and it was seconded by Commissioner Aldridge. All in Favor; Motion Carried.

1. Article IV
§C4-5 Enforcement

Mayor Roath explained that we just had an issue with chickens and was told we didn't have anything in the charter to issue a fine.

George Patchell explained that with talking to Fred Sussman, Town Attorney, that we could charge \$500 not \$1,000 under current Maryland Statute.

After discussion on this we will see what Fred Sussman has to say and come back to this to discuss on the 4th meeting.

§C4-6 Referendum

Commissioner Taylor explained he is strongly opposed to having this in the charter. Commissioner Taylor explained that a referendum would allow anyone to put anything on the ballot as long as they get enough signatures this is shown to be a disaster for Municipal Communities as well as State Communities. For example, someone could want a town swimming pool and they could get the signatures we are on the hook for this swimming pool. We could end up with things we can't possibly do.

Commissioner Aldridge: Aye, Commissioner Snelling: Aye, Commissioner Taylor: Nay, Commissioner Linkey: Nay, Mayor Roath: Nay – This will be eliminated from the final draft.

§C5-8 Nominations

Nothing is changing in this section but Mayor Roath wanted this discussed. After re-reading this the mayor has no questions.

Mayor Roath wanted to review §C5-6

Mayor Roath then stated he would like to see a start date for filling so that the staff knows when to have them ready. Commissioner Taylor stated he agreed and stated they could fill starting February 1st to the second Monday in April.

The Mayor and Commissioner all agreed on this.

§C5-9 Conduct of Elections

George Patchell explained that we are taking out observer and putting in pole watchers. Also adding guidelines of their role to ensure an open and transparent election.

The Mayor and Commissioner all agreed on this.

§C5-11 Special Elections

Mayor Roath asked if we lose a commissioner do we want to appoint a new commissioner or have a special election.

George Patchell explained that if there is a vacancy the mayor would appoint someone to fill the vacancy.

Mayor Roath then asked should there be a special election for this or if a recall happens then a special election would happen. Commissioner Taylor stated he would be in favor of keeping what we have in place for the mayor to appoint if a vacancy happens.

§C5-15 Campaign Finance and Campaign Materials

George Patchell explained that this was a recommendation from Fred Sussman, Town Attorney, this section applies to each election conducted in accordance with this article. In general, unless otherwise provided in this article, and to the extent practicable, the laws, rules, regulations, and procedures governing campaign finance and campaign materials of the Town of Perryville shall be as provided in Title 13, Md. Election Law Code Annotated Section 13-101 through Section 13-605 and may be amended from time to time as needed.

Commissioner Taylor explained that if you take funds during a campaign you would need to have a campaign committee. Mayor Roath stated anything over \$1,000.00.

C5-16 Violations and Penalties. Make §C5-16 not §C5-15. George Patchell explained that this would makes §C5-16 not §C5-15.

No further comments on §C5

2. Article VI Finance

§C6-3 Adoption of Budget

George Patchell explained that in this section where it states Commissioners, we would like it to say Mayor and Commissioners may insert new items or may increase or decrease the items of the proposed budget up until adoption of the budget. Commissioner Linkey stated that until it's voted on it is not ratified.

Commissioner Aldridge: Aye, Commissioner Snelling: Aye Commissioner Taylor: Aye Commissioner Linkey: Aye, Mayor Roath: Aye. All in Favor. Motion Carried.

§C6-5 Transfer of Funds

George Patchell explained that two words would be added Mayor and ordinance to read Any transfer of funds between appropriations for different purposes proposed by a commissioner must be approved by the Mayor and Commissioners by ordinance before becoming effective. And to also include Transfer of funds between general categories of expenditures must be approved by budget amendment ordinance. Transfers of funds between line items within the same general category of expenditures shall not be deemed a transfer of funds between appropriations for different purposes. Budget "Changes" allowed within the individual department expenditure categories of "Salaries," Employment Taxes, Benefits. "Other Expenditures" and "Capital Outlay" without Budget Ordinance Amendment.

The Mayor and Commissioner all agreed on this.

§C6-6 Over Expenditures Prohibited.

George Patchell explained that he would like to change the wording from Nothing in this section contained, however, shall prevent the making of contracts or the spending of money for capital improvements to be financed

in whole or in part by the issuance of bonds, *nor the making* of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law. Change *nor the making* to Nothing in this section contained, however, shall prevent the making of contracts or the spending of money for capital improvements to be financed in whole or in part by the issuance of bonds, *for repayment of other debt service*, nor *for* making of contracts of lease or for services for a period exceeding the budget year in which such contract is made.

The Mayor and Commissioner all agreed on this.

§C6-7 Lapse of Appropriations

George Patchell explained that it has been recommended to change the wording anticipated revenues for the next succeeding budget year to anticipated reserves for the next succeeding budget year.

The Mayor and Commissioner all agreed on this

§C6-8 Issuance and Signing Checks

George Patchell explained that we would like to take out secretary and countersigned by the mayor and replace with at least two signatures required for checks.

The Mayor and Commissioner all agreed on this.

§C6-11 Notice of Tax Levy, Assessment

George Patchell explained the new wording as Immediately after the levy is made by the Mayor and Commissioners in each year, the Town Clerk shall give notice of the making of the levy by posting a notice thereof and the adopted budget on the Town's internet website. Unless otherwise agreed between Town and Cecil County Government, Cecil County Government shall make out and mail or deliver in person to each taxpayer or their agent at his last known address a bill or account of the taxes due from them.

Changes to C6-11B All real and personal property taxes shall be determined and levied by the Mayor and Commissioners in accordance with the laws of the State of Maryland and appropriate public hearings shall be conducted. Commissioner Taylor explained that the Mayor and Commissioners do not assess so we may want to stick the word determine. Something we should ask Fred Sussman, Town Attorney, about this. George Patchell stated he would reach out to Fred Sussman on this.

§C6-13 Sales of Tax Delinquent Property.

George Patchell explained that we would like to change Town Clerk to applicable Town employee/representative.

The Mayor and Commissioner all agreed on this.

§C6-15 Annual Audit

Mayor Roath stated he wanted to make sure it states that the audit is done by a third party. Commissioner Taylor stated a third party would be required by the state.

§C6-16 Authorization to Borrow

George Patchell explained that per Fred Sussman, Town Attorney, to add nothing in the Section shall prohibit or preclude the Town from borrowing money for a public purpose as part of a local government borrowing program maintained by the Department of Housing and Community Development, the Maryland Department of the Environment, or other Maryland State agency. Bonds may be part of a public offering through a state agency.

The Mayor and Commissioner all agreed on this.

§C6-19 Purchasing Procedures

George Patchell explained that the changes as followed the Mayor and Commissioners shall provide by rules and regulations regarding purchasing procedures such as authority for the making of purchases and the use of competitive bids.

The Mayor and Commissioner all agreed on this.

Commissioner Taylor made a motion to adjourn the meeting and it was seconded by Commissioner Linkey at 6:55pm.

Respectfully Submitted by,



Tara Blevins