

**Town of Perryville
Town Meeting Minutes
March 5, 2019**

ATTENDANCE: Mayor: Robert R. Ashby Jr., Commissioners: Michelle Linkey, Raymond Ryan III, Pete Reich, Robert Taylor, Town Administrator: Denise Breder, Financial Director: Debra Laubach, Planning and Zoning Director: Dianna Battaglia, Police Chief: Al Miller, Outreach Director: Danielle Hemling, Town Clerk: Jackie Sample, Town Attorney: Fred Sussman.

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

The Town Meeting was called to order at 7 p.m. by Mayor Ashby.

Pledge of Allegiance

Approval of Town Meeting Agenda

Mayor Ashby asked for a motion to approve the March 5, 2019 Town Meeting Agenda.

Motion was made by Commissioner Ryan and seconded by Commissioner Reich to approve the March 5, 2019 Town Meeting Agenda. **All in Favor: Motion Carried.**

Consent Agenda Items: Mayor Ashby asked for a motion regarding the consent agenda items, which include the January 22, 2019 Work Session Minutes, the January 22, 2019 Special Meeting Minutes, the January 22, 2019 Closed Session Minutes, the February 5, 2019 Town Meeting Minutes, the February 5, 2019 Closed Session Minutes, the February 19, 2019 Work Session Minutes, the February 19, 2019 Closed Session Minutes, the February 19, Special Meeting Minutes.

Motion was made by Commissioner Ryan and seconded by Commissioner Taylor to approve the Consent Agenda Minutes as written. **All in Favor: Motion Carried.**

Mayor Ashby's Report –

Mayor Ashby did not present a report.

Motion was made by Commissioner Ryan and seconded by Commissioner Taylor to suspend the Mayor and Commissioner reports and continue with the meeting, Discussion. Commissioner Linkey wanted to thank DPW for their continued work on the snow removal. **All in Favor: Motion Carried.**

Auditors Report- Barbacan, Thornton & Company LLP

Tim Sawyer presented the Audit Summary Report for FY 2018. The audit began in August and the field work was finished in November and we issued the final report in January. They issued an unmodified opinion, which is the highest report that you can get, which include the governmental activities, the business type activities, each major fund, and the aggregate fund information. The audit showed that the internal controls regarding the processing of transactions are operating effectively. The full audit report is available on boarddocs and the Town's website.

VA Update

Ms. Breder read a brief update provided by the VA since they were not here to present it. The Water Treatment Plant was in performance phase testing, and water is being made for consumption, as of March 4, the old one is scheduled for demolition in April. The CLC came in overbid and is going back to the "drawing board". They are looking to reduce the number of beds from 155, and to an architectural design of one building, versus the small house concept. They do not have a date yet for the Giant Voice that will be giving announcement that everyone will hear at the Perry Point Campus.

Perryville Elementary School PTO Update – Principal Jenni Hammer

Ms. Hammer announced that Ms. Aldridge, the PTO President, was unable to attend tonight due to illness. Ms. Hammer reached out to the Principals at Perryville High School and Middle School, to get monthly reports on activities in their schools. The Perryville Elementary School is in the process of obtaining their Green School certification. On April 17th we will be having a Green School Gala, where several agencies will be coming to the school to show the families things that can be done in their homes with the students to support the environment. We are also putting together an outdoor classroom and will need some muscle for that. She commented that they earned a Grant from the Business Education Partnership Association, which is through Cecil County Public Schools, in the amount of \$1,000 to fund that. They are going to be kicking off an Elementary School basketball program. This Friday we will be holding our "Read Across America" event at the Elementary School, where we will have guest readers from the community. The Perryville Middle School just got finished working on a program called "See something say something", initiated by the Sandy Hook promise, to report to someone if you see something of concern. They had a Mardi Gras dance last week and are launching a variety of after school clubs with information going home this week about that, the Elementary School is also doing some after school programs. Mr. Zimmerman shared an initiative that is happening with all of their schools, where Cecil County Public Schools was awarded a National Institute for Justice Grant, to work with our students in a positive and proactive way to get to the source of a problem if there is one and to solve that problem so that it does not happen again. The teachers and staff are

getting trained on it. Bye, Bye Birdie is coming to the Perryville High School April 11, 12th and the 13th, so keep an eye out for the advertisements for that.

Commissioner Reich inquired if they thought about contacting the Boy Scouts who are trying to get their merit badges.

Ms. Hammer reported that we have, and we have a couple of students in our schools that have connections with the Boy Scouts.

Mayor Ashby suggested possibly talking to Dianna or Amanda as far as getting a business grant.

Town Administrator Report - Denise Breder

Ms. Breder announced that her report will be available on-line and she is not going to read it tonight.

Treasurer's Report - Debra Laubach

Ms. Laubach announced that her report will be available on-line.

Mayor Ashby reminded everyone to call 911 in the event of an emergency, because there may not always be someone at the Police Station if you call them directly.

Police Report - Chief Miller

Chief Miller commented that when you call 911 it goes to a Cad system that allows us to determine how many calls are made from a specific location.

Chief Miller called members to the podium from the American Legion Post 135, along with Scott Patterson and Officer Huffstutler for a special presentation. Chief Miller stated that on November 15, 2015 the Perryville Police Department was notified of a medical emergency and Officer Huffstutler was dispatched to the call, finding a person in distress. He issued CPR and was credited with saving Scott Patterson's life, who is doing well now.

Kevin Schreiber, the Finance Officer for American Legion Post 135, presented a Plaque to Ritchie Huffstutler in recognition of his life saving action on the night of November 15, 2015. He also wanted to recognize him for his service as an officer and the fact that he was involved in several high-profile drug arrests between 2017 and 2018 and seizing marijuana, cocaine and heroin while searching vehicles during saturation patrols and he also serves as a volunteer fireman.

Chief Miller presented the Police Department Report. He reported that the Police Department is expecting two new vehicles tomorrow, and possibly by the end of the

month you may see the new color scheme and decals on the cars. We will be changing our uniforms, we will be getting them from a different company. We are in the process of getting a new Crossing Guard and a new Police Officer and should be doing interviews for that soon.

Commissioner Taylor recalled that in one of the chief's prior reports, he had mentioned that they had done several civil acts of forfeiture. A couple of weeks ago the Supreme Court ruled unanimously that civil acts of forfeiture in the amount greater than a statutory fine are unconstitutional. He mentioned that the town may need to put some policies in place to make sure that we do not exceed that limit.

Chief Miller responded that the Federal Government dictate the federal asset forfeiture money and where and how it can be spent but will keep that in mind.

Outreach Report - Danielle Hemling

Ms. Hemling gave some brief statistics on the members household demographic information. She reported that 35% of the members household income range is 0 - \$10,000, 85% of the members qualify for the free lunch program. As of now 73% of the members are Elementary School students, which of course will change as they get older. The active members trends higher in the spring and summer versus the fall and winter, as well as getting new members. The overall monthly attendance was 396, and there currently is 58 active members, and 4 new members. This month we celebrated Black History month and took a field trip to Havre De Grace Opera House. Jane Bellmyer volunteered her time to do a Valentines Day craft with our members. We are starting a partnership with Microsoft. The Microsoft store in Delaware has volunteered to partner with us to do learning tutorials and gaming programs for them free at their store, so we are going to take some of them up there this Saturday and they will be creating their own video game. Once they do that then it will get uploaded on line for them to continue to play it. Our staff will also get free training on all Microsoft products and we can also take the High School students there for training tutorials to assist with their schoolwork. We received a visit from the Cecil County Board of Education President, who had great things to say about our program. This month for community service we wrote letters to Veterans of the Armed forces and members helped restock our pantry. This month we received donations from the American Legion, the Good Shepard School, and Tom King.

We looked at the Cifaldo building to possibly relocate our program to there. The current building has needed a lot of work done on it and will continue to need work, so we wanted to look into another option that presented itself. In talking to the YMCA who currently use the Cifaldo building they are no longer benefitting from the use of the building and plan to be out by the end of the month. She took the DPW Foreman over to look at the building and had a General Building Inspector come in to take a look at it to make sure that there is nothing majorly wrong with it that we may not know about. So far it looks like it only needs cosmetic updates, such as some paint and maybe some walls being put in. She has also talked to IKEA who would like to stop by and see the building

but have been very supportive of any move that would help us to create a better atmosphere for the members and reach more children. We will be gaining a little more space with the benefit of the location and having a yard and parking with one floor and a big open space with a full kitchen and a big bathroom and ADA compliant. We are looking on how to get it budgeted for next year and getting it updated. She has a contractor looking at it to give quotes on getting it updated some on things that our guys would not be able to do.

Planning and Zoning - Dianna Battaglia

Ms. Battaglia stated that her report will be on the website she does not have anything to highlight tonight.

Commissioner Taylor inquired if she had anything to report on the Landlord and Rental changes that are being discussed.

Ms. Battaglia responded that Deb is working on some possible revisions to that but there is nothing definitive at this time.

From the Floor

There were no comments from the floor.

Old Business

Ms. Breder reported that we had amended Ordinance 2019-02 and had replaced it with 2019-04 because we had a problem with the code number that was referenced. As we were going through Ordinance 2019-03 we found a couple of other code reference issues, so she is requesting that we bring this Ordinance back up for reconsideration, amend the agreement and the Ordinance as needed and readopt it and Mr. Sussman is here to walk you through the process if you have any questions during that process.

Motion was made by Commissioner Ryan and seconded by Commissioner Reich to bring Ordinance 2019-03 as amended and adopted on February 19, 2019 be brought back to the floor for reconsideration. **All in Favor: Motion Carried.**

Motion was made by Commissioner Ryan and seconded by Commissioner Linkey that amendment number 4 to the Economic Development Agreement be adopted. **All in Favor: Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Reich that amendment number 5 to the Economic Development Agreement be adopted. **All in Favor: Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Reich that amendment number 3 to Ordinance 2019-03 be adopted. **All in Favor: Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Reich that amendment numbers 4 and 5 to Ordinance 2019-03 be adopted. **All in Favor: Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Reich to approve Ordinance 2019-03 as amended on February 19, 2019 and further amended tonight be adopted. **All in Favor: Motion Carried.**

New Business

Resolution 2019-02 Chesapeake Overlook CEMUD for Great Wolf Lodge - Dianna Battaglia

Ms. Battaglia read the summary paragraph to introduce Resolution 2019-02 which is for the purpose of approving the application of Principio Iron Company and Great Wolf Holdings LLC. to modify the Chesapeake Overlook Commercial Entertainment Mixed Use Development to expand its boundaries and to amend its General Development Plan to accommodate the proposed development of a Great Wolf Lodge within the Chesapeake Overlook Development.

Ms. Battaglia gave her staff report in reference to the Chesapeake Overlook property and the development plan. In 2009 the General Development Plan was approved, and the land was designated with CEMUD zoning, which is a floating zone. Since that time 11.741 acres have been amended recently into the Town of Perryville with the intention of joining with Chesapeake Overlook and become part of that zone. We are taking care of incorporating the 11 acres into Chesapeake Overlook and we have also received an application from the owner and Great Wolf Lodge to amend the General Development Plan to not only include the 11 acres recently annexed, but to include Great Wolf Resort. The parcel meets the criteria for the designation which are listed in the full report. She is recommending approval of the expansion for the CEMUD boundaries to incorporate that. In addition to that the Great Wolf Resort becomes part of that General Development Plan and the plan is that they will be considered Phase 2 for development. The Mayor and Commissioner have an option during the review process to determine whether they approve it or not before it moves forward for further review, as far as site plan, preliminary plan and final. Right now, we are looking at the overall General Development Plan and if you are in favor of including the 11.741 acres and Phase 2 General Development Plan. The purpose of the CEMUD zone is to allow flexibility in zoning for a specific development consistent with the goals and objectives of the Comprehensive Plan. The intent is to provide for a well-planned development near a highway interchange and encourage economic investment and to promote Perryville as a growth center of Cecil County. Also, to provide an attractive, destination style commercial and entertainment development. There are standards for land development in

the CEMUD zone, which they have met with what they provided. She received an email today from Stewart Associates, the owner of the property, that the architectural review committee for Chesapeake Overlook has reviewed all the attachments from Great Wolf and it meets their requirements of their pattern book, which is consistent for that area. Staff believes that the proposed Amendment to the Chesapeake Overlook Development Plan complies with the purpose, intent, and development standards of the CEMUD Floating Zone and recommends approval of the amendment to the Chesapeake Overlook Development Plan. If you agree that allows Great Wolf to move forward with their site plan review and that will go to the Planning Commission, then comes back to you for final approval.

Morris and Ritchie Associates - Amy Dipietro

Ms. Dipietro, representing Morris and Ritchie Associates, who are the planners and engineers for the project made a presentation. Also, in attendance was Steve Jacobsen and Larry Costello from Great Wolf Resorts, and Gary Stewart Jr., representing the ownership of Stewart Properties and Wes Guckert from Traffic Concepts and Dwight Thomey, who is Counsel for Great Wolf. Stewart Properties is a third-generation land development company based out of York, PA and they have a strong presence in Cecil County. Great Wolf Resorts is the main engine behind the Great Wolf Lodge, and they opened their first facility in 1997 and have expanded rapidly, and now have 17 facilities throughout the US and another 2 under construction, and hopefully a 3rd very soon. She gave a presentation of the Chesapeake Overlook General Development Plan. On the screen you can see an area of the Chesapeake Overlook property, highlighted in red, to the North is Bainbridge Road and the South is 95 and to the East is Perry Lawn Drive. The site is approximately 158 acres, including two parcels, one which is the 11.741 piece that was recently annexed into town. The site is predominately accessed by Chesapeake Overlook Parkway with a boulevard style entranceway and 800 parking spaces, and there is a 28-acre parcel on the left side that is accessed from Cokesbury Road. For the purpose of the General Development Plan, the site was split into six different Phases. Phase 1 is the existing Hollywood Casino, owned by Penn National Gaming, Phase 2 is Great Wolf Lodge, proposed to be complete in about 2 to 3 years, accessed from Chesapeake Overlook Parkway, there will also be an emergency access road. Phase 3 through 6 at this point is just what we envision for the sites in the future, nothing has been set at this point. Proposed use for Phase 3 would include retail, restaurant, and convenience store use accessed from Chesapeake Overlook Parkway, potentially complete in 3 to 5 years. Proposed used for Phase 4 would be multi-family homes and 5 3-story apartment buildings with a clubhouse and a pool, possibly around 180 units if accessed from outside, in about 5-7 years. If they were 4-story elevator service, then they would possibly be 240 units, proposing another access from Bainbridge. Phases 5 & 6, on the 28-acre parcel, we are proposing townhomes and single-family homes in about 10-12 years, those are accessed from Cokesbury Road. She also discussed tying into existing water and sewer utilities, and two existing stormwater management facilities that may need some minor alterations when we get further into the development design, there

will be other smaller site design facilities located throughout the development, which will be in the final engineering documents.

Mr. Thomey commented that Ms. Dipietro provided the narrative on what is planned, which has addressed the main issues on the scope of the project, including access to the site and utilities and is perfectly adequate for what will be needed.

Commissioner Ryan inquired about the square footage of the water park at 100,000 square foot, he asked if that was indoor and outdoor.

Ms. Dipietro responded that it is just the indoor pool.

Commissioner Taylor had a question for AECOM, if the project they had is for all phases of the development plan.

The response was no, it was not.

Motion was made by Commissioner Reich and seconded by the Commissioner Taylor to approve Resolution 2019-02 for Chesapeake Overlook CEMUD Great Wolf Lodge and the General Development Plan amendment for CEMUD. **All in Favor: Motion Carried.**

AECOM Agreement -

Ms. Breder stated that Mr. Pampuch is here tonight to discuss the agreement that they have for the design of sewer improvements as well as construction management.

Mr. Pampuch presented a proposal for professional engineering services, representing AECOM, who are consulting engineers who provide services for the Town of Perryville and other Municipalities. He summarized a proposal for professional engineering design and construction review and construction management. The proposal is to provide the service of providing sanitary capacity for Great Wolf Lodge and other identified areas of the CEMUD and also some infill properties within the same sanitary sewer drainage basin, stemmed from a study that we had performed previously and reviewed those results with you on two occasions. The plan is to improve gravity sewer in the drainage areas, pumping stations and associated force mains. Page 3 includes the design phase which includes preliminary engineering, design and bidding services. Page 4 references the permitting and construction management and inspection services. There is also reference to services that we do not provide. Another page references AECOM assumptions that were included in this proposal.

Commissioner Taylor had a question on Section C, number 4, they will perform a rare threatened and endangered species review, Section E states that you will not provide a rare threatened and endangered species survey.

Mr. Pampuch responded that they will, that is required.

Commissioner Taylor also brought up that it states that you will prepare and submit a MD State Historic Preservation Office project review form, then under services not provided, an archeological, historic, and cultural resource survey, he asked what is different on that.

Mr. Pampuch responded that he will check on that.

Mayor Ashby asked him to explain why this is set up for what we have in front of us and not set up for 10 or 15 years down the road.

Mr. Pampuch responded that we have worked with the town staff to identify the best possible realistic plans for the CEMUD area and some other development that could occur within that same sanitary sewer drainage basin. When you select pumps and equipment and piping, you need to do that with efficiency in mind. If the equipment and the facilities are built too big, the force power of the pumps would be a size larger than necessary, using an unnecessary amount of electricity and utilities. We try to plan as best as possible for future expansion without planning too far, there has to be a limit.

Mayor Ashby stated that the area of development that is not included in this proposal is the area that would be the residential on the other side of Cokesbury in the Happy Valley area.

Motion was made by Commissioner Linkey and seconded by Commissioner Taylor to approve the Sanitary Sewer agreement dated March 5, 2019 with AECOM. **All in Favor: Motion Carried.**

Portable Toilet Bids

Ms. Laubach stated that we did have to put the portable toilets out to bid and we only received 2 responses, our current vendor did not get their bid to us in time, so they were not considered. We did a spreadsheet so that you could compare prices, and we are recommending A-Flush-Away because their prices are less than half of the other ones.

Motion was made by Commissioner Linkey and seconded by Commissioner Reich to use A-Flush-Away for our portable toilet service supplier. **All in Favor: Motion Carried.**

Budget Amendment Ordinance 2019-05 - Debra Laubach

Ms. Laubach explained that this Budget Amendment Ordinance is an introduction to amend the FY 2019 beginning July 1, 2018 and ending June 30, 2019. This is to transfer funds from Business Development Grant funds to Revitalization Grant funds due to lack of approved grants in Business Development. The second one is to recognize revenue from forfeited seized funds and to record funds needed for an Electronic Speed Sign.

Abatement Request for 6 Riverview Drive -

Ms. Blevins presented a request for an abatement for 6 Riverview Drive for an underground leak for the third quarter 2018 for \$5,342.11. She stated that they were notified on September 26, 2018 with a letter that they had a leak, we then went out and did a data log and they did not do anything different from the third and the fourth quarter and there was high usage on the third quarter but not as much on the fourth quarter, but they did receive an abatement of a little over \$700 on the fourth quarter. They did spend close to \$5,000 on the repair, which was not done until February of 2019.

Commissioner Ryan questioned how that could happen.

Ms. Breder responded that in this instant the readings would have been consistent, so it had to have gone through, and they went out and checked multiple times and you have the data log for this one, we do not know why that one quarter was so large and then it dropped down.

Commissioner Reich noted that there could have been something that happened that caused the leak, then later, something occurred that slowed it down, such as freezing.

Mr. Pampuch responded that we had that occur once when there used to be a Dry Cleaners at the intersection of Aiken Avenue and there was a broken pipe and it was in the winter and the pipe froze and it wouldn't leak, and when it thawed out we were loosing tons of water out of the tower, so it is possible.

Commissioner Taylor wanted to again bring up that we probably do need to establish some sort of policy and that if a person is notified and they do not fix it for three quarters, that after one or two abatements they are on their own.

The Mayor requested a motion for this abatement request.

Motion was made by Commissioner Reich and seconded by Commissioner Taylor to approve the abatement request for 6 Riverview Drive but none after this for the first quarter of 2019. Discussion ensued, Commissioner Linkey asked for clarification that this was for the full amount requested of \$5,342.11, to which was confirmed, which is over and above the average which they will be billed. **All in Favor: Motion Carried.**

Planning and Zoning Request for Consideration - Dianna Battaglia

Ms. Battaglia commented that we had presented a request from a resident to be considered for the Planning and Zoning Board at the Work Session and this is that request.

Motion was made by Commissioner Ryan and seconded by Commissioner Reich to appoint Mr. Robert Turgon to the Planning and Zoning Board. **All in Favor: Motion Carried.**

Request for Alcohol at Rodgers Tavern Event

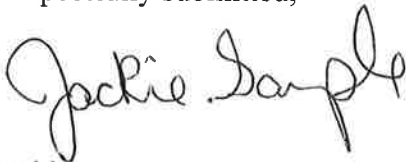
Motion was made by Commissioner Taylor and seconded by Commissioner Reich to approve the use of alcohol at the Early American Spirited Drinks Event September 28, 2019 event at Rodgers Tavern. **All in Favor: Motion Carried.**

Election Board Appointments

Motion was made by Commissioner Taylor and seconded by Commissioner Reich to appoint all of the current members to the Election Board plus the alternate. **All in Favor: Motion Carried.**

Motion was made by Commissioner Linkey and seconded by Commissioner Taylor to adjourn the March 5, 2019 Town Meeting at 8:35 p.m. and go into a Closed Session after a 10-minute break under General Provisions Article §3-305(b) (7) To consult with counsel to obtain legal advice, (to discuss potential litigation), (8) To consult with staff, consultants, or other individuals about pending or potential litigation. **All in Favor: Motion Carried**

Respectfully submitted,

A handwritten signature in cursive script that reads "Jackie Sample". The signature is written in dark ink and is positioned above the printed name and title.

Jackie Sample
Perryville Town Clerk

TOWN OF PERRYVILLE
FORM OF STATEMENT FOR CLOSING A MEETING
(FROM OPEN MEETINGS MANUAL - APPENDIX C)

Location: Town Hall Mtg Room Date: 3/5/19 Time: 8:35 p.m.
Motion By: Linkey Seconded By: Taylor

VOTE TO CLOSE SESSION:

	AYE	NAY	ABSTAIN	ABSENT
Mayor Ashby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Linkey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Reich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STATUTORY AUTHORITY TO CLOSE SESSION

General Provisions Article §3-305(b):

☐ (1) To discuss:

(i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or

(ii) any other personnel matter that affects one or more specific individuals;

☐ (2) To protect the privacy or reputation of an individual with respect to a matter that is not related to public business;

☐ (3) To consider the acquisition of real property for a public purpose and matters directly related to the acquisition;

☐ (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;

☐ (5) To consider the investment of public funds;

☐ (6) To consider the marketing of public securities;

☒ (7) To consult with counsel to obtain legal advice;

☒ (8) To consult with staff, consultants, or other individuals about pending or potential litigation;

☐ (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;

☐ (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:

(i) the deployment of fire and police services and staff; and

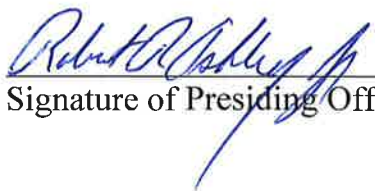
(ii) the development and implementation of emergency plans;

☐ (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;

- ☐ (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- ☐ (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- ☐ (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

FOR EACH CITATION CHECKED ABOVE, THE REASON FOR CLOSING AND THE TOPICS TO BE DISCUSSED:

(8) To consult with staff, consultants, or other individuals about pending or potential litigation; (7) to consult with counsel to obtain legal advice, to discuss potential litigation



Signature of Presiding Officer

**Statement Regarding February 5, 2019 Closed Meeting for Inclusion in Minutes of
March 5, 2019 Town Meeting**

On February 5, 2019, the Mayor and Commissioners of Perryville conducted a closed meeting at 8:22 p.m. at the Town Hall meeting room in accordance with General Provisions Article, §3-305(b)(4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. (7) To consult with counsel to obtain legal advice; Mayor Ashby, Commissioners Linkey, Ryan, Reich and Taylor all voted in favor of conducting the closed meeting. In addition to the Commissioners, the Town Administrator, Denise Breder, Planning and Zoning Director, Dianna Battaglia and Town Clerk, Jackie Sample, and Town Attorney Fred Sussman along with AECOM representatives Kevin Pampuch and Chris Rogers attended the entire closed session. During the meeting they discussed the potential terms and conditions of an agreement with a developer and to hear related information from a consultant and obtain needed advice from the Town Attorney regarding the topic. The board requested AECOM to perform a further evaluation of the Front Street Pump Station.

Motion was made by Commissioner Ryan and seconded by Commissioner Taylor to adjourn the Closed Session at 9:55 p.m. **All in Favor: Motion Carried.**

**Statement Regarding February 19, 2019 Closed Meeting for Inclusion in Minutes of
March 5, 2019 Town Meeting**

On February 19, 2019, the Mayor and Commissioners of Perryville conducted a closed meeting at 6:53 p.m. at the Town Hall meeting room in accordance with General Provisions Article, §3-305(b)(4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. (7) To consult with counsel to obtain legal advice; Mayor Ashby, Commissioners Linkey, Ryan, Reich and Taylor all voted in favor of conducting the closed meeting. In addition to the Commissioners, the Town Administrator, Denise Breder, Planning and Zoning Director, Dianna Battaglia and Billing Clerk, Tara Blevins, and Town Attorney Fred Sussman along with AECOM representatives Kevin Pampuch and Chris Rogers attended the entire closed session. During the meeting they discussed the potential terms and conditions of an agreement with a developer and to hear related information from a consultant and obtain needed advice from the Town Attorney regarding what actions would need to be taken at today's meeting to approve the agreement if the Board desires.

Motion was made by Commissioner Ryan and seconded by Commissioner Reich to adjourn the Closed Session at 7:19 p.m. **All in Favor: Motion Carried.**