

**Town of Perryville  
Town Meeting Minutes  
December 6, 2022**

ATTENDANCE: Mayor: Matthew Roath, Commissioners, Michelle Linkey, Robert Taylor, Timothy Snelling, Christina Aldridge, Town Administrator: George Patchell, Assistant Town Administrator: Cathy McCardell, Finance Director: Debra Sharpe, Planning and Zoning Director: Dianna Battaglia, Planning and Zoning Coordinator: Amanda Paoletti, Police Chief: Robert Nitz, Outreach Director: Danielle Hemling, Town Clerk: Jackie Sample.

The Town Meeting in its entirety can be listened to on the Town's web site at [www.perryvillemd.org](http://www.perryvillemd.org).

**The December 6, 2022, Town Meeting was called to order at 7:20 p.m. by Mayor Roath.**

**Pledge to the Flag**

**Approval of the Town Meeting Agenda**

Mayor Roath asked for a motion for approval of the December 6, 2022, Town Meeting Agenda.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve the December 6, 2022, Town Meeting Agenda. **All in Favor: Motion Carried.**

**Approval of Consent Agenda Items**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve the consent agenda as written, items consisting of the November 1, 2022, Town Meeting Minutes, and the November 15, 2022, Work Session Minutes. **All in Favor: Motion Carried.**

**Mayor's Report - Mayor Roath**

Mayor Roath reported that on November 8th he voted on Election Day and attended a watch party at Broad Street Tavern with a number of the County Election winners. On November 10 he attended a meeting with the new Director of Cecil County Economic Development, William Sorenson. On November 14 he met with the Executive Director of the Bainbridge Development Corporation, Toni Sprenkle, on November 29<sup>th</sup> he met with the School Board President and Perryville resident Bill Malesh to discuss our schools and our Town. On November 30<sup>th</sup> he participated in an interview for our upcoming Strategic Planning Conference. On December 1<sup>st</sup> attended a meeting along with staff regarding a developer's significant interest in the Town of Perryville. On December 8 he participated in a phone interview along with Alisha Garlie regarding our Christmas in the Park, with our partner WXCX, for our upcoming event, which is Saturday beginning at 1 p.m.. On December 2<sup>nd</sup> he participated in the Havre De Grace Christmas Parade.

Mr. Patchell made note that the Christmas Village is from 1-6 p.m. at Lower Ferry Park and the parade begins at 2:30 p.m. beginning at the Perryville Middle School and down Broad Street.

Commissioner Linkey wanted to encourage everyone to come to the parade and thanked the staff, Charles, Alisha, and Amanda for all of their hard work in setting up the parade and the event.

### **Public Works Report - Mayor Roath**

Mayor Roath reported that the Public Works Report can be found on-line.

### **Public Safety Report - Commissioner Linkey**

Commissioner Linkey reported that she attended meetings with the Police Chief and the First Responders event where Police Officer Speis was recognized, as well as Anna Gardner, Danny Cruz, and Samantha Kelly from the Fire Department. RedSpeed contacted the Police Chief and Delmarva Power Company is finally going to be able to install the meter on December 19, and it will take RedSpeed a couple of days to get things set up and everything should be operational on or about the 22<sup>nd</sup> of December. There will be 30 days of warnings and then tickets will start being issued.

### **Fire Station 6 & 16 Report - Fire Chief Brad Willis**

Chief Willis reported that November was a busy month, 61 calls for service, 2<sup>nd</sup> busiest month on record, 6 calls on I-95 with the average response time of 4.4 minutes, 6.4 personnel on a call, our recruitment efforts are starting to pay off. We brought in 3 new members last night, and one of them have their CDL license and we hope to get them driving in the near future. There were 97 ambulance calls for the month of November and he looks for that number to go up starting into next month. We are waiting on some final medications from the County to put our new ambulance into service. We will be participating in the Christmas Parade this weekend. Our annual Santa Walk will be starting soon and the times and dates will be posted on Facebook. He had the opportunity to attend the First Responder Appreciation dinner and was happy to recognize some of their members for their service that they do, Anna Gardner, who is our company secretary and is also our human resources officer, Danny Cruz is one of our most active EMS responders, and Samantha Kelly who is one of our newer firefighters. We had a fire on Principio Road a few weeks ago and she was one of the firefighters was injured, falling through the floor, and remained calm during the rescue efforts making the incident go very smooth. We are doing a post incident analysis on Wednesday the 14<sup>th</sup> at the Minker Banquet Hall at 7 p.m., and you all are welcome to come, to go over the lessons learned from that incident.

### **Wastewater and Water Treatment Plant Reports - Commissioner Taylor**

Commissioner Taylor reported that the Water Plant was in full compliance with MDE regulations for the month of October and November, with the November lab results to date. A buzzard flew into the power lines next to the Water Plant some time in November causing a breaker to blow causing some damage to the plant along with a blown HMI screen to the SCADA unit. Marino Industrial replaced the fried HMI screen in the filter building, and they are back to fully operational, and the claims is being submitted to LGIT. The Wastewater Plant is in full compliance for the month of October and November with one exception. We had a violation in October, the information came in after the November Town Meeting, we were over for aluminum for our discharge, which is normally 300 parts per billion and we were at 600 parts per

billion. We use aluminum perchlorate in our sewage treatment to coagulate the solids so that they will fall to the bottom of the tank and then drain off the liquid and treat. We were not over the limit for what we treated, there was some additional aluminum that had come into the plant that was unaccounted for causing a violation. The new employee that we received from the Aberdeen Wastewater Plant, Cass, has started this week and is fitting right in.

**Planning and Zoning Report - Commissioner Aldridge**

Commissioner Aldridge reported that on November 16 she attended the First Responders Banquet. On November 30<sup>th</sup> she had her strategic planning interview and is looking forward to the meeting in January. There was no planning commission meeting held in November. As mentioned earlier the Christmas in the Park is this Saturday, and there are several different food drives, toy drives, and drives for vets in need, she recommends checking out the website and the Facebook page on what is going on at the event.

**Administration Report - Commissioner Snelling**

Commissioner Snelling stated that he also attended the First Responders event at Minker Hall. The only thing that he wanted to highlight for his report was that staff has advertised for two police officer positions and that closed on November 30<sup>th</sup>.

**Town Administrators Report - George Patchell**

Mr. Patchell stated that his full report will be found on-line. He participated in the Harford and Cecil & Substantial Damage FEMA Workshop on November 30<sup>th</sup>, and we will be developing a FEMA SI & SD Procedure Policy by January 31, 2023. We implemented a Utility Permit Application for Road/Lane Closures forms on-line and companies that want to perform utility work or request road/lane closure within the corporate limits of the Town of Perryville will be required to fill them out prior to performing work within the Town limits. As Commissioner Taylor mentioned we did have an insurance claim with LGIT because of the buzzard that struck the electrical lines, and that claim has been satisfied. Also, the wind damage at the park, the insurance claim was completed last week, and that file is completed and we are waiting for reimbursement from the work that we put forward. Edwards Software Cloud is being installed with the final mitigation taking place on Friday, December 16, 2022. By offering the Cloud based software this will allow for the implementation of the Town's Contingency Plan shall Town Hall become unavailable for use, and we would set up shop at the Police Department and conduct our daily business at the Police Department being on the cloud based server rather than having a physical server on site. He provided a virtual tour of Ice House Park for DNR representatives as part of the Ice House Park grant process. We will go into further information at our Work Session about the sanitary sewer improvement project, but the pump station bypass to #4 has been installed, however, due to severe supply chain issues, pumps for pump stations, 1, 2, and 4 and the control panels for pump station 4 will not be arriving until April of 2023. The original scheduled date for these pumps and control panels was August of 2022. The completion date is now set for July 9<sup>th</sup> of 2023. Water Treatment and the Water Plant Expansion project to date, the permit application has been received by MDE and we are waiting for comments and approval, and we are five weeks behind schedule. Suez drawing submittal are 5 weeks behind

schedule, but we do see us making the bid package due date of January 31, 2023, with the schedule of construction beginning April of 2023 and that project with the water filtration being completed on November 3, 2023. Today we opened the two bids at 2 p.m. that came in for the wastewater treatment denitrification system project, we will be evaluating those and sending them to MDE for their review before a contractor is hired for that project. We are concluding the Fire Company Station 16 water tie in project, there is a little more testing to do, but basically the Fire Department on I-95 has water. We will be putting in a curb system as well so that you can actually turn the water off to the outside of the building, so we do not have to worry about any internal leaks moving forward. The Great Wolf Lodge project is about 70% complete, with a tentative opening date of August 2023. We had the water quality kickoff study on October 7th, AECOM is performing a water quality study and we hope to have that by the 1<sup>st</sup> of February. I will be holding a project kickoff for the water and sewer rate study on Tuesday December 13<sup>th</sup> at 10 a.m. He has a meeting tomorrow for the route 222 sidewalk project; however, he had met with the State on what the necessary steps are for the Town in obtaining the right-of-ways of the two properties that are located within that sidewalk right-of-way. We will be drafting MOU's and going through the process of obtaining the necessary right-of-ways to get that sidewalk project off the ground, however, it is not scheduled to begin until April of 2024.

Commissioner Taylor questioned why that is, we have been waiting eight years to get a sidewalk up 222 and we have approval and funding now and it is not starting for two more years.

Mr. Patchell commented that he understands his frustration, it was initiated in 2014. Mr. Patchell commented that we are finally at the point of funding and that it is always a long process when you are dealing with the State and State right-of-ways, and they are still in the design phase.

Mr. Patchell also wanted to announce to the public that we will be holding our Strategic Planning meeting on Saturday January 7 between 10 a.m. and 2 p.m. and the public is invited to attend.

#### **Treasurer's Report - Debra Sharpe**

Ms. Sharpe reported that there is nothing to highlight on her report and her full report can be found on-line.

#### **Police Report - Police Chief: Robert Nitz**

Chief Nitz reported that his full report can be found on-line. They had 410 calls for service, 46 citations, 125 warnings for various traffic infractions, traffic stops on 8 tractor trailers for violating road restrictions on Aiken Avenue, 8 arrests for drug violations, 4 dui's, 24 criminal arrests, and detectives issued 2 search and seizure warrants. He reiterated that 3 of them have received training for the platform for the RedSpeed project, and once it is connected the first 30 days warnings will be issued and then citations after that.

Mayor Roath inquired where we are at when it comes to the information that we receive from the mobile speed units.

Chief Nitz responded that he has been having some difficulty in getting the information from the company and will reach out to them again tomorrow.

Mayor Roath commented that this information would provide us with other troubled areas that we may need to add the speed cameras to.

Commissioner Linkey wanted to reiterate the fact that there was no cost to the Town for the RedSpeed cameras, Mayor Roath concurred.

#### **Outreach Report - Danielle Hemling**

Ms. Hemling reported that we provided for meals for close to 30 families for Thanksgiving through donations. Ms. Jane came and helped us make fall asleep pillowcases for Christmas. We are still collecting for Christmas, we have 156 Middle School students that we are trying to help this year, 59 High School students, and 116 Elementary School students. We have received our first \$15,000 donation check from the contractor who is doing the plumbing at the Great Wolf Lodge that will provide for the necessities for Christmas for the 156 Middle School students, then once we get another donation we will work on the High Schoolers. Her goal is to spend at least \$100 on every kid on the list.

#### **Public Comment**

Tracie Mahan, 66 Riverview Drive, had brought in a proposal to be put on the Work Session on a subject that has been brought up several times involving animal husbandry but was turned down so she would like to bring it up at the Town Hall Meeting. She inquired if they were going to reconsider the animal husbandry regarding backyard chickens. She wrote up a proposal and some of them have went around and obtained signatures of around 200 residents that are for this. She would like to know if the Mayor and Commissioners will bring this up again.

Mayor Roath thanked her for her efforts, but stated that this had been addressed multiple times in the past and there was nothing compelling enough to put it back on the agenda, and nothing now that is going to put it back on our agenda.

Ms. Mahan inquired if everyone else felt the same way.

Mayor Roath responded that this had been voted on multiple times.

Ms. Mahan was asking for reconsideration since you have a lot of Town people that are backing it now with compelling evidence for chickens with a few people against chickens.

Mayor Roath again appreciated her efforts but relayed that it is not the time to revisit it.

Ms. Mahan inquired if he was speaking for all the commissioners.

Mayor Roath commented that we have spoken to that on multiple different times on it.

Commissioner Snelling believes that he had stated before that if he had another commissioner or two to go along with him, he would be willing to take a second look at this, not necessarily make a decision right away but take a look at it and see if we can proceed.

Ms. Mahan stated that is what she is asking for you to reconsider her proposal.

Town Meeting Minutes  
December 6, 2022

Commissioner Taylor responded that he appreciates her efforts for going forward but he has talked to far more people in Town that do not support the chickens than people who do. He appreciates that she has gotten 200 signatures, but this is something that has been on the books for over 20 years, he does not see the reason to reconsider it at this time.

Ms. Mahan commented that it has also been on the books for many years that this is a volunteer board, and you are trying to get some money. She understands that she is a quartermaster at the VFW, she sometimes spends 15 hours down there doing paperwork, she is just asking if more than one person would reconsider.

Commissioner Linkey commented that we have discussed this numerous times in the past year, and she agrees that she does not see it changing. In saying that she thinks that as part of democracy it is important that if you want to bring it back knowing that it will not go any further, she would not have a problem with that.

Mayor Roath made note that he does not think that anybody here is against chickens, he believes that there is just not a compelling reason to do so.

Pat Stetina, representing the Perryville Railroad Museum, reported that the renovation is 95% complete. The only thing that we are waiting for at this point is to replace three doors and frames, but that will not keep us from opening, we are looking to open back up on December 17<sup>th</sup> from noon to four p.m. and the hours will be the same Sunday from noon to four p.m.

Mayor Roath commended him for his hard work and volunteerism.

Donna Lindenmuth, 1610 Greenspring Avenue, inquired what the stance is on the development in Gotham Bush and the traffic situation. Two months ago you had mentioned that you would give us an update on what the traffic situation is there.

Mayor Roath responded that the traffic situation has not changed.

Ms. Lindenmuth commented she is talking about the plans.

Mayor Roath responded that is something that the developer is going to be sharing, they will be coming back in front of Planning and Zoning he believes within the next month.

Mr. Patchell commented that he does not believe they are on the schedule at this point, he believes they will coming back in January or February.

Mayor Roath commented that there has been active communication with them and proposals that he thinks will be beneficial for everybody.

Ms. Lindenmuth commented that there is no change at this point.

Mayor Roath responded nothing official, he can share that we have made it clear of our interest in not having it a one-way street.

Ms. Lindenmuth, commented that she is a proponent of the chickens and she was fined for having chickens and we had to get rid of our chickens. She would like to know how many people in Town still have chickens and she asked the Mayor if his neighbor still own his chickens.

Mayor Roath responded that he would not know.

Town Meeting Minutes  
December 6, 2022

Ms. Lindenmuth asked why he would not know, the Mayor responded his neighbor is not his business.

Ms. Lindenmuth responded if you are enforcing people in Town cannot own birds. She wants to know why she gets a fine yet other people in Town own chickens.

Mayor Roath responded that you had a neighbor that made repeated complaints. There has not been a complaint from his knowledge for anybody that lives near him.

Ms. Lindenmuth commented that you do not complain about your neighbor, therefore, it is ok for them to break the law.

Mayor Roath commented that we are a complaint driven organization, we do not have the manpower to go looking for trouble.

Ms. Lindenmuth responded then if she runs a stop sign, it is ok for me to run a stop sign but not ok for you or someone else to runs a stop sign.

Mayor Roath responded if you run a stop sign and a police officer sees you, you get a ticket, if you run a stop sign and the police officer doesn't see you, than you do not get a ticket.

Ms. Lindenmuth responded as long as your chickens aren't seen by anybody then it is not a problem, to which the Mayor responded unfortunately yeah, he stated that she is welcome to make complaints.

Commissioner Linkey commented that we do have a code enforcement person that does make round throughout Town and does look for codes to enforce, unfortunately that does not mean that everything is caught every time, but we do have a mechanism to look for codes that aren't being followed.

Ms. Lindenmuth asked what her recourse is, Mayor Roath responded to make complaints.

Ms. Lindenmuth responded that she is not going to complain against anybody else they are on my side.

## **Old Business**

### **Ordinance 2022-15 Ethics**

Ms. McCardell stated that Ordinance 2022-15 is for the purpose of amending the ethics ordinance for the Town of Perryville, to make certain modifications required to comply with requirements of Maryland law; and matters relating to the Town of Perryville Ethics Ordinance.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to approve Ordinance 2022-15 Ethics. **All in Favor: Motion Carried.**

### **Budget Amendment Ordinance 2022-16 - Debra Laubach**

Ms. Laubach stated that this budget amendment is to bring in the funds to pay for the water rate assessment study for a total of \$24,000.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Budget Amendment Ordinance 2022-16. **All in Favor: Motion Carried.**

### **Charter Amendment Resolution 2022-01 Governance**

Mr. Patchell read the summary paragraph of Resolution 2022-01 as follows: a Resolution of the Mayor and Commissioners of the town of Perryville, Maryland, to amend certain provisions of the Charter of the Town of Perryville to alter certain terminology relating to the Mayor and Commissioners of the Town and other obsolete and archaic terminology; altering certain provisions of the Charter relating to the powers, duties, qualifications, meetings, compensation, and responsibilities of the Mayor and Commissioners; providing a code of conduct for the Mayor and Commissioners; providing for removal of a Mayor or a Commissioner from office; and generally relating to amendments to the Charter of the Town of Perryville.

Commissioner Snelling asked for a roll call vote.

Commissioner Taylor asked before you call for a vote, he made a motion to amend the Resolution to strike the proposed changes in section C-3-3 compensation and was seconded by Commissioner Snelling. 4 in Favor, 1 Nay (Mayor Roath). **Motion Carried.**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Aldridge to approve Charter Amendment Resolution 2022-01 as amended. Discussion Ensued.

Mr. Sussman made note that there was clarity needed on that motion, it is not clear to him.

Commissioner Taylor commented that the motion was to strike the proposed changes in C3-3.

Mr. Sussman responded that there are several changes, one deals with compensation and one deals with expenses, you can be specific with line numbers.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to amend his motion to amend Charter Amendment Resolution 2022-01 to strike the new language in lines 73-78 in Section C3-3 compensation. Discussion ensued.

Mr. Sussman again asked for clarification of the motion.

Commissioner Taylor commented that this is the all-cap letters in lines 73-78 in C3-3 which is the specific language for salary and compensation for the Mayor and Commissioners and leaves out the expenses incurred at the end of the section, so he leaves that in and taking out the lines 73-78 in all caps.

Mr. Sussman responded that you would also need to remove the double parenthesis in line 72 and 73 to reinstate the current language in the Charter.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to remove the all caps in lines 72 through 78 and remove the double parenthesis in lines 72 and 73 to revert to the original language in Section C3-3 compensation. Discussion ensued.

Mr. Sussman asked them to go to line 78 and 79 where there is a set of double parentheses with the existing language.

**Motion** was made by Commissioner Taylor to amend his motion one last time to strike the double parenthesis on line 72 and 73 and strike all caps on lines 73 through 78 and strike the double parenthesis on lines 78 and 79.

Town Meeting Minutes  
December 6, 2022

Mr. Sussman noted that you need to go down to lines 85 and 86 where double parenthesis are on the existing language which I assume you want to reinstate.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to strike all double parenthesis in the entire clause and all caps between 73 and 78. **All in Favor: Motion Carried.**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Charter Amendment Resolution 2022-01 as amended multiple times. **All in Favor: Motion Carried.**

**Charter Amendment Resolution 2022-02 Electoral Process**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to approve Charter Amendment Resolution 2022-02. **All in Favor: Motion Carried.**

**Charter Amendment Resolution 2022-03 Finance**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to approve Charter Amendment Resolution 2022-03. **All in Favor: Motion Carried.**

**Charter Amendment Resolution 2022-04 Personnel**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to approve Charter Amendment Resolution 2022-04. **All in Favor: Motion Carried.**

**Charter Amendment Resolution 2022-05 Personnel**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to approve Charter Amendment Resolution 2022-05. **All in Favor: Motion Carried.**

**New Business**

**VLT Grant Committee Recommendations - Amanda Paoletti and Dianna Battaglia**

Ms. Paoletti stated that they presented the grant committee recommendations at the last Work Session using the VLT funds. There has been a change to one of the ones that was provided, Snackle Box was no longer eligible for a grant and we request that you take a vote on all of the others and that you reallocate that funding to the fund that you would like to put it back to.

Commissioner Taylor asked for clarification if it was under business grants, to which Ms. Paoletti responded that it was.

**Motion** was made by Commissioner Taylor to approve the VLT Grants with the exception of the Snackle Box, with that money being reverted back to the business grant fund. Discussion ensued.

Commissioner Linkey asked if he wanted to put it toward an actual business.

Ms. Paoletti commented that it was around \$750, we had originally allocated a remainder of the funds to the candle shop, so if you wanted to add them toward that one or another one.

The amount was confirmed to be \$739.95.

Town Meeting Minutes  
December 6, 2022

Commissioner Linkey clarified that the businesses were Sweet Treats, which were not fully funded, Healthies, which was not fully funded, and Ercoles.

Ms. Paoletti stated that none of the businesses were fully funded.

Mayor Roath assumed that since Sweet Treats is not opened and no signage that we have some sort of documentation, he asked what our recourse is if those things go away.

Ms. Paoletti explained that they do not get the money up front, if they do not spend the money we keep it and it would be used again next year.

Mayor Roath inquired when their expected opening date was.

Ms. Paoletti responded that they have not provided that information, in talking to her last week she was looking to get her signage done, a lot of her grant request was contingent upon getting stuff open.

Commissioner Taylor asked for clarification that she has to spend it by the end of the fiscal year and if not it reverts back to the fund, Ms. Paoletti confirmed that was correct.

Mayor Roath commented that it would then roll over to the next year.

Ms. Paoletti said that would if we made a budget request to use it.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Snelling to approve them all except for the money for the Snackle Box and revert that back to the fund, (if someone else wants to reallocate that to one of the businesses that have been the grant funding he would be open to suggestions). **All in Favor: Motion Carried.**

Mayor Roath asked to go to the next VLT recommendations.

Commissioner Linkey believed that motion was for approval of all of them, she inquired if he wanted them separate.

Mayor Roath thought they would be separate. He brought up his initial concerns involving a grant for a business that is not open yet. The second was that we have a funding source for the Fire Department already and he feels that utilizing this grant process takes away from concept or the purpose of the entire grant process in the first place and we have discussed the specifics of the third one. He assumes that they fall within the parameters.

Ms. Battaglia responded that the goals of the non-profit are for entities that have a place of business within corporate limits that provide a public service to residents for specific purposes.

Mayor Roath asked what the amount was recommended for the Fire Department.

Ms. Battaglia stated that it was \$5,681 to the Fire Department for the gas leak detectors and portable scene lights.

Mayor Roath asked that considering that we have a funding source, which is our annual donation and requested donation for the Fire Department which is a partner of ours, he would like to see that money go back into the pot and provide it to the other non-profits that have applied.

Commissioner Taylor pointed out that he had already made a motion for approval of all three of the categories and it was seconded and voted on so if you want to change it we will need a motion to reopen it.

Mayor Roath inquired if we have a motion to reopen this item.

Commissioner Linkey commented that she understands his concern about the Fire Department, however, the donation that we give is for operating costs, where these are above and beyond the operating costs so she does not have an issue with using the grant for this option, the other commissioners concurred.

Commissioner Aldridge asked Chief Willis if he knew how much they receive in donations from residents.

Chief Willis responded that with our letter that we send out every year we generally get between \$34,000 and \$36,000 a year. This year it may be a little less we are getting it out a later this year, probably not until late January or into February.

Commissioner Aldridge inquired what their annual operation cost was, or a ballpark figure.

Chief Willis responded that it is roughly around \$780,000 or so, this year our operating income looks significantly higher because we received the \$170,000 insurance check for the ambulance accident, which we had to purchase another ambulance.

Mayor Roath wanted to clarify that he is not suggesting that we do not give you the money, he is suggesting that the money be donated to you in the certain avenues that we already have in place instead of taking away from the grant program meant for the overall public.

Chief Willis will understand whatever decision they make and appreciates their support and will make do with his operations one way or another, he appreciates the working relationship that he has with all of you. We have other projects in the works, and he has discussed that with the mayor and looks forward to bringing that to you in the near future.

There was no motion to reopen the discussion.

**1398 Frenchtown Road - George Patchell**

Mr. Patchell explained that we received a request from a citizen to waive the connection fees for a house that will be constructed at 1398 Frenchtown Road. When he purchased the property he was unaware that the connection to the property had actually been disconnected by the previous owner. With the planning to construct a home on the property they realized that the connection is no longer available, so they are requesting that the Town waive those fees, which are approximately \$15,000. Mr. Patchell pointed out that they did go ahead and pay the connection fees up front because they did not want it to delay their construction, however they are asking for those fees to be waived.

Mayor Roath inquired how many of these fees have we waived previously.

Mr. Patchell was not aware of any being waived.

Commissioner Taylor reiterated what he had stated in the Work Session that it was unfortunate that the previous owner disconnected it and did not tell him that but his recourse would be to pursue litigation against the previous owner, not for the Town to waive the fee.

Mayor Roath inquired if there was a motion, there was no motion.

#### **Water Lines for houses 718-722 Susquehanna Avenue**

Mr. Patchell commented that as discussed at the Work Session there seems to be some confusion on how the Town is handling the water lines for three particular homes on Susquehanna Avenue, being 718, 720 and 722 Susquehanna Avenue, pointing out that his drawing is not lining up, but 722 falls between 720 and 724 being a continuous row. The Town code clearly indicates that the Town's responsibility ends at the point of connection, however the Town has made a precedence over the years to repair the water lines for these various homes as the need for repairs have come up. After speaking with Mr. Sussman it clearly indicates that the Town has set that precedent of fixing the lines and for staff clarity because it is typically against our code and we recently had a water line break a few months ago and the Town did make the repair, we are asking the board to consider moving forward with having the Town to continue to perform the maintenance on the water lines for these particular homes.

Commissioner Aldridge asked if he would clarify how this was brought up.

Mr. Patchell commented that with the other homes the Town Code requires for the connection to be in front of the home typically or on the road side. These homes after there was a fire and were renovated lines were relocated the proper way to Susquehanna Avenue where the water line currently exists. The other three homes located in this area were not touched by the fire, so they remain to have their water lines behind their home which is close to the American Legion. The home at 724 Susquehanna was recently purchased and when it was purchased it was told to the new homeowner that once the home was purchased, they would have to make that connection to Susquehanna Avenue, and they did. There are three existing homes that are still connected to the water line in the back.

Commissioner Aldridge inquired when the Town started putting in time on this line that is technically not our responsibility.

Mr. Patchell responded that he was able to go back to about 2010-2011 when the first repairs were made by the Town staff. The line is one continuous line so the problem is when there is a break in the line in a particular area the homeowners would have to come together to pay for that repair causing confusion.

Mayor Roath asked for clarification that what he is asking for tonight is to take on the responsibility of continuing with the upkeep of the current water line.

Mr. Patchell responded that is correct, for the maintenance, if the line would have to be replaced then that would not be our responsibility. The ultimate goal would be for these residents to connect to Susquehanna Avenue but there is a cost involved and preliminary cost just for the Town's work is around \$10,000 per home, so that puts it at \$30,000 before any of the plumbing connections to the home itself.

Commissioner Taylor inquired how much the repairs cost that were made a few months ago.

Mr. Patchell responded that he was not sure off the top of his head and most of the work was actually done by the Town staff.

Commissioner Taylor asked for a ballpark figure of Town resources, manhours, and how much it cost to do it.

Mr. Patchell commented that it took around three hours to do it, and we had four staff on site and some equipment and a plumber, it may have been roughly around \$3,000-\$4,000.

Commissioner Taylor inquired how many repairs have been made on that line in going back about the 10 years that he saw the first repairs.

Mr. Patchell responded that it was at least 3 that he is aware of.

Commissioner Taylor stated that in those 10 years we have probably spent approximately \$10,000 to do repairs. If we force them to upgrade we will be paying \$30,000 on our side plus make the homeowners make the payments. He suggested going ahead and maintain the line with the caveat that if any of those houses is sold or renovated, they have to connect to the street line, the board seemed to concur.

Jackie Weih suggested Mr. Sussman weighing in on that subject, the mayor responded we are not taking public comment at this point.

Commissioner Taylor commented that is a good question, he asked Mr. Sussman if we can require them to connect to the new line if they sell the house.

Commissioner Linkey responded that she believes that is already in place.

Mr. Patchell responded that it is already in place in the Town code.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey for the Town to assume the maintenance on this line as long as those 3 houses are connected to them and for every house that gets sold, they have to connect to the front line then the problem would go away. Discussion ensued.

Commissioner Linkey stated that it should also include if they get significant upgrades then they should also have to connect to the front line at that time to get into compliance to code.

Commissioner Taylor questioned if they do a renovation permit.

Mr. Patchell commented that not necessarily unless it was something dealing with the water, if they were doing interior work that may not necessarily trigger that.

Commissioner Linkey inquired if they were upgrading their bathroom would that trigger it.

Mr. Patchell responded that it would not, it would have to be a new owner on the property. We would not charge them a connection fee because they are already connected to the system, we would only charge the connection fee when it comes time for the house to be sold and they connect to the line out front because they are already connected to Town water. What their responsibility would be is the actual connection in the home and to the Town.

Commissioner Taylor commented that they would pay for the plumbing to connect to the meter.

Mr. Patchell responded that they would have to pay to the point of connection and for the plumbing in their house.

Ms. McCardell commented that is approximately \$8,000-\$10,000 for the plumber to connect them out front, not accounting for the inside plumbing, possibly another \$1,000-\$1,500.

Commissioner Taylor's motion was brought forward. Further Discussion.

Mayor Roath made note that he thinks that we are stuck at this point in doing this.

Commissioner Taylor stated that it essentially means that we will have to fix the line if it breaks.

Mr. Patchell displayed where the location of the most recent break occurred, and water was spewing out.

Commissioner Taylor stated that it caused the pressure drop on the other 3 lines so they could not get water.

Mr. Patchell stated that it was a Friday at 2 p.m. in the afternoon and we did want the citizens to go without water all weekend and trying to figure out who is responsible for it, we wanted to make sure they are getting service, realizing that is not a Town owned line. This clears that up and we now would know if there is a system break on that line that we will be responsible for those 3 houses.

Commissioner Taylor pointed out that you have the 3 lines coming in and the line that goes around the corner, the line that goes around the corner to the street is an old dead line that used to connect to the front of the house. That is what broke that caused the water pressure to drop in those 3 houses. One thing that could proactively be done is to go in where the last house is and cap the line, this would cost us some money to do, but that would take that whole area of the corner out of the problem, because it is a dead line.

Mayor Roath wanted to make sure that we do not forget about it and continue to have conversations with those property owners for an amenable opportunity to assist them in funding something that benefits us.

Mr. Patchell commented that he and Debbie have had several discussions on options to provide them with an opportunity for assistance with funding.

Mayor Roath commented that we owe that to them. He does not feel that we owe them services that nobody else has.

Commissioner Taylor does not disagree with that but the issue is that they are grandfathered into a non-code approved line and as long as it is getting water and we are maintaining it the cost benefit analysis to spending \$3,000 to fix it every 3 or 4 years is better than spending \$30,000 to connect them to the front. Eventually they will all sell and the problem will take care of itself.

The motion was brought forward, and all were in favor: Motion passed.

Mayor Roath stated that he will call Aaron tomorrow on what can be done to remediate the leak problem with the dead line.

### **Ordinance 2022-17 Elected Officials Code of Conduct**

Mayor Roath stated that this is an introduction of Ordinance 2022-17.

Town Meeting Minutes  
December 6, 2022

Commissioner Linkey commented that she had a couple of questions about this since we had not discussed it at the Work Session since you had suggested the lateness of the meeting. She had a couple of questions on two of the sections in this and she had spoken to George about them. The first section being 2.A. that the Mayor and Commissioners shall wear business casual attire, she is not sure what that means.

Mayor Roath commented that was a recommendation from him and that it is a well-known standard for any type of white collar business.

Commissioner Linkey understands that but in her mind business casual does not include jeans, it is dress pants and a collared shirt.

Commissioner Taylor noted that he works for JP Morgan Chase Bank and business casual includes jeans.

Commissioner Linkey commented that her business casual is scrubs, she works for a hospital.

Mayor Roath commented that you are suggesting that we qualify it.

Commissioner Linkey answered yes, she just does not know what this means.

Commissioner Taylor commented that we can debate it, if we want to amend it we would have to do it next time when we vote on it.

Mayor Roath made note that this is an introduction, he assumes this is a conversation for a Work Session.

Mr. Patchell responded that you could put this on a Work Session for discussion so that you could have some idea of what you could come up with for some type of amendment at the Town Meeting.

Mr. Sussman commented to avoid what we had with the Charter Amendments, if anybody would like to make an amendment let him know and he will prepare an appropriate amendment or series of amendments.

Commissioner Linkey commented that her other concern that she had was with 2.B. which reads: The Mayor and Commissioners shall exercise best efforts to avoid the appearance of impropriety in the performance of their official duties. Furthermore, neither the mayor nor any Commissioner may engage in a sexual, romantic, social, or similar type of personal relationship with any Town employee or with any contractor or vendor that does business with the Town. She has a problem with what social is because her next-door neighbor works for the Town, she inquired if that means that she could not go to her sons graduation party or talk to her across the fence or visit with someone that I have known for 25 years.

Commissioner Taylor also inquired if that meant they could not attend any of the employees holiday lunch or annual picnic.

Mayor Roath believes those things are governed by the Open Meetings Act but believes this is a question for Fred.

Commissioner Linkey reiterated the section for Fred to speak on. She made note that we do not supervise anyone. Even working as a supervisor for the Government it does not say that I cannot socialize with my employees or participate in different activities, she would not be able to supervise her husband if he worked for the VA. We live in a small Town, and we want people to be involved.

Mayor Roath commented that it is overreaching a bit.

Commissioner Taylor commented that he would be comfortable with striking the word social.

Mayor Roath asked Fred for his opinion on that, Fred had no problem with that.

Mayor Roath asked that we look at the language on that and see what we come up with.

Mr. Sussman suggested that they take this to the Work Session come up with your ideas at the Work Session and George let him know what potential amendments they want, and he will put them together for the next Town Meeting.

Mr. Patchell commented that we will go ahead with the introduction of the Ordinance and have further discussion at a Work Session and get the information to Fred and amend the Ordinance at the next Town Meeting if it passes.

Mayor Roath made note that it appears that there is not an objection to the whole section, just the one word, the board concurred.

Mr. Patchell read the introductory paragraph on behalf of the Mayor as follows: For the purpose of defining the roles of the Mayor and Commissioners of the Town of Perryville; providing for implementation and enforcement of a Code of Conduct for the Mayor and Commissioners as prescribed by Section C3-10 of the Town of Perryville Charter; providing that the provisions of this Ordinance are severable; specifying when this Ordinance becomes effective; and generally relating to regulation of the conduct of the Mayor and Commissioners of the Town of Perryville.

#### **Ordinance 2022-18 Poll Watcher Regulations**

Mr. Patchell read the introductory paragraph on behalf of the mayor as follows: For the purpose of regulating the presence of poll watchers in polling places during Town elections; providing that the provisions of this Ordinance are severable; specifying when this Ordinance

becomes effective; and generally relating to regulation of polling place conduct in the Town of Perryville.

#### **Ordinance 2022-19 Recall Vote**

Mr. Patchell read the introductory paragraph on behalf of the mayor as follows: For the purpose of providing for implementation procedures for the recall of the Mayor or a and Commissioner as prescribed by Section C3-11 of the Town of Perryville Charter; providing that the provisions of this Ordinance are severable; specifying when this Ordinance becomes effective; and generally relating to regulation of the conduct of the Mayor and Commissioners of the Town of Perryville.

#### **Ordinance 2022-20 Personnel**

Mr. Patchell read the introductory paragraph on behalf of the mayor as follows: For the purpose of making miscellaneous revisions to the Town's current employee Personnel Manual.

#### **Ordinance 2022-21 Emergency Budget Amendment**

Ms. Sharpe read the introductory paragraph for Ordinance 2022-21 as follows: For the purpose of amending the adopted budget for the Town of Perryville for the fiscal year beginning July 1, 2022, and ending June 30, 2023, to appropriate for certain purposes certain funds for the replacement of the Waste Pump Station Muffin Monster and appropriating funds for the cut to Mill Creek and generally related to amendment of the Town's FY 2023 budget. Ms. Laubach commented that we needed to do a cut in Mill Creek for the sewer line expansion project and that cost \$215,000 and it had to be done to proceed with the project.

Mr. Patchell noted that this makes it clean on our books for the project because while we still have contingencies available in various categories in the project that would cover the cost it would make it confusing when we would be taking contingencies from other parts of the job in order to pay for this brings money in and allows us to pay for that project and at the end the hope is to have no more use for the contingencies and it will be refunded back into the fund, that's if we have no problems with Pump Stations 1, 2, and 4.

Ms. Sharpe commented that the other item was the muffin monster for the waste pump station, a new one had to be ordered.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to waive the prohibition in section C4-1 of the Town Charter against passing an ordinance at the meeting in which it is introduced so that the board may vote on Emergency Budget Amendment Ordinance 2022-21. **All in Favor: Motion Carried.**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Emergency Budget Ordinance 2022-21. **All in Favor: Motion Carried.**

**Resolution 2022-15 Hazard Mitigation – George Patchell**

Mr. Patchell commented that Mr. Donahue, the Deputy Director of the Cecil County Department of Emergency Services was at our Work Session, and provided a presentation of Cecil County's Hazard Mitigation Plan which the Town of Perryville will be part of. This Resolution helps us adopt the section of the Cecil County 2022 Hazard Mitigation Plan that effects the Town. He read the introductory paragraph as follows: The Town of Perryville is extremely vulnerable to natural hazards which may result in loss of life and property, economic hardship, and threats to public health and safety. Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires State and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities. The Town of Perryville acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds. The Cecil County 2022 Hazard Mitigation Plan has been developed by the Cecil County Department of Emergency Services in cooperation with other County departments, and officials and citizens of the Town of Perryville. A public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Cecil County 2022 Hazard Mitigation Plan. The Cecil County 2022 Hazard Vulnerability Assessment and Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by natural hazards that face the County and its municipal governments, including the Town of Perryville. Therefore, the Mayor and Commissioners of the Town of Perryville deem it in the interests of the Town and its residents to adopt the Cecil County 2022 Hazard Mitigation Plan as the official Hazard Mitigation Plan for the Town of Perryville.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Resolution 2022-15. **All in Favor: Motion Carried.**

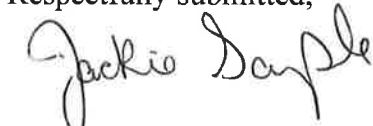
**Resolution 2022-16, 2022-17, 2022-18, 2022-19 – Debra Sharpe**

Ms. Sharpe explained that Resolution 2022-16, 2022-17, 2022-18, 2022-19 are all resolutions where we are bringing in funds from either prior budgets or this budget where they have been appropriated for specific purposes, for the water tower, the filters, that never made it to assigned funds, it is a matter of changing the classifications of funds that are unrestricted into an assigned category.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Resolution 2022-16, 2022-17, 2022-18, and 2022-19. **All in Favor: Motion Carried.**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to adjourn the December 6, 2022, Town Meeting at 8:52 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample  
Perryville Town Clerk

