

**Town of Perryville  
Town Meeting Minutes  
November 4, 2014**

ATTENDANCE: Commissioners: Barbara Brown, Michelle Linkey, Alan Fox, Town Administrator: Denise Breder and Police Chief: Vince Wernz.

Absent: Mayor Eberhardt, Commissioner Ray Ryan

**The Town of Perryville Town Meeting was called to order at 7 p.m. by Commissioner Brown**

**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).

**APPROVAL OF TOWN MEETING AGENDA**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to approve the November 4, 2014 Town Meeting Agenda. **All in Favor: Motion Carried.**

**Consent Agenda Items:** Commissioner Brown asked for a motion regarding the consent agenda items which require no further discussion and are considered for unanimous consent.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to approve the consent agenda items. **All in Favor: Motion Carried.**

Commissioner Brown announced we have a quorum tonight but we do not have a majority quorum as required by law to be able to vote on the Budget Amendment Ordinance tonight.

**Mayor's Report –**

Howard Bank Presentation – Mary Ann Scully, President and CEO

Ms. Scully provided some background information regarding Howard Bank. Howard Bank has been in business for ten years and is headquartered in Ellicott City but has been moving north for the last few years. They purchased a branch from Cecil Bank in Aberdeen about a year ago and recently purchased a branch of the NBRS located in Havre De Grace. They want to assure the customers and community leaders that this is a community bank that is capitalized and profitable enough and bias to supporting local communities. They are a growth oriented bank who has grown quickly but very safely and prudently, they have about 13 branches now. The bank would not have been permitted by FDIC to bid on the NBRS branch if we were not a well-capitalized well run

institution. Their growth is defined not only by their assets, but the number of branches, geographical jurisdictions that they work in, and the impact that they have on their customers. She wanted us to be assured that they are truly a community oriented bank and are committed to servicing their customers.

Commissioner Brown inquired if they would ever consider putting a bank here.

Ms. Scully replied that they would certainly consider putting one here although she cannot make any promises on timing, but certainly would evaluate it as they get to know the needs of the community.

Ms. Breder inquired if there was anything that people that have money at NBRB need to do to ensure that their deposits are retained in their name. Ms. Scully replied there was not that it happens automatically, they were insured by the FDIC Howard Bank has assumed those deposits.

Ms. Deaner inquired if the Town of Perryville would have to do new deposit agreements with Howard Bank since we have a lot of funds with NBRB or would the existing agreement, still be in place.

Ms. Scully replied that all of the deposit along with any deposit agreements transfer over and she looks forward to speaking to us to make sure that the way that the accounts are being handled right now is the way that you would like it to be.

#### **Government Works Proclamation -**

Commissioner Brown read a Proclamation promoting the month of November as Government Works Month.

#### **Commissioners' Reports -**

##### **Commissioner Linkey's Report -**

Commissioner Linkey reported that she was unable to attend the Work Session last month. Some highlights of the DPW report include new controls being installed at the Front Street Lift Station and visual inspections being performed on the sanitary manholes throughout town. The DPW staff has been attending various training courses to obtain various certifications to be able to perform more duties throughout town. They just completed the semi- annual hydrant flushing and by rotating the schedule were able to reduce the overtime by 85%.

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

Commissioner Fox reported that on the 20<sup>th</sup> of the month, he along with Ms. Breder, met with the Water Treatment Staff to discuss a couple of things that we were

thinking about. Larry Frazier has completed the Superintendent's course at MDE headquarters. Michael Hamilton is now a certified class 4 operator. We hired a company to start cleaning and videotaping the intake lines for zebra mussels. On the 21<sup>st</sup> we met with the Wastewater Treatment Plant Staff. On the 15<sup>th</sup> of October there was 6 inches of rain that occurred and the plant ran well with no problems. The float and cage for Reactor 1 is repaired but not installed. On the 21<sup>st</sup> of October, the Mayor, Ms. Breder, Ms. Skilling and I met with a rep from Home Partnership on the potential development of in-fill projects. On the 31<sup>st</sup> of October Ms. Breder and I met with 3 representatives from MDE concerning funding to assist the town in improving operations and reducing nitrogen.

### **Commissioner Brown's Report-**

Commissioner Brown presented her report along with the park staff report for the month of October. She announced that Perryville is hosting a regional greenway meeting of the LSHG partners to discuss projects that are taking place in each area as well as available funding sources. As far as the parks report, a new metal roof has been installed on the park shop building. A new replacement bench was installed by the boat launch comfort station. Various work was performed at the comfort station, boat launch area and community park. The paint and associated material has been ordered and received to start the job at Rodgers Tavern. They are installing new bathroom fixtures and wall partitions for a small storage space and new bathroom in the lower level of the Tavern. A new bubbler system has been installed at the Lower Ferry Pier as well as two burnt out bulbs replaced. Repairs were made to the swing set at the mini park.

### **Town Administrator Report – Denise Breder**

Ms. Breder reported on some highlighted portions of her report. Her entire report can be reviewed on the town's website. The Maryland Department of Transportation planned to hold a Cecil County public meeting sometime in November regarding the Susquehanna River Rail Bridge Reconstruction and Expansion Project; the meeting has been postponed until December and she will share the meeting details as soon as she receives them. There will be some temporary truck route signs going up to support the fact that the VA's truck entrance is now through Marion Tapp Parkway. The signs will be on Aiken Avenue and on the old route pointing the trucks back to the new route. Those signs will only be up for about a month to give the trucks the appropriate direction since the old truck route will be closing. We received a notice of penalty in the sum of \$3,700 for some sanitary sewer overflows that date back to 2010 and a letter has been sent back to MDE accepting that penalty. Part of the fine included the sewer manhole that failed at the end of Maryland Avenue creating a sinkhole, the town did take immediate remedial action in repairing that and getting it back up to speed along with the other items that were part of the penalty. She, along with Gene Ashford, from the Wastewater Plant met with our consultant who is preparing our stormwater pollution prevention plan which is due by December 31 to MDE.

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

Ms. Deaner thanked Howard Bank for coming here tonight. The Audit was done so the audit report will be presented to the board and the public in December. The heating bids will be voted on at December's Town Meeting. The trash carts have been put out at Beacon Point so she will keep you informed on any feedback that she receives back about that. On October 10<sup>th</sup> we received the August Slot revenue which includes the prorated portion of the 18% returned to the local jurisdiction in the amount of \$103,942 and we are anticipating \$96,414 for September's Slot Revenue. She reminded everyone to start thinking about the budget; that is the next project she is working on.

Commissioner Linkey inquired about the status of the retention policy discussion.

Ms. Deaner and Ms. Breder determined that it would be best to do it in piece meal at Work Sessions since it is too extensive for one meeting and with the budget meetings that will be coming up it will be too much to have a separate meeting just for this topic.

### **Police Report – Chief Wernz**

Chief Wernz reported that he and Kim attended a Uniform Crime Reporting training class. Last month he reported that CJIS conducted an audit in September, they received the report back and only minor discrepancies have been reported. We are looking into body cameras for our Police Officers and had a demonstration by TASER recently in regards to using them. He has had several complaints recently in regards to the motorized scooters you see riding around. Under Maryland Law they can be used on any roadway that has a sidewalk and they are to be used on the sidewalk. If there are no sidewalks then they can only be on roads that are 30 miles an hour or less.

### **Outreach Program**

Demon Harris, reported on the Outreach Program's attendance and programs during the month of October. The overall attendance was 204 with 3 new members. The Outreach program has started Toys-for-Tots for their 6<sup>th</sup> consecutive year as the distributor for the Perryville and Port Deposit area. If you would like to donate new unwrapped toys to the cause please drop them off at Outreach 10 a.m. to 7 p.m. Monday thru Friday, the deadline is December 5<sup>th</sup>. The Outreach was able to attend a Youth Mental Health First Aid Training presented by the Maryland Coalition of Families for Children's Mental Health on October 27<sup>th</sup> & 29<sup>th</sup>. On November 21<sup>st</sup> from 4 p.m. to 7 p.m. the Outreach Program will be hosting a Thanksgiving Dinner for our active members and also inviting their families. We would like to extend an invitation to the Mayor, the Commissioners and the Administrative Staff. Please rsvp by November 7<sup>th</sup>. The Outreach Program also participated in Adopt-A-Highway and park clean up; along with other usual monthly activities.

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

Ms. Skilling stated that her full report will be on-line. Some of the meetings attended this past month included a Revitalization meeting along with a Regional Planning Meeting Conference, which had a lot to do with Sustainable Communities, we are getting ready to apply for Sustainable Community Certification. The Planning Commission met last month and agenda items included a Special Exception for Ketan Corporation/Dollar General- recommendation to the Board of Appeals for Highway Corridor Unified Development Special Exception. The other item included a concept subdivision plan for lands of James & Deborah Magraw. A Board of Appeals hearing was held regarding variance relief from the Town's side setback requirement and variance relief from the town's front setback requirements. We are working with URS regarding a water study for the MARC Maintenance and Layover Facility. The Maryland Sustainable Communities application has been finalized and I am coordinating with Denise for review.

### **From the Floor**

No comments from the floor.

### **Old Business –**

Commissioner Brown reminded those in attendance that the Budget Amendment Ordinance that is listed to be next will not be voted on tonight as she indicated at the beginning of the meeting.

### **501C Grant for Restore Church**

Marcel Trisvan, Director of the CRAVE Program, an addiction recovery group, was present on behalf of Restore Church.

There was some general discussion about using the Town Hall meeting room as a temporary location for CRAVE while they continue to scout a more suitable location. They expect to launch the program on December 4<sup>th</sup>.

Ms. Breder presented some basic meeting room rules to allow the CRAVE meetings to be held in Town Hall.

Commissioner Linkey inquired if they had a list of people that plan on attending and she also inquired about the reserve fund that was referenced in an email that they wanted to use from the grant funding if they are approved for it to assist in initial treatment cost.

Mr. Trisvan commented that they do not have a list but if the grant is approved they will start posting signs in the Perryville and Cecil County area. Restore Church has

a satellite service at the Perryville High School, so a lot of their members are from the Perryville area. They wanted to start this program here because a lot of people from the Perryville area did not want to go across the bridge to attend the meetings in Harford County.

Mr. Trisvan explained that the reserve funding that they referenced in their request was for assistance with people that may need a ride to a treatment facility or some money for initial costs for treatment services.

Commissioner Linkey explained that the grant funding is to be used for all participants of the designated program and not designed to be used for individual use.

Ms. Deaner explained that documentation is key to this funding so when you spend it you have to document what you are spending it on.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to approve the 501c Grant for the Restore Church to use for their CRAVE recovery group with the caveat that it be used for the group. **All in Favor: Motion Carried.**

Discussion ensued regarding the draft rules for use of the meeting room and it was determined that since there was still some time that they could review them further and discuss any changes that may be requested such as fees and the length of time for this temporary use at the Work Session. In the interim CRAVE will be allowed to use the meeting room while the town is working on the regulations.

## **New Business**

### **FY 2015 Revitalization Grant Requests**

Doreen Smith summarized three Revitalization grant applications that were reviewed by the Revitalization Grant Committee and recommended for approval to the Mayor and Commissioners for their vote. The first property was for Ryan Albright at 330-332 Front Street for replacing plywood/siding, porch and front steps, replace roof, vent roof to code, sand/paint roof over porch in the amount of \$14,085. The next property was Elmer and Doris Reynolds, replacing the roof and 16 windows and installing a wheelchair ramp at \$10,800. The third was for Wendy Logan at 543 Cecil Avenue for replacing windows in the amount of \$792.

**Motion** was made by Commissioner Fox and seconded by Commissioner Linkey to approve the Revitalization Grant applications that were submitted for approval. **All in Favor: Motion Carried.**

### **SHA Sign MOU**

Ms. Breder stated that the State Highway Administration submitted an MOU to allow the town to have a Welcome to Perryville sign within the State Highway right-of-way. The location is the corner of Cedar Corner and Route 40 where there used to be a picnic area; there is already electric there so the sign can be lighted.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to approve the State sign MOU. **All in Favor: Motion Carried.**

### **MD Transportation Authority Tolls**

Ms. Breder stated that she drafted a letter of support for the County's Resolution to request a reduction to multi-axle toll rates on the Hatem Bridge recognizing the local nature of the bridge.

**Motion** was made by Commissioner Fox and seconded by Commissioner Linkey to approve sending the letter of support for the reduction of rates concerning the Hatem Bridge. **All in Favor: Motion Carried.**

### **Rodgers Tavern Grounds Permit**

Commissioner Brown stated that we have a draft permit for use of the Rodgers Tavern Grounds. She commented that if we find someone to lease the café that this should be part of their lease if they were to lease it for events that they are having.

Ms. Breder noted that may be something to consider when putting the RFP out for the café.

Ms. Breder noted a couple of changes that were made since the Work Session consisted of the security deposit being increased to \$150 and adding that balloons are not allowed.

After discussion it was determined to 'strike balloons not' allowed from the agreement.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to approve the Rodgers Tavern grounds permit and to remove 'balloons not allowed' from the agreement and to allow them. **All in Favor: Motion Approved.**

### **Applications for positions on the Board of Appeals and the Planning Commission**

Ms. Skilling stated that there has been an update in regards to the information that was provided regarding the applicants for the open board positions. Two applicants, Robert Ashby and Brian Williams, applied for the Planning Commission and one, Benjamin Malesh, applied for the Board of Appeals. Benjamin's father chair's the Board

of Appeals so staff felt that would be a conflict, so we asked if he would be interested in serving as an alternate for the Planning and Zoning Board, and he replied that he would.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to appoint Robert Ashby and Brian Williams to the Planning and Zoning Board and appoint Benjamin Malesh as an alternate member to the Planning and Zoning Board. **All in Favor: Motion Carried.**

#### **Board of Appeals Re-Appointment**

A member of the Board of Appeals, Timothy Thompson, whose term is expiring submitted a request to be re-appointed to the Board of Appeals.

**Motion** was made by Commissioner Fox and seconded by Commissioner Linkey to re-appoint Timothy Thompson to the Board of Appeals.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to adjourn the November 4, 2014 Town Meeting at 8:10 p.m. **All in favor: Motion Carried.**

Respectfully submitted,

Jackie Sample,  
Town Clerk



**Statement Regarding September 16, 2014 Closed Meeting for Inclusion in Minutes  
of November 4, 2014 Town Meeting**

On September 16, 2014, the Commissioners of Perryville conducted a closed meeting at 8:20 p.m. in accordance with State Government Article, Sec. 10-508(a)(14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation 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. Mayor Eberhardt, Commissioners Brown, Fox, and Linkey all voted in favor of conducting the closed meeting. In addition to the Commissioners, the Town Administrator, Denise Breder, and the Office Clerk, Michelle Yackanech attended the entire closed session. The discussion focused on consideration of a bid for a planned town project and how to move forward with the project. The Board approved for staff to work with consultants to get a bid ready and permits issued for the project. The meeting was adjourned at 8:50 p.m.

**Statement Regarding October 7, 2014 Closed Meeting for Inclusion in Minutes of  
November 4, 2014 Town Meeting**

On October 7, 2014, the Commissioners of Perryville conducted a closed meeting at 7:55 p.m. in accordance with State Government Article, Sec. 10-508(a)(7) to consult with counsel to obtain legal advice on a legal matter. Commissioners Brown, Fox, Linkey and Ryan all voted in favor of conducting the closed meeting. In addition to the Commissioners, the Town Attorney, Frederick Sussman, the Town Administrator, Denise Breder, and the Town Clerk, Jackie Sample attended the entire closed session. The discussion focused on legal advice regarding the Town's inclusion in the Public Service Commission case considering a merger between Exelon and Pepco Holdings, Inc. (PHI). The Board approved withdrawal of the Town's Petition to Intervene to include not remaining an Interested Party. The meeting was adjourned at 8:06 p.m.