

**Town of Perryville  
Town Meeting Minutes  
October 7, 2014**

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

Absent: Mayor Eberhardt

**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 Ryan and seconded by Commissioner Fox to approve the October 7, 2014 Town Meeting Agenda. **All in Favor: Motion Carried.**

**Consent Agenda Items:** Commissioner Brown asked for a motion regarding the consent agenda items.

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

**Mayor's Report -**

Commissioner Brown read a Proclamation recognizing October as National Breast Cancer Awareness Month on behalf of Mayor Eberhardt who was not in attendance. She also gave an update regarding the YMCA program in Perryville. The YMCA provided summer camp for 27 children this year, and three of the children who attended were on financial scholarship, which allowed them to attend at no charge.

**Commissioners' Reports -**

**Commissioner Fox's Report**

Commissioner Fox reported that the repair is going to be done to the sbr float by Essco in the next few weeks, which is for the Wastewater Plant. At the Water Plant the parts have been received for the sluice gate repair and they are in process of setting up a date for the repair with the contractor. We are currently waiting on a second bid for the cleaning of the raw water vault and intake lines and videotaping for Zebra Mussels. The access road for the Water Plant is getting close to being able to happen. In addition to his

regular meetings he also attended the Fall MML Conference where he attended several classes, particularly one on Sustainable Communities. Commissioner Fox reported that he has been meeting with our Economic Development Coordinator, Doreen Smith, regarding an application for Maryland Main Street and going over how it should be filled out and what they are looking for in the application. After working on that, Amy Seitz, representing the Maryland Housing and Community Development, came and visited the Town and the Mayor and I took her on a tour of the town to discuss some of the things that were part of our application process.

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

Commissioner Ryan reported that he did attend the Town Meeting last month but was unable to attend the Planning and Zoning meeting because he was away for training for his work. Commissioner Ryan attended the city of Havre De Grace Council Meeting representing the Town regarding the Susquehanna River Railroad Bridge project. A committee has been put together to take input from the public and distribute information regarding the project and discuss ideas for the project. The committee will begin to distribute advisory bulletins letting the public know what is going on with the project. The first advisory bulletin that the committee agreed to release was letting the public and other council members know that a committee exists and the second one was our consensus based on the information that we have as to what the bridge needs to look like. It needs to be architecturally pleasing since it is the gateway to the Susquehanna River and the Chesapeake Bay and it is seen by a lot of people.

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

Commissioner Linkey attended the regular meetings as well as the Fall MML Conference. For the Public Works Department, the contractor is still working on the Frenchtown overlay project; several sections of sidewalk were replaced on Roundhouse Drive, Otsego Street, and Beacon Point. Two fire hydrants were replaced and new controls are to be installed at the Front Street Lift Station. A new "Sensaphone" was installed at the Front Street Lift Station which contacts on-call personnel in the event of an emergency. The full DPW report will be posted on line.

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

Commissioner Brown attended the Town Meeting and Work Session last month and also met with Harvey Cage on several occasions to discuss his plans for the winter work schedule. She has also had contact with the geese police concerning continuation of that program for this coming year. Yesterday we welcomed members of the East Coast Greenway Alliance. They were here for a rally and press event to bring attention to the fact that the Susquehanna River is the only river on the east coast that does not permit safe pedestrian or bicycle passage. Dennis Markatos-Soriano, the Executive Director of the Greenway Alliance, stressed that the Susquehanna River is the most important gap in the whole East Coast Greenway which runs from New England to

Florida. Also, representatives from Harford and Cecil County in attendance agreed that we will partner to ask Amtrak and the Maryland Department of Transportation to include a safe pedestrian and bicycle crossing in the plans for a new bridge. To lend your support or learn more about the effort email [andy@greenway.org](mailto:andy@greenway.org) or visit [www.greenway.org](http://www.greenway.org).

Commissioner Brown also reported that the Adopt - A - Street sign going into the park has been replaced with a new sign. The park staff performed their usual tasks for the month. Someone destroyed the War of 1812 sign at Rodgers Tavern; it appears that it was run over by a car. Another bench has been stolen from the Community Park which she has requested to be replaced; this has been an ongoing problem.

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

Ms. Breder stated that her entire report will be on line but she will read a few highlights. She reported that the Revitalization Grants closed on October 6 so we expect committee recommendations to be made at the October 21 Work Session. Ms. Breder also attended the MML Fall Conference and took training in media relations, storm water projects on a budget, effective meetings and ethics and she thanked them for the opportunity to get that training. There were two Maryland Department of Transportation meetings, the first was a pre-tour meeting on September 15, and the second one was the MDOT Secretary's Tour Meeting at the Cecil County Government building. The website address for anyone interested in looking at the State's Draft Consolidated Transportation program is [www.ctp.maryland.gov](http://www.ctp.maryland.gov). She also attended a tri-agency meeting at the Elkton shop of the State Highway Administration. She did hear that Coudon Boulevard will be repaved in the next few weeks and will look for more information so that we can get it on our website. On September 26 she and Ralph Ryan met with representatives from Cecil County Government regarding the replacement of the bridge on Reservoir Road which will require obtaining an easement from the town.

Commissioner Linkey inquired where we were in regards to any Charter Amendments.

Ms. Breder stated that we have done a few Charter Amendments but we do not have any more lined up at this time.

Commissioner Linkey requested that we continued to work on Charter Amendments.

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

Ms. Deaner noted that her report will also be on line for anyone who wants to read it. She reported that the audit is complete and she and Denise are working on the final stages and it should be presented to the board at the December Town Meeting. In the reports to the board are the Financial Statements for July and August. The July slot

revenue received from Cecil County was \$100,957 and we are anticipating \$99,411 for August slot revenue.

Commissioner Linkey inquired where we were with the retention policy.

Ms. Deaner stated that it will need to come back before the board again, she was waiting on some information from the Chief on his retention policy and it may be have to be on the Work Session after the next one.

Ms. Breder thought that we discussed having its own meeting when it came time to do this because of the amount of time that would be involved in discussing it, in which Ms. Deaner agreed.

#### **Police Report – Chief Wernz**

Chief Wernz stated that he has been reporting on the new CAD/RMS computerized dispatch for the past few months and the County recently signed a contract with Sun Guard, so we should be getting a timeline soon on when they will start installing the new system. He stated that the priority is to get the new CAD system up and running before getting into the report management system. The Police Department just had their third audit conducted by the Criminal Justice Information System of our Police Department's criminal records and procedures. We recently hosted a Prescription take back event along with other towns where we collected about 25 pounds of prescription drugs that will be taken to an incinerator in Baltimore.

#### **Outreach Program**

Haley Hollister, the Caseworker for the Outreach Program, reported that the overall monthly attendance for the program in September was 189 and there was 1 new referral and 1 new member. She reported that due to the short notice of the Fall Festival this year they will not be participating in the parade, however, staff and a few members will be offering assistance with setting up for the event. She mentioned don't forget to stop by Outreach for Trick - or - Treat; we have a lot of candy to give out.

Ms. Breder also mentioned some other events that are coming up. This Friday at the Farmer's Market from 3-7 p.m. we have a musical event with Charlie Hitman, who has opened for some well known musical artists. Also the Perryville Chamber is sponsoring the Autumn Fest which is located at Perryville Fire House on October 18 from 10 a.m. to 4 p.m. and we will be having our Halloween Party across from Rodgers Tavern off of Roundhouse Drive on October 24 from 5-7 p.m., in conjunction with the Farmers Market.

## **Planning and Zoning Report**

Ms. Breder reported some highlights from the Planning and Zoning Department on their behalf. Fourteen Zoning Certificates applications were reviewed for compliance, none within the critical area. Two installed structures without permits are being reviewed with both submitting an application for variance; one is within the critical area. They attended several meetings this month including the Technical Advisory Committee Meeting held on October 1<sup>st</sup> regarding the subdivision where the Relax Inn is. There was a Planning and Zoning meeting held on the scheduled September 15 date, however, there was no quorum in attendance and an agenda item has been rescheduled for the Highway Corridor Unified Development in October. The Board of Appeals hearing was held September 22; however there wasn't a quorum in attendance and both variance requests were rescheduled for October 27. She stated we really need to get some board members on and I think that is going to be on our next Work Session agenda to discuss a couple of people that have submitted applications. The rest of the report will be on line.

## **From the Floor**

Kevin Hornberger, who is running for the House of Delegates, wanted to introduce himself and announce that tomorrow there is going to be a debate taking place at the Milburn Stone Theatre and also to remind everyone of early voting and that the Election is going to be on November 4 and if anyone has an questions they can see him after the meeting. He left his phone number which is 443-309-6771.

Commissioner Linkey inquired when the date is for early voting to which he responded he believed is the 23<sup>rd</sup>.

## **New Business –**

### **Town of Perryville Cart Program -**

Ms. Deaner presented a proposal from our trash company to donate (233) 95 gallon trash carts to the Beacon Point development for a trial run at no additional cost for the Town of Perryville to consider whether they would be interested in adding a cart option to their future Municipal contract with whomever it may be.

Commissioner Brown feels that the time period seems to be long for a trial run since it is until their contract ends at the end of the fiscal year. Her concern is also, after talking to another municipality that has this service that it may not necessarily work for all areas of town, because the cans would be blocking sidewalks where there is not enough room.

Ms. Deaner stated that before we put out the next bid we will need to discuss the good and the bad things about the program and whether we want to revise our future bid process at all.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to approve the cart program with Republic Services for Beacon Point. **All in Favor: Motion Carried.**

#### **Ordinance 2014-09 - Budget Amendment**

Ms. Deaner introduced a proposed Budget Amendment for the fiscal year July 1, 2014 – June 30, 2015, to recognize certain grant revenues and to appropriate for certain purposes certain fund from the Town's restricted and unrestricted fund balances; and generally related to amendment of the Town's FY 2015 budget. Budget Amendment 15-06 is to recognize prior year Local Impact Funds and Community Legacy Grant Funds to be used in the Fiscal Year 2015, budget amendment 15-07 is to recognize unreserved Funds to be use to drain the Reservoir Dam; and 15-08 recognize funds from Local Impact Reserve to be used for an economic development study done by Frank Hodgetts.

Discussion ensued regarding the economic development study to be done. Ms. Deaner let Commissioner Ryan know what transpired at the Work Session since he was unable to attend that meeting.

#### **501C Grants – Rachel Deaner**

Consideration of grant applications and committee recommendations for grant awards for the round of 501C grants that closed on August 29, 2014. There were 5 applications submitted. The Home Partnership request was determined not to meet the intent of the Grant Program. The Perryville High School Booster Club submitted a request for \$10,550, the Chesapeake Feline Association requested \$25,000, which the committee recommends \$1,450 to cover the cost of the traps, Restore Church requested \$5,000 for the Easter Egg Hunt. There was another request from Restore Church for their CRAVE Program. That is for addiction recovery, which is to be tabled until more information was received about the program. That information has been received and may come before you at the next Work Session.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to approve the Local Impact Grants for Perryville High School Booster Club for \$10,550, the Chesapeake Feline Association for \$1,450, and the Restore Church for the Easter Egg Hunt for \$5,000. **All in Favor: Motion Carried.**

#### **Event Request Form -**

Request was made to hold a wedding ceremony on the Rodgers Tavern grounds on November 8 from 1-4, to allow for setup and they have provided their insurance certificate.

Commissioner Linkey inquired about parking, which Ms. Breder commented that they may have to park along Roundhouse Drive temporarily like people do for the Farmers Market as well as the Rodgers Tavern parking lot.

Commissioner Brown believes that the rates should be discussed at a Work Session because this is very cheap compared to what another municipality charges.

Ms. Breder noted that we have not necessarily set up the permit for the grounds yet, we were in process when this request came in so we used some of those draft rules to accompany it.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Fox to approve the event form for the Pomeroy wedding on the Rodgers Tavern grounds as long as they follow the rules and regulations. **All in Favor: Motion Carried.**

Commissioner Fox noted that number 2 on the rules and regulations states that vehicles must be parked in designated parking areas and we may want to make it clear that they will be allowed to park on Roundhouse during that event and notify the Police Department.

Commissioner Brown commented that then we should let them know where that designated parking is so that they are not parking on the grass or some other area where they should not be.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Fox to adjourn the October 7, 2014 Town Meeting to a closed session at 7:50 p.m. with a 5 minute break to consult with counsel to obtain legal advice on a legal matter. **All in favor: Motion Carried.**

Respectfully submitted,

Jackie Sample,  
Town Clerk

**TOWN OF PERRYVILLE**  
**FORM OF STATEMENT FOR CLOSING A MEETING**  
(FROM OPEN MEETINGS MANUAL - APPENDIX C C-1)

Location: Town Hall Date: 10/7/14 Time: 1:50 p.m.

Motion By: Linkey Seconded By: Fox

**VOTE TO CLOSE SESSION:**

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

State Government Article §10-508(a):

(1) ☐ To discuss:

(i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or

☐ (ii) Any other personnel matter that affects one or more specific individuals.

(2) ☐ To protect the privacy or reputation of individuals with respect to a matter that is 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 preliminary 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 services.

(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 discussions would constitute a risk to the public or public security, including:

(i) the deployment of fire and police services and staff; and



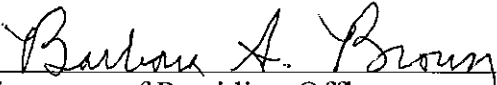
- (ii) the development and implementation of emergency plans.
- (11) [ ] To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12) [ ] To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) [ ] To comply with a specific constitutional, 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, 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.

**TOPICS TO BE DISCUSSED:**

Town's entry into PSC case

**REASON FOR CLOSING:**

7 above - need legal advice

  
Signature of Presiding Officer

**TOWN OF PERRYVILLE**  
**FORM OF STATEMENT FOR CLOSING A MEETING**  
(FROM OPEN MEETINGS MANUAL - APPENDIX C C-1)

Location: Town Hall Meeting Room Date: 9/16/14 Time: 8:20

Motion By: Commissioner Linkey Seconded By: Commissioner Brown

**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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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(1) ☐ To discuss:

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☐ (ii) Any other personnel matter that affects one or more specific individuals.

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(3) ☐ To consider the acquisition of real property for a public purpose and matters directly related thereto.

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(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 discussions would constitute a risk to the public or public security, including:

(i) the deployment of fire and police services and staff; and

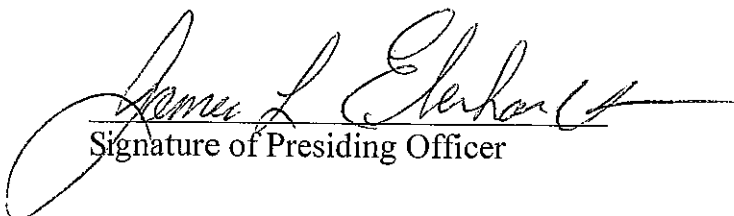
- (ii) the development and implementation of emergency plans.
- (11) ☐ To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12) ☐ To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) ☐ To comply with a specific constitutional, 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, 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.

**TOPICS TO BE DISCUSSED:**

Contents of a bid or proposal

**REASON FOR CLOSING:**

#14

  
Signature of Presiding Officer