

**Town of Perryville  
Town Meeting Minutes  
January 3, 2023**

ATTENDANCE: Mayor: Matthew Roath, Commissioners, Michelle Linkey, Robert Taylor, Timothy Snelling, Christina Aldridge, Town Administrator: George Patchell, Assistant Town Administrator: Cathy McCardell, Police Chief: Robert Nitz, 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 January 3, 2023, Town Meeting was called to order at 7:00 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 January 3, 2023, Town Meeting Agenda.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Snelling to approve the January 3, 2023, Town Meeting Agenda. **Four in Favor: Motion Carried.** (Commissioner Linkey was not present during this vote).

**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 December 6, 2022, Charter Amendments Public Hearing Minutes, December 6, 2022, Town Meeting Minutes, and the December 20, 2022, Work Session Minutes. **Four in Favor: Motion Carried.** (Commissioner Linkey was not present during this vote, arriving after it was finished).

**Mayor's Report - Mayor Roath**

Mayor Roath reported on meetings he attended during the month of December.

- 12/5/22 Met with representatives from 5<sup>th</sup> Company Brewing to discuss past events at Lower Ferry Park and discuss ideas they had for next season.
- 12/7/22 Attended a Cecil County Economic Development Meeting
- 12/7/22 Attended a Perryville Local Business meet and greet at the Broad Street Tavern
- 12/8/22 Attended a virtual meeting with many statewide municipalities hosted by representatives from Senator Cardin's office to discuss this year's earmark funding process and we intend to apply again this year.
- 12/10/22 Attended Perryville's Christmas Parade and Christmas in the Park event which was a massive success
- 12/12/22 Attended the monthly Bainbridge Development Corporation board meeting

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- 12/14/22 Met with Local Young Entrepreneur regarding a business plan that he has and would like to locate in the Town of Perryville and facilitated a follow up meeting with our Planning and Zoning Department soon after
- 12/16/22 Attended a staff Christmas luncheon at MacGregor's
- 12/17/22 Visited the Perryville Railroad Museum Grand Reopening
- 12/19/22 Attended a monthly planning commission meeting
- 12/22/22 Attended an event at Great Wolf Lodge to recognize those involved with the projects generous donations to the Outreach Program
- 12/22/22 Hosted the first ever Mayor's sweet and treats holiday social at 5<sup>th</sup> Company Brewing with between 50 and 75 attendees.

**Public Safety Report - Commissioner Linkey**

Commissioner Linkey reported that she attended the meetings as well as Christmas in the Park which was a lovely event, and she received a lot of feedback from the citizens and she wanted to thank everyone who planned the event. She also received comments about our police and how helpful they were during the parade and getting people where they needed to be and took a couple of people to the park who were unable to walk that far because of the parade and they were very grateful which is good community policing and she wanted to thank them for that. She turned it over to Fire Chief Willis to give his stats for the month.

**Perryville Fire Department Report - Chief Willis**

Chief Willis reported that there were 614 total fire calls for the year and 41 for the month of December, which was a slower month than the three previous months. We had \$2,376,000 in property involved incidents throughout the year and a property loss of \$394,000. We used a total of 78,000 gallons of water throughout the course of the year. We provided mutual aid 172 times to our area departments and received mutual aid 200 times. We responded to 11 working fires and had 4 vehicle accidents that required people to be extricated out of their cars and we had over 2200 hours of training. We did receive our second ambulance which is currently assigned to our Fire Station on the hill, Station 16. We had our Elections last night and he is retaining his position as the Fire Chief as well as Paul Frazier being in the position as President, everything else is fairly status quo.

**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 November and the December test results to date. There was a raw water monthly flow of 10.1 million with a finished water flow of 10.3 million. He is going to check with the Superintendent to see how we finished more water then we took in, he is guessing that rain may have something to do with it. The monthly bacteria samples were all negative. They finished assembling new shelving in the garage and reorganizing everything to make a place for the storage of the membranes when those arrive, and they rebuilt a hydro pump in the station. The plant was staffed overnight to refill the Pilot water tower after it ran empty prematurely. The Wastewater Treatment Plant was also in compliance with NPDES discharge for the month of November 2022, with the December lab results to date. The discharge amount into the bay was 24.26 million gallons. We had a high flow at the end of December and one of the personnel had to come in overnight and manually decant the SBR's until the flow slowed down and we did not have a spill, so thanks to Scott for coming in and taking care of that. Staff

attended a tabletop meeting for blizzards and how to deal with them going forward. We also removed some dead trees at the Water Plant over the generator and other areas that posed a threat. Yanni has completed her 96 hours at the Water Plant for the operators cross training bonus program, so she is now qualified to work at both plants.

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

Mayor Roath reported that the public works report can be found on-line.

#### **Planning and Zoning Report - Commissioner Aldridge**

Commissioner Aldridge reported that FY23 grant funds were awarded at the last Town Meeting on December 6<sup>th</sup> and all of the property and business owners have been notified. The December 10<sup>th</sup> Christmas in the Park and parade were a huge success, and she was honored to play a part in the judging and felt that it went exceptionally well and hopes that it can be extended to next year's event to make it even bigger. She attended the Town Christmas party on December 16<sup>th</sup> and was late due to work but enjoyed herself and being able to mingle with the employees and get to know them.

#### **Administration Report - Commissioner Snelling**

Commissioner Snelling reported that he attended the Christmas in the Park event and it was a huge success, and he also attended the employee Christmas party. Staff received 11 resumes for the two Police Officer positions and out of the 11, 5 qualified for the position and were sent packets to complete.

Commissioner Linkey inquired if there was anything for Public Works or if she missed that.

Mayor Roath reported that it will be on-line.

#### **Town Administrators Report - George Patchell**

Mr. Patchell stated that an account was set up to receive the National Opioid Settlement payment of \$1,578.61. He conducted a Blizzard & Ice Storm Emergency Response Tabletop meeting with staff on Thursday, December 8<sup>th</sup>. Edwards Software final mitigation took place on Friday December 16, so we are officially on the cloud, meaning we could operate from other locations away from Town Hall, such as the Police Department building where we will plan on holding several laptops if something would happen at Town Hall not allowing us to conduct business there. There are about 10 projects that are currently taking place within Town presently. The first one is the Sanitary Sewer Improvement project for GWL, we did receive our Pumps for Pump Stations 1 & 2, however we are still waiting for the control panel for PS4 and the pump for PS4. We are hoping to give you an update next week after meeting with them that we will receive them before the last date that was given to us which was April of 2023. It is imperative that our pump stations are able to handle the flow from Great Wolf Lodge with the hope that with the time frame we will be operational before they open. For the Water Treatment Plant Expansion project to date, the permit application was received by MDE, and we are waiting for their comments and approval, bid package will hopefully sent out on January 31, 2023. The

Water Treatment Plant ENR project had two bids come in, with the lowest bid being 1.5 million over the projected project cost, which we will be discussing later on in the meeting, and will have one bid that we will be putting forward as wanting to accept out of the two bids. For Fire Station 16 we have put in several invoices for reimbursement with MDE and are hoping to get a response from MDE on a few of the overruns as well to see if they will consider picking up part of the overruns that we had to do for the installation of a booster pump and a shutoff valve. Great Wolf Lodge is tentatively planning to open in August of 2023. On December 13th. we had a kickoff for the water quality study. There was also a kickoff for the water and sewer rate study and will take approximately 12 weeks for the study to be completed and we have provided them all of the data that they have requested at this point. The contract for the sewer capacity study by AECOM was signed and the study will take approximately 60 days to complete. The funding for the Route 222 sidewalk project design and construction has been secured, which includes Federal and State funding and will have a meeting with them next week to discuss possible MOUs with the State and properties needed to obtain rights-of-way for the sidewalk operation. The Ice House Park Shoreline Restoration project design phase DNR Grant application was submitted on December 15, 2022. Later in the meeting we will have a contract to review for us to move forward with the design phase of Ice House Park shoreline project.

Mayor Roath commented that he knows that George put a lot of time and effort into that project and he thanked him for that. He asked if there were any questions for George.

Commissioner Taylor commented that with us now projecting June for us to be completed with the Sanitary Sewer project and if we experience another delay in equipment procurement, if we have any contingencies on how to handle the sewage outflow from Great Wolf should we not be finished with the project by the time they want to open.

Mr. Patchell responded that we do, he will know some more after next Thursday's meeting and we find out what when we will have a follow up on what exactly the contingency plan is going to be. He was assured that that will be able to come up possibly putting together in different segments a control panel and then put in a bypass for Pump Station 4, Pump Stations 1 and 2 do have the pumps available so they will be placed.

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

Chief Nitz reported that the full Police Report can be found on-line but highlighted portions of the report. The officers issued 15 citations and 67 warnings for various traffic infractions, 13 tractor trailers were stopped along Aiken Avenue violating the road restrictions, 6 arrests for drug abuse violations, 2 DUI arrests, with a total of 23 criminal arrests along with responding to 350 calls for service for the month of December. He reported that the RedSpeed cameras went active yesterday, as of this afternoon there are no violations, there is 30 days of warnings to start. The Police Department had a sprinkler head pop on Christmas Day causing some significant flooding in the building including the lobby and the training room. Met with the insurance adjuster today and their recommendation was to send some experts out to evaluate the system to see if we could have prevented it or how we can prevent it. It happened after that cold spell that we had and there were other people experiencing burst pipes.

Mayor Roath inquired how old this system was.

Chief Nitz responded about five or six years.

Mayor Roath made note that we have talked about the trucks and that it is a quality of life thing that we need to maintain and stay on top of.

Chief Nitz responded that he agrees with him due to the increase this month.

Mayor Roath was not understanding the rationale behind the sudden increase again and the fact that there was a significant drop off when the signs first started going up.

Chief Nitz responded that he could only speculate, but possibly because it is Christmas time and more trucks making deliveries.

Mayor Roath commented that he is also seeing a lot more on Reservoir Road now too.

Chief Nitz commented that a lot of the trucks are using the everyday GPS systems and not the truck CDL commercial systems from what he is understanding.

Commissioner Taylor also assumed that deliveries are massively up due to it being Christmas time.

### **Outreach Report**

Chief Nitz reported on the Outreach Program on behalf of Ms. Hemling who was not here this evening. He wanted to give her and the Outreach staff a huge round of applause for what they accomplished through a collaborative partnership with Cecil County Public Schools, and partners with Great Wolf Lodge, Turner Construction, Worth and Company, the Tri-M Group, along with a couple of other checks that came in from R. Brooks Mechanical, and Neuman Pools. Her staff did an incredible job along with employees from the Town and volunteers from the 501c3 and some of the officers who did some shopping to help fulfill Christmas for approximately 236 children between the Elementary School, the Middle School, and High School.

Commissioner Snelling recommended that a letter for Danielle be put in her personnel file, Commissioner Linkey concurred.

Chief Nitz responded that we have awards in our manual system, and he will find something that is more appropriate and go from there.

Commissioner Taylor made note that we skipped over the Treasurers Report and she is not here but there is an item in her report where she had reached out to Keystone Solar to move forward with the Town's Solar project, he inquired if we have an update on the results of that call.

Mr. Patchell responded that we do not, he believes that the conversation she had with them provided any additional information. He believes that some of the people were on vacation during the holidays and she did not get all the answers she was looking for.

Commissioner Taylor expressed concern because it is coming up on a year now.

### **Public Comment**

Pat Stetina, representing the Perryville Railroad Museum, and resides at 1424 Superior Street in Havre De Grace, gave an update on the Train Station renovation. He apologized for not being at the Grand Opening Ceremony, he is on the Board of Directors for the Concord Point Lighthouse and there were issues at the keepers house and that is where he was at. He stated that most of the work is done at the Train Station, other than caulking some windows and doors. We will have a crew on Thursday taking down the temporary Christmas displays and working on our permanent display resembling what was there before, which will take about a month. He invites everyone to come and check it out, they are open from 12 until 4 p.m. on Saturday and Sundays.

Brad McGuirk, 38 Bay Circle Drive, wanted to thank the Town Commissioners, officials, and the committee for putting together the Christmas Parade and Christmas in the Park event which was a huge success. This was the first time that he and his family entered a float into the parade which took a good bit of time, effort, and work but brought the Christmas spirit to light for his family. Shortly after the parade we were surprised to learn that we had won the third-place prize for the float and his daughter was very excited to accept the award and have her picture taken. Shortly after that his phone began ringing, calls from several different people including Town officials and members of the Recycle Teenage Cruiser Car Club, which he happens to be a member of. He learned that the mayor was supposed to present the awards but when he learned of the winners he decided not to do the presentation because he was not a fan of the winner or winners and stated out loud in front of several people that he would punch me in the face. He does not want his children to learn of this information or take away from the magic of that day, but as a father believes that the mayor robbed them of an opportunity that would have been special to them, to receive an award from the mayor of their hometown that they grew up in would have been a memory for them. He stated that this conduct that is unbecoming of our Town officials and that we are aware that the mayor does not have the ability to control what comes out of his mouth, and he now wonders if he has the ability to control his actions.

Mayor Roath made it clear that he did not want to provide you with any type of award, you do not deserve it, therefore, I was not going to hand it to you, your children had nothing to do with any of this and you know that.

Commissioner Aldridge stated that in being one of the judges of the parade and seeing the hard work that went into all of the parade floats that were in the parade, that he won that place fair and square with his hard work and dedication on that float.

Dianne Barrick, 412 Roundhouse Drive, wanted to thank the Town for this whole holiday season, the decorations at the park, and it is wonderful to walk through the community and have that feeling of community and hopes that the whole Town can exemplify that.

### **Old Business**

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

Mr. Patchell read the introductory paragraph of Ordinance 2022-18 regarding Poll Watcher regulations as follows: 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.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Ordinance 2022-18 Poll Watcher Regulations. **All in Favor: Motion Carried**

#### **Ordinance 2022-19 Recall of Elected Officials**

Mr. Patchell read the introductory paragraph of Ordinance 2022-19 regarding Recall of Elected Officials 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.

Commissioner Taylor stated that this ordinance does not specify that the threshold for a recall is 20% of the registered voters, he asked for clarification that it was in the Charter.

Mr. Patchell responded that it was.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Ordinance 2022-19 Recall Vote. Mr. Patchell looked it up and confirmed that is was in the Charter about the 20% threshold.

The motion was brought forward again by Commissioner Taylor and seconded by Commissioner Linkey. Discussion ensued

Mayor Roath wanted to go on record again that he is opposed to this as he did with the Charter Amendment. He stated that it welcomes month to month dirty politics opportunity throughout the Town especially concerning some of the people that here at this meeting today. It promotes lying and deceiving and fake Facebook pages and people going around doing door to door survey lying about the situation just to get peoples signatures. The idea that we are offering to do this on a case-by-case basis is absurd to him.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Ordinance 2022-19 Recall Vote. **4 in Favor, 1 nay (Mayor Roath): Motion Carried.**

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

Mayor Roath relayed to George that he did not remember having another conversation about this on this past Work Session, thinking it was about 2 or 3 Work Sessions ago.

Mr. Patchell responded that we also had it on the Town Meeting for introduction.

Ms. McCardell commented that we had it on one Work Session where Commissioner Linkey went over it and on another Work Session where she went over it and then introduced it at the Town Meeting.

Mayor Roath would like to see it put off for one more month and talk about it at the next Work Session to go into the specifics of it because we had a month away from it.

Commissioner Taylor responded that we discussed it in detail and debated it and a consensus was reached on what we wanted it to be, Mayor Roath did not recall there being a consensus.

Commissioner Linkey commented that we went through it in detail and the employees wanted something in there regarding another holiday which we did not want, discussion on sick leave and the annual leave and changes that were requested.

Mayor Roath remembers the conversation but not the consensus when it came to those things.

Ms. McCardell commented that at the last Town Meeting you had requested any additional recommendations be emailed to her and no recommendations came in, therefore everything came forward on what was discussed in those meetings.

Commissioner Taylor did not send an email but spoke to her in person and what he and the board had discussed was adding Columbus Day was a bit much since we also give the day after Thanksgiving and we also agreed that the leave carried over should remain the same and not increase as was requested and they do not appear in here and believes those were the only changes that we had wanted at the time those were made and would have no problem voting on it now since the changes he wanted to see put in were put in.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to approve Ordinance 2022-20. **All in Favor: Motion Carried.**

## **New Business**

### **Ice House Park Shoreline Restoration Project**

Mr. Patchell stated that this is the contract with Underwood & Associates for producing approximately \$100,000 worth of the design phase of Ice House Park. We have applied with DNR for a grant to cover the existing cost to complete the design phase, which in total is about \$200,000. We have approximately \$100,000 saved in our MS4 restricted account to cover the initial \$100,000 to start the project in hopes from receiving the grant from DNR to cover the additional cost of the design phase of the project. The contract before you is to get us signed with Underwood & Associates piggy backing off Havre De Grace's RFP for Underwood & Associates for the design build of the shoreline restoration project.

Mayor Roath asked if could summarize what some of the hang-up was with this project.

Mr. Patchell responded that it was trying to get the language correct. Underwood & Associates had provided him with a contract, and he then had Fred review the contract to make sure that it met all the things that we would be looking for in the document and there were several things that we wanted to change and deferred to Fred if he wanted to elaborate on that.

Mr. Sussman stated that he was concerned that the contract we were providing was referring to all of the work that was being done at Havre De Grace and no reference to the work that this company would be doing for Perryville, understanding that it would a similar type of engagement. He just wanted assurance that the scope of work was defined that was going to be done for the Perryville project and some other legal issues that were in the contract that was presented to us with several rounds of suggestions to George who went back to them, and they really did not push back on anything so he is reasonably satisfied with what we have.



Mr. Patchell commented that one of the major changes that we wanted to see was the explanatory statement at the beginning of the contract that outlines what the contract is about and the fact that we are piggy-backing off of the City of Havre De Grace bid contract as part of this project.

Commissioner Taylor asked for clarification that this just commits us to the design phase, which is \$200,000, \$100,000 this year or either a grant where we allocate money in the next budget cycle and that this does not commit us to doing the project unless or until we see grants from MDE to pay for it.

Mr. Patchell responded that is correct it commits us to the \$100,000 that we currently have in the hopes that once this contract is signed that it will be the final piece for DNR to review as part of our grant application and will hopefully trigger DNR to fund the second part of the design phase which would be the additional \$100,000 for the \$200,000 total. If we do not receive that grant then we would have to find the means for the additional \$100,000 for the design phase.

Commissioner Taylor inquired if we are committed to doing that in a certain time frame.

Mr. Patchell responded that it would be our next budget cycle.

Commissioner Taylor brought up concerns that he has is that we have the \$100,000 from the MS4 permitting that we can spend but we need to be aware in the worst-case scenario that we do not get the funds from MDE to fund the remainder of the permit that we would have to come up with the other \$100,000 in next years budget and we all remember how tight last year's budget was.

Mayor Roath responded, or we continue to chase after the grant.

Commissioner Taylor relayed that is what he is asking because in what how he is reading this if we do not get the rest of the design fee from MDE then we must come up with the balance of it, but it does not say when.

Mr. Sussman stated that the contract does say that if we are unable to get the additional funds and if the Mayor and Commissioners determine that they do not want to allocate or appropriate additional funds the Town may terminate the contract.

Commissioner Taylor commented that the motion you are looking for is to approve this contract so we can move forward.

Mr. Sussman responded that it should be that you want to approve the contract and authorize the Town Administrator to sign on behalf of the Town.

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to approve the contract and authorize the Town Administrator to sign it on behalf of the Town. **All in Favor: Motion Carried.**

### **Wastewater Plant ENR Refinement Bid Award**

Mr. Patchell stated that we received two bids for the Wastewater Plant ENR Refinement project. We have a bid award recommendation letter from our engineering firm which is asking that we accept the low bidder Wickersham Construction & Engineering Inc. which gave us the bid of \$6,458,741.00 which was approximately 1.2 million dollars less than the 2<sup>nd</sup> bid that we received for the project. He commented that MDE is picking up 96.23% of the 6.5 million dollars. The increase is about 1.5 million dollars from

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the original estimate that we received, so the additional 1.5 million would have us on the hook for an additional \$60,000 that we did not think that we would have to re-bid.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to accept the Wickersham bid on the Wastewater Plant ENR refinement project. Discussion.

Mr. Patchell stated that part of this there is an amendment being put forward that GMB will provide us a residential representative, an inspector who will be here on the jobsite for the 450 days of the project, because of our staffing limitations and a lot of the required reporting were beyond the scope of our staff.

The motion was brought forward.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to accept the Wickersham bid on the Wastewater Plant ENR refinement project. **All in Favor: Motion Carried.**

**Motion** was made by Commissioner Aldridge and seconded by Commissioner Taylor to adjourn the January 3, 2023, Town Meeting at 7:50 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample  
Perryville Town Clerk