

**Town of Perryville
Town Meeting Minutes
August 5, 2014**

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

The Town of Perryville Town Meeting was called to order at 7 p.m. by Mayor Eberhardt.

Pledge to the Flag

The Town Meeting in its entirety can now be listened to on the Town's web site at www.perryvillemd.org.

APPROVAL OF TOWN MEETING AGENDA

Motion was made by Commissioner Brown and seconded by Commissioner Linkey to approve the August 5, 2014 Town Meeting Agenda. **All in Favor: Motion Carried.**

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

The June 17, 2014 Work Session Minutes, the July 1, 2014 Town Meeting Minutes, the Main Street Maryland Program, the Grant modification request for a Revitalization Grant for Robert Bailey, the Cafeteria Plan Resolution, the postage meter lease with one change, the service company is now Unison Business Solutions, and the Cecil County Bikeways Grant.

Motion was made by Commissioner Fox and seconded by Commissioner Linkey to approve the consent agenda items.

Mayor's Report -

Mayor Eberhardt reported that we are continuing to meet with Perry Point VA and Delmarva to attempt to get electricity to the park. Mayor Eberhardt attended a Town Meeting regarding the proposed cutbacks of approximately 3,300 people at Aberdeen Proving Ground, where he signed a petition in opposition to the reductions. He also attended the National Night Out sponsored by the Perryville Police Department at the Perryville Firehouse. The town received a grant from the State of Maryland in the amount of \$125,000 for work on Lower Ferry Park.

Commissioners' Reports -

Commissioner Brown's Report-

Commissioner Brown reported that the Chataqua event held at the Perryville Middle School on July 14th was very successful. Next year's theme will be on baseball and the Middle School has expressed interest with us partnering with them again. On July 15th she chaired the Work Session in the Mayor's absence. She met with the Parks Supervisor to discuss an appropriate location to place the message board and other signs that were taken down to install the truck route. It was also brought to her attention that some of the signs had disappeared too. The Perryville Greenway Committee meeting will be held here on August 29, 2014. The Parks employees replaced two worn out grills and anchored all picnic tables outside the pavilions to try to stop theft. They also help set up for the Diamond in the Rough Triathlon, cut up trees downed after the July 9 storm, trimmed back along the park roadway and cut bushes along the walking trail on Round House Drive. Repairs were made to the hand rails on Lower Ferry Pier where screws were missing, and loose boards were repaired on the fishing pier. She reminded everyone that there are picnic tables, trash cans and parking for those who wish to fish at Ice House Park. Just be sure that you have the proper licensing for DNR requirements.

Commissioner Fox's Report

Commissioner Fox reported that our Water/Wastewater Plant Supervisor has resigned and in the interim Larry Frazier will be running the Water Plant and Gene Ashford will be running the Wastewater Plant. Commissioner Fox reported that he recently he attended a meeting with Norfolk Southern, Ms. Breder and the Mayor in regards to emergency access road for the Water Plant which is looking like it might finally happen; he also sat in on the Delmarva Power discussion regarding the park. He attended the MML Cecil/Harford Chapter Meeting on the 17th, the guest speaker was a man by the name of Mike Hunninghake, he discussed Sustainable Maryland Certified and he will be here to discuss his program at the Work Session on the 16th of August. Commissioner Fox talked to the auditors on July 30th. The complete report will be on the website.

Commissioner Linkey reported that they were also able to meet one of the two scholarship recipients at the MML meeting that was from Northeast and was very well accomplished.

Commissioner Linkey's Report-

Commissioner Linkey reported that she attended all of the regular meetings for the month along with the MML Chapter meeting on the 17th. The Frenchtown overlay project should be beginning on August 18th. DPW are still working on potholes around town and repairing sections of sidewalk in Beacon Point and Gales Manor that had

sunken in or broken. Funds will soon be available to purchase two new fire hydrants to replace two obsolete ones that were discovered.

Commissioner Brown inquired where the overlay of Frenchtown Road was going to begin and where it was going to end.

Commissioner Linkey replied that it would be begin at the Water Plant and up to Sumpter Drive.

Mayor Eberhardt inquired if we know yet whether Frenchtown Road will be closed or down to one lane during this process, to which Commissioner Linkey replied that she did not know yet.

Commissioner Ryan's Report

Commissioner Ryan reported that there was no Planning and Zoning Meeting for the month, there was a Board of Appeals Meeting where they approved a special exception for the Firehouse and another item was on the agenda just for discussion.

Town Administrator Report – Denise Breder

Ms. Breder stated that our cable tv franchise agreement expires in November of 2016 and the Federal Cable Act requires the cable company to give us a 36 month notice, so we are starting the process of renegotiating to possibly renew the contract. We are looking for a Focus Group to discuss their experience with Atlantic Broadband and give ideas on how they could improve. Please contact Town Hall if interested, two people are needed from the business community and one more town resident is needed, and it is advertised on the website. The two Charter Amendments that were approved at the July Town Meeting have met their advertising requirements and will go into effect on August 20th provided a petition of referendum is not received within the required time frame. The museum in California that had inquired about the minesweeper float that floated into our pier has not gotten back to us; so we decided to keep it and fix it up as time allows and use it as a display. There was a multi-agency meeting at the reservoir and dam that will be in her report on the website. MDOT is planning a Cecil County meeting for public input regarding the Susquehanna River Bridge Reconstruction and Expansion Project on August 13th from 5-8 p.m. at Minker Hall. The new website is expected to go live this Friday and the email a month after that. Also the office will be closing at noon on August 29 for the employee picnic. Her entire report will be on the website for those interested.

Treasurer's Report – Rachel Deaner

Ms. Deaner reported that her full report will be online for those that want to see it. The audit has begun and the auditors will be back on site from August 25 thru August 29th. The new copy machines have been installed, the old copiers have been retained and

have been placed at Rodgers Tavern and DPW. We are waiting to cancel the other leases. We are still receiving slot revenue money from Cecil County which is still holding pretty steady.

Mayor Eberhardt reminded her that when the Horseshoe Casino opens in Baltimore we are supposed to get the 18% back that Baltimore was getting.

Police Report – Chief Wernz

Chief Wernz announced that they recently launched a facebook page for the Police Department. The officers are receiving narcan training for opiate and heroin overdoses, which involves administering a nasal spray which would reverse the overdose immediately. Chief Wernz stated that you should call 911 when you need police response, it is dispatched and prioritized accordingly to the nature of the call and calls may be stacked at times which may affect the response time. If it is an emergency it will get dispatched for an immediate response to the appropriate agencies. If you have been waiting a while you can call 911 back and get an idea of when to expect a response and they should be able to contact the dispatched unit to see if they are getting close to being cleared to respond to the next job. If we know that we are running behind we can bring more people into work if we know we are that busy. One of our old Fords and Durango were sent to Ritchie Brothers to be auctioned off at the end of the month.

Commissioner Brown inquired who supplies the narcan.

Chief Wernz stated that they receive it from the Emergency Operations Center but they get it through the Health Department. It is no cost to us we just have to let them know that we have used it and they will replace it.

Outreach Program

Malik Perry, reported on the monthly attendance and events at the Outreach Program for the month. Outreach began their Back to School Drive in July, and are continuing to accept donations until Monday, August 11. Some of the Outreach members were invited by Cecil County Councilman, Alan McCarthy, to visit Target America Exhibit at the Maryland Science Center in Baltimore on July 29th for a guided tour. The members were able to explore the aspects of the drug epidemic present in the State of Maryland, our country, and around the world. The Outreach Program also participated in Community Garden work, Adopt-A-Highway and Park cleanup, along with other regular monthly activities. This will be his last Town Meeting, he will be going to Iowa in a week to volunteer with the FEMA Core Americorp Program and work with disaster management. He wanted to thank everyone for the opportunity to be a part of this program and for the support throughout the years.

Mayor Eberhardt asked if there were any particular school supplies that they were more in need of, which turned out to be 1 inch binders.

Mr. Lilly, the Outreach Program Director, also noted that if the opportunity presents itself they like to have book bags or a lunch box donated.

Planning and Zoning Report

Ms. Breder reported on behalf of Ms. Skilling who was not in attendance. Ms. Skilling attended a meeting with Cecil Transit and met with Amtrak and Mr. Dukes regarding illicit discharge from the railroad. They had the Board of Appeals meeting on July 28. Plans for the water and sewer flows for the proposed MARC facility are being reviewed. Plans for the Lower Ferry Park are still being worked on. They are continuing to work on contracts for Façade and Revitalization Grants. Ms. Skilling is continuing to research and collect data for the Maryland Sustainable Communities application. For the Code Enforcement Department they wrote 5 violation letters and 2 citations for violation abatements and continue to receive complaints, meet with property owners and conduct site visits. A contractor has been hired to abate high grass violations for the Town. They are continuing with the Farmer's Market from 3-7 p.m. and on July 25th had music at the Market. They are planning to do an Art Exhibit on September 12. The full report will be on line.

Mayor Eberhardt asked if something was going to be mentioned tonight regarding the grant applications.

Ms. Breder commented that they are going to request a change to the Revitalization Grant Program, which will be discussed at the upcoming Work Session. If the change is approved then the Revitalization Grant process will happen after the approval. There is a 501(c) Grant Application available on the home page of our website which is due by August 29th.

From the Floor

David Dix, representing Narcotics Anonymous, requested permission to have a generator for electric to have music for their picnic that they have scheduled at one of the park pavilions on August 16.

The board did not approve the request because it was determined that the other pavilion was being used for the same day and times.

Brenda Shipley, who resides at Aiken Avenue Extended, brought up a complaint that had been filed on July 18th regarding an expired tag on a vehicle on her road and the fact that it has not been taken care of and is difficult getting in and out of her driveway because of it. She also stated that she had stopped by the Police Department during the hours displayed on their sign to file the complaint and the door was locked.

Ms. Breder commented that the Code Enforcement person has issued letters and citations regarding certain code enforcement issues but is not sure exactly what they were and if that was one of them and that we would meet with you personally to discuss your

specific issues. She also stated that the Police Department has one Administrative person, and she may have been out of the office at the time when Mrs. Shipley stopped by.

Gerry Perry, residing on Richmond Street, discussed issues that she has in regards to a neighboring property that has brush along their shed which has been there for almost two years and she complained two years ago and it's still there. An apartment building behind her has vines growing up the building and over the fence with chunks of wood laying in the back yard from a tree that they cut down with grass growing up around it and metal and wood lying behind the garage all around.

Ms. McCardell commented that she is aware of one of the property owners that had gotten a letter because he came in the office complaining about receiving it.

Mrs. Perry stated that she is getting groundhogs that are coming from one of the properties from a tunnel that ran from the brush and under the fence into her yard.

Mayor Eberhardt suggested putting it on a Work Session to have our Code Enforcement Officer present to address questions that we may have on the process and time frame for a response from the parties being issued the various citation complaints.

Mrs. Shipley, stated that the address of the property that the untagged vehicle belongs to is 1326 Aiken Avenue Extended, it is an apartment building. She also read excerpts from Chapter 78 of the code regarding vehicles, unlicensed, and unregistered vehicles.

Old Business –

Ordinance 2014-07 - Waterfowl and Wildlife

Motion was made by Commissioner Brown and seconded by Commissioner Ryan to approve Ordinance 2014-07 Waterfowl and Wildlife. **All in favor: Motion Carried.**

New Business –

Ordinance 2014-08 - Budget Amendment FY 2015 -Introduction

Ms. Breder read the introductory paragraph regarding the budget amendment which would amend the adopted budget for fiscal year July 1, 2014, and ending June 30, 2015. To recognize certain grant revenues received or to be received for certain Outreach program activities and to appropriate for certain purposes certain funds to a certain General Fund account; and generally related to amendment of the Town's FY 2015 budget.

Proposal to amend the phasing of the Municipal Complex - Ralph Ryan

Ralph Ryan, the Town's Engineer, presented a proposal from Manns Woodward Studios for the design of the Police Station, to omit the roundabout design to lessen the environmental impact on the property.

Commissioner Linkey asked for clarification that this would not be complete stormwater management, which Mr. Ryan confirmed that it would not be, it would only be for the Police building itself and the immediate parking for the Police Department.

Mr. Ryan stated that they met with Mr. Howard Neff to discuss a possible easement for the property across the street, which he will not allow unless we buy the property at the fair market price.

Mayor Eberhardt asked if we have an alternate plan because that is not an option.

Mr. Ryan stated that it is questionable but we might be able to fit a drainage pipe along the railroad right-of-way and still go along Otsego.

Ms. Breder stated that Mr. Ryan is going to do a cost analysis on the various alternatives that we have for stormwater to help you make an informed decision about how to deal with the site drainage issues, which will be on the Work Session for discussion.

Commissioner Linkey suggested meeting with both contractors and the other interested parties to work on a solution together for the stormwater management.

Discussion ensued regarding draining it to multiple locations, such as Aiken Avenue, which the engineer replied was not an option because it is too high of an elevation, the other possibility is Broad Street by the railroad bridge but there are foundation structures for the bridge that you would not want to interfere with.

Mr. Ryan corrected a point that he made earlier regarding the drainage pipe along the railroad right-of-way as opposed to a ditch; he stated that we would eventually have to outfall onto Neff's property anyway, so that shoots down that idea.

Mayor Eberhardt inquired if we have talked to the County in regards to the options since they are the ones that would have to approve the stormwater management plan.

Mr. Ryan stated that we have talked to them and they are for the Otsego drainage system as opposed to the railroad and were not in favor of the Manns Woodward proposal for no outfall for the police station.

Ms. Breder noted that tonight you are to decide if you want to shelf the Police Department Project until you address all of the other issues or do you want to go forward with the Police Department; and if you want to go forward with the Police Department

the only way to go forward is to remove the roundabout and do it as a stand alone without a current outfall.

Motion was made by Commissioner Linkey to table this discussion until we have more information at the next Work Session and we have further meetings with the County and all interested parties. Discussion ensued.

Mayor Eberhardt would like to table it but start with the County Executive, Tari Moore and the County DPW Supervisor, Flannigan to see if we can get their involvement to help us solve this problem without wasting more money to find solutions.

Ms. Breder commented that it may be worth it to call and ask and get them to get involved, but the County is under a lot of pressure from Maryland Department of Environment because they are the MS4 permit holder in regard to stormwater management. They plan to come to the towns to see how we can be part of the solution to address their stormwater problems in order to satisfy the needs of the MS4 permit which incorporates Perryville.

Motion presented again.

Motion was made by Commissioner Linkey and seconded by Commissioner Brown to table this discussion until we have more information at the next Work Session and we have further meetings with the County and all interested parties. **All in Favor: Motion Carried.**

Amendment to the 1970 Lease Agreement with the Perryville Little League for Trego Field -

The amendment to the lease agreement with the Little League concerns the alignment changes based on the commencement of the Phase II and III of the Municipal Complex which slightly alters the meets and bounds.

Motion was made by Commissioner Linkey and seconded by Commissioner Fox to approve the Lease Amendment for the 1970 Lease Agreement with the Little League for the Trego Field. **Four in favor, 1 opposed (Commissioner Brown): Motion Carried.**

Resolution 2014-22 – Public Notices for Ordinances

Resolution 2014-22 establishes minimum requirements for Public Notice of Ordinances which have been adopted, establishing when and how the Public Notice is advertised and the type of Ordinances in which the specific requirements apply.

Motion was made by Commissioner Linkey and seconded by Commissioner Brown to approve Resolution 2014-22. **All in Favor: Motion Carried.**

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Motion was made by Commissioner Linkey and seconded by Commissioner Brown to adjourn the August 5, 2014 Town Meeting at 8:34 p.m. **All in favor: Motion Carried.**

Respectfully submitted,

Jackie Sample,
Town Clerk

**Statement Regarding July 15, 2014 Closed Meeting for Inclusion in Minutes of
August 5, 2014 Town Meeting**

On July 15, 2014, the Commissioners of Perryville conducted a closed meeting at 8:37 p.m. in accordance with State Government Article, Sec. 10-508(a)(1)(i)(ii) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction and any other personnel matter that affects one or more specific individuals. Commissioners Brown, Fox, Linkey and Ryan all voted in favor of conducting the closed meeting. In addition to the Commissioners, the Town Administrator, Denise Breder attended the entire closed session. The discussion included making changes to certain employees' positions within the organization. The Commissioners approved changing the Parks Supervisor to Parks Maintenance Supervisor and the Administrative Supervisor to the Assistant Town Administrator. The meeting was adjourned at 9:48 p.m.