

**Town of Perryville  
Town Meeting Minutes  
July 1, 2014**

ATTENDANCE: Mayor: James Eberhardt, Commissioners: Michelle Linkey, Ray Ryan, Town Administrator: Denise Breder and Police Lieutenant: Al Miller.

Absent: Commissioner's Barbara Brown and Commissioner Alan Fox.

**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](http://www.perryvillemd.org).

**APPROVAL OF TOWN MEETING AGENDA**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to approve the June 1, 2014 Town Meeting Agenda with the change as noted. **All in Favor: Motion Carried.**

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

The May 6, 2014 Closed Session Minutes, the May 20, 2014 Work Session minutes and June 3, 2014 Town Meeting minutes, the Corazon Sanchez 5K run event on August 2, 2014, the Arc Northern Chesapeake Region 5K run event on September 13, 2014. **There were no objections, all were approved.**

**Mayor's Report -**

Mayor Eberhardt stated that there were a couple of important meetings this month with the VA and Delmarva Power Company discussing the electric to the park and a follow up is scheduled for the 11<sup>th</sup> of this month. We also met with the Perryville Little League to go over the concept plan for the Trego field. Upcoming events include the Triathlon on the 12<sup>th</sup> of July and the Chautauqua event on the 14<sup>th</sup>.

**Commissioners' Reports -**

**Commissioner Ryan's Report-**

Commissioner Ryan reported that he attended the MML Convention in Ocean City and he attended a Planning and Zoning meeting on the 16<sup>th</sup> of June where they reviewed and made a recommendation to the Board of Appeals in reference to a Special

Exception request for a Verizon Tower located on the Fire Company property which will go before the Board of Appeals sometime in July.

Mayor Eberhardt inquired if we have heard anything about rezoning of a property along Route 40. He believes that they are to come before the Planning and Zoning Board then to the Board of Appeals.

Mr. Sussman stated that he happened to be in a meeting today in Aberdeen with the Attorney for the applicant in that case and he stated that they are in the final stages of working through some plans to bring before the town.

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

Commissioner Linkey reported that she attended the regular meetings the past month along with the VA Town Hall meeting. The DPW report will be on-line for those that want to see it.

Denise Breder gave Commissioner Brown's report on her behalf.

The furniture and items that were stored at Hardy's Storage have been returned to Rodgers Tavern. Some tree work was performed along the shoreline for the DNR Grant. Repairs were made to the fishing pier and grills and some picnic tables were anchored in and 5 picnic tables were installed at Ice House Park. Some new signs were installed in response to the LGIT Hazard Evaluation.

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

Ms. Breder stated that the 4 accounts that had previously not been included in the reverse electricity auction have now been included. The Perryville Greenway Committee meeting is scheduled for August 29<sup>th</sup> and we are unable to hold the Regional meeting on the 26<sup>th</sup> so we will look to reschedule it for September. She and Rachel met several times for the various insurance renewals and received the confirmations that it has been done. Her report will be on-line.

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

Ms. Deaner reported that the audit is coming up and they are scheduled to be here from August 25-August 29.

#### **Police Report – Al Miller**

Lieutenant Miller discussed firework safety. A general rule of thumb is that any firework device that leaves the ground is illegal. Sparklers and ground based sparkling devices that are non-aerial and non-explosive are permitted.

The firework safety brochure will be posted to our website.

Ms. Breder announced that the Perryville Park would be closing at 6:30 p.m. on Saturday, July 5, 2014 for the fireworks.

Mayor Eberhardt stated that Cecil County Emergency Management, along with Colonial Pipeline, have held meetings with first responders discussing issues regarding the amount of transferred oils that have been brought to our attention by some of our residents. Lieutenant Miller stated that Chief Wernz attended that meeting and was going to do a write-up for you in regards to what transpired in the meeting.

### **Outreach Program**

Ragan, a member of the Outreach Program, reported on their behalf. She announced that the Outreach Program hired a new Activity Coordinator, Donnell Whittington who was a former member of the program. His goal is to be a Police Officer when he is of age to do so. The Outreach Program participated in a CGR Relentless 5K for the third year in a row. The memorial walk provides many kids in the community with scholarship funds after they graduate High School.

Matt, another member of the Outreach reported that some of the program participants visited the veterans at Perry Point on June 23 to show appreciation for their service. On June 28<sup>th</sup> the Perryville Police Department sponsored the annual Chief's Challenge basketball tournament. Next month Outreach will begin the back to school drive to make sure that those in need have the necessary school supplies. The Outreach Program also participated in the Community Garden, the adopt-a-highway and park cleanup along with the usual monthly activities. Please like the Facebook page and share any good news or activities you see occurring in our community.

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

Ms. Skilling put out a reminder that they are still in need of a Planning and Zoning member. The Landlord/Tenant Board also needs a tenant representative and alternate and a landlord representative. Previously, someone that was both a landlord and tenant expressed interest in serving and Amanda asked that this request be reconsidered.

### **From the Floor**

There were no comments from the floor.

**New Business –**

**The Community Fire Company of Perryville, MD –**

A request was made by the Perryville Community Fire Company for a donation for their upcoming “Muster.” Discussion ensued.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to approve the donation request from the Town for up to \$750 to the Perryville Community Fire Company for the t-shirts for the upcoming “Muster Event.” **All in favor: Motion Carried.**

Discussion ensued in regards to what budget line item to take it out of to do a budget amendment for, it was suggested to come out of the Mayor and Commissioner contingency fund for the Fire Company Community Event.

**1651 Ingleside Avenue Request -**

A request was made by a resident at 1651 Ingleside Avenue for the Town to contribute to the cost associated with a sewer backup in the basement of the residence.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to deny the request for 1651 Ingleside Avenue. **All in favor: Motion Carried.**

**Copiers Agreement -**

Consideration for the lease agreement for the copier machines at Town Hall.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to approve the lease agreement for the copier machines at Town Hall. **All in favor: Motion carried.**

**Grant Modification -**

Consideration to modify the Arrowhead Properties Grant using un-used Grant funds.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to approve the grant modification for Arrowhead properties. **All in favor: Motion Carried.**

**Outreach Proposal**

Ms. Breder stated that the description on the agenda was incorrect; the request is to apply for funding from Cecil County’s Human Service Agency for the Perryville

Police Department Outreach Program not through the Governor's Office of Crime Prevention.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to ratify the decision to put in a proposal for Outreach through Cecil County. Discussion ensued.

Ms. Breder reminded the board that the funding has been granted but it is only for \$40,000 not the \$67,000 that was actually requested. Jessie will be at the next Work Session to discuss that.

Further discussion ensued into determining if there were certain components of the request for funding that they specifically did not want to fund and to look into it further.

Original Motion was carried forward and all were in favor.

#### **Lower Ferry Park -**

Mayor Eberhardt asked for formal approval of the design plans for Lower Ferry Park.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to approve the plans submitted by Mary Ann for Lower Ferry Park. **All in favor: Motion Carried.**

#### **Charter Amendment Resolution 2014-01**

Request to amend the Charter of the Town of Perryville that requires that the town's annual budget be adopted by Ordinance.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to approve Charter Amendment Resolution 2014-01. **All in favor: Motion Carried.**

#### **Charter Amendment Resolution 2014-02**

Request to amend the Charter of the Town of Perryville to amend the Ordinance effective dates and amend the publication requirements meeting specific criteria.

**Motion** was made by Commissioner Ryan and seconded by Commissioner Linkey to adopt Charter Amendment Resolution 2014-02. **All in favor: Motion Carried.**

**Ordinance 2014-06 - Budget Amendment**

Introduction of a Budget Amendment for FY15 Budget to appropriate for certain purposes certain funds from the Town's restricted and unrestricted fund balances and a certain contingency account; generally related to amendment of the Town's FY 2015 budget. Discussion ensued regarding the need for the funding earlier for certain blacktopping work that is needed since the time frame is limited because of potential weather issues. After discussion it was decided to schedule a special meeting in conjunction with the Work Session to adopt this Ordinance, and then it would take effect 20 days later, which would be about the 5<sup>th</sup> of August. It would be advertised as a Work Session and Special Meeting, with the special meeting purpose to be acting on Ordinance 2014-06.

**Ordinance 2014-07 - Waterfowl and Wildlife**

Ms. Breder introduced Ordinance 2014-07 to add a new Chapter 67 Public Nuisances, Article I to the Town Code regarding prohibiting the feeding of Waterfowl and Wildlife in certain locations in the Town of Perryville with certain exceptions; defining certain terms, providing for the enforcement and penalties for violation; and generally relating to prohibiting feeding of water fowl and wildlife in the Town of Perryville.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Ryan to adjourn the July 1, 2014 Town Meeting at 8:05 p.m. **All in favor: Motion Carried.**

Respectfully submitted,

Jackie Sample,  
Town Clerk

**Statement Regarding May 6, 2014 Closed Meeting for Inclusion in Minutes of July 1, 2014 Town Meeting**

On May 6, 2014, the Mayor and Commissioners of Perryville conducted a closed meeting at 8:23 p.m. in accordance with State Government Article, Sec. 10-508(a)(1)(ii) & 7 to discuss any other personnel matter that affects one or more specific individuals and to consult with counsel to obtain legal advice on a legal matter. Mayor Eberhardt and Commissioners, Brown, Fox, Linkey and Ryan all voted in favor of conducting the closed meeting. In addition to the Mayor and Commissioners, Town Attorney, Frederick C. Sussman, and the Town Administrator, Denise Breder attended the entire closed session. The discussion included getting clarification from legal counsel about what, how much and when the Board is allowed to know about personnel matters, both generally and related to a recent specific matter. There was also discussion about the possibility of the town entering into a contract for services. The Mayor and Commissioners took no action during the closed session. The meeting was adjourned at 9:07 p.m.

