

**Town of Perryville
Town Meeting Minutes
September 2, 2014**

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

The Town of Perryville Town Meeting was called to order at 7 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.

APPROVAL OF TOWN MEETING AGENDA

Motion was made by Commissioner Ryan and seconded by Commissioner Linkey to approve the September 2, 2014 Town Meeting Agenda. **All in Favor: Motion Carried.**

Consent Agenda Items: The following agenda items require no further discussion and will be considered for unanimous consent:

The July 15, 2014 Work Session Minutes, the July 15, 2014 Closed Work Session Minutes, the August 5, 2014 Town Meeting Minutes, Restore Church request to use microphones at their picnic at the park, Perryville High School request for cross country track meets at the park, Chesapeake Feline Association request to hang banner across Aiken Avenue for their approved event, and Resolution 2014-23 pertaining to the Town of Perryville as a supporting participant in the Sustainable MD Certified Municipal Certification Program.

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

Mayor's Report -

Mayor Eberhardt stated that he met with Commissioner Fox and the Town Engineer, Ralph Ryan to discuss a another option to address the stormwater management issue for the Police Department construction project which Mr Ryan is still investigating further to see if it is a viable option.

Commissioners' Reports -

Commissioner Fox's Report

Commissioner Fox reported that along with the other regular meetings that he attended he also attended the meeting regarding the Amtrak bridge project at the Perryville Firehouse. He was on site at the Wastewater Plant for the removal of the cage under the float assembly for SBR 1; a stainless steel bar had been sheared off and will be repaired. There was heavy rain on the 13th of August but everything was ok. It was determined that between 1 and 1.5 million gallons of water is used per month for backwashing which accounts for 10% of our water loss.

Commissioner Brown's Report-

Commissioner Brown reported that the parks employees inspected all of the playground equipment and park buildings for the Town of Perryville. Topsoil was spread at the boat ramp, community park, and Rodgers Tavern. Park signs were moved from the park road next to the Wastewater Plant to the new park gate entrance. The park road along with parts of Ice House Park and the VA trail were mowed with the slope mower. The volleyball courts were rotor tilled and the volleyball nets were tightened and the zero turn mowers were serviced. The fishing pier and Lower Ferry Pier were both inspected and trees were trimmed along the VA trail. We are still waiting on the Little League to put the bleachers together that they have stored in our building.

Commissioner Ryan's Report-

Commissioner Ryan reported that he attended the regular monthly meetings last month and that for the second month in a row there was no Planning and Zoning meeting.

Commissioner Linkey's Report-

Commissioner Linkey reported that she was not in attendance at last month's Work Session. DPW has started the Frenchtown overlay project and are continuing to repair potholes throughout town. DPW is also working on the sidewalks in Beacon Point and Gales Manor. Commissioner Linkey introduced Chris Hill, a new DPW employee who just started working here this past week and has lived in Perryville for two years and has four children.

Town Administrator Report – Denise Breder

Ms. Breder reported that they are still looking for two individuals from the business community to participate in the cable tv focus group, but we do have 3 residents that are participating. We have tentatively scheduled a regional meeting for the Greenway Committee for November 6. There is a picture attached to her report regarding the break in the cage for the SBR tank that Commissioner Fox reported on

earlier. Ms. Breder reported that a couple of months ago she along with Mayor Eberhardt and Commissioner Fox met with representatives from Norfolk Southern to try to secure the backup easement for the emergency access to the Water Plant. She has heard from Ms. Williams in follow up from that meeting who is waiting to hear back from Senior Management for approval of a lease in the amount of \$250 a year so we are waiting on the language of the lease. The new website is running and there is a section on there that you can sign up for alerts and she encouraged residents to do that. In regards to the tourist area and corridor signage plan, the TAC signs, a letter was sent to the TAC coordinator for the State Highway stating that we accepted their plan.

Commissioner Brown inquired if there was any idea on when those signs may go up.

Ms. Breder replied that about 18 months is what we were told in the meeting with them.

Mayor Eberhardt inquired if we were given an idea of what businesses in town use cable tv so that since we are not getting any business owner volunteers for our focus group we can directly ask them.

Ms. Breder commented that she will ask them to provide a list of businesses in town; she had asked for all subscribers in town, so she will find out if there is a way of sorting that to determine businesses versus residents.

Treasurer's Report – Rachel Deaner

Ms. Deaner reported that the auditors were here last week and finished up on Thursday. The new police vehicle has been received and the funding has been reconciled. The new copiers and desktop printers are now all here and in place.

Police Report – Chief Wernz

Cecil County Chiefs are working with Richard Brooks and his staff and a consultant for the new CAD/RMS system. National Night Out was hosted at the Firehouse. GOCCP conducted an audit of the Police Departments juvenile records and procedures and we were 100% in compliance. There were some reported sightings of a murder suspect in Cecil County through social media which turned out to be false the actual person was caught in Louisiana over the weekend.

Mayor Eberhardt inquired if we can find out when the cameras at the boat launch are scheduled to be activated and how the Perryville Police Department may access those tapes and if they are held for 30 days or what.

Sergeant Bowser, from the MDTA Police Department, was not sure when it was to be activated, but stated that most of them are set up for 72 hour loops, unless set up to record otherwise.

Outreach Program

Haley Hollister reported that the overall monthly attendance for the Outreach Program was 201; there were no new referrals and 1 new member. Shantee King, a member of the Outreach Program made announcements regarding the Outreach Program activities for the past month. The Back to School Supply Drive was successful and they were able to supply over 30 children of all ages with supplies. They wanted to thank the Perryville Police Department and the Perryville Fire Department for another successful National Night Out. The Outreach Program will be hosting an Autumn cookout and bonfire on September 26 from 3-7 p.m. They extended an invitation to all town employees and asked that if you are interested in attending that you let them know asap. The Outreach participants also participated in the Community Garden, the Adopt-A-Highway and park clean up, along with the other usual monthly activities.

Planning and Zoning Report

Ms. Skilling stated that they received approval from Cecil County Department of Public Works regarding stormwater for Lower Ferry Park and we also received \$125,000 through parks and playgrounds for additional funding.

Commissioner Linkey asked about the dates for the music in the park, which will be September 12th and 26th, to run concurrent with the Farmer's Market.

From the Floor

Pat Stetina, representing the Railroad Museum, wanted to share an artifact that was donated to the museum, which was a silver gravy boat from a dining car, they are estimating to be around the time period of the 1950's.

Sergeant Bowser, from the MDTA police, announced that they will be resurfacing some areas in the vicinity of the toll plaza later this month and there will be lane closures in each direction during off-peak hours

Old Business –

Ordinance 2014-08 – Budget Amendment

A Budget Amendment Ordinance to recognize funds awarded to the Outreach from Cecil County Human Services for FY 15 RFP.

Motion was made by Commissioner Linkey and seconded by Commissioner Brown to approve Budget Amendment 2014-08. **All in Favor: Motion Carried.**

New Business –

Water and Sewer Connection Request-

Mayor Eberhardt presented a request from a property owner whose property is outside of the town corporate limits to connect to the town's water and sewer system for development of the property.

There was no motion on the request, request denied for lack of motion.

Resolution 2014-24

A resolution amending the Revitalization Grant Program to allow applicants from the residential districts (R-1, R-2, R-3) south of Route 40 to be allowed to submit grant applications for the 2015 Revitalization Grant round.

Mayor Eberhardt requested that a change be made to open it up to everyone in town and if we wanted to target particular districts, then weigh them heavier in the weighing process on the selection.

Discussion ensued regarding this request and the best way to handle it if they were to change things and if it could be done tonight.

Mr. Sussman, the Town Attorney, stated that the board would need to go through the application itself and change it too tonight because it supports the Resolution and does not include any weighting factors.

Changes made to the Resolution would be to strike properties located south of Route 40 from the sentence that begins with the last whereas, referencing properties located south of Route 40. Additional changes from the application would be to remove the sentence in number 3 of the 1st page of the application which references the property can also be located south of 40. On the 2nd page of the application add an e. to number 17, naming it location of property, change a. to 10 points, d to 10 points, location will be 10 points for south of Route 40, 5 points for north of Route 40. On the 6th page of the application you would again take out south of Route 40 in section E and add another question at the end of that section which asks if the property is located south of Route 40 or North of Route 40.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve Resolution 2014-24 to include districts NB, TC, R-1, R-2, R-3 and add a weighting classification for north and south of Route 40 and striking properties located south of Route 40 from the Resolution.

Mr. Sussman noted that the board did agree on specific changes page by page so the better motion might be to approve the Resolution and the accompanying materials with the revisions discussed by the board.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve Resolution 2014-24 with the revisions as discussed during the town meeting.
All in Favor: Motion Carried.

Motion was made by Commissioner Ryan and seconded by Commissioner Linkey to table items C & D under New Business on the agenda [The Public Works Agreement for and the Landscape Agreement for Frenchman Land Company] until they were reviewed by the attorneys for the Frenchman Land Company.
All in favor: Motion Carried.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to adjourn the September 2, 2014 Town Meeting to a closed session at 7:58 p.m. with a 5 minute recess. **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 Meeting Room Date: 9/2/14 Time: 7:58 p^m

Motion By: Linkey Seconded By: Fox

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 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

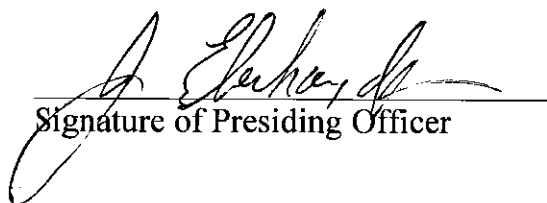
- (ii) the development and implementation of emergency plans.
- (11) ☐ To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12) ☐ To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) ☐ To comply with a specific constitutional,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

Possible acquisition of property for public purpose and procedural issues associated with the potential acquisition

REASON FOR CLOSING:

2, 3, 7


Signature of Presiding Officer