

**Town of Perryville
Town Meeting Minutes
October 1, 2019**

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

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

The Town Meeting was called to order at 6:52 p.m. by Mayor Ashby.

Pledge of Allegiance

Consent Agenda Items: Motion was made by Commissioner Reich and seconded by Commissioner Linkey to approve the Consent Agenda items as written, which include the September 3, 2019 Town Meeting minutes, the September 17, 2019 Work Session minutes, and the September 17, 2019 Closed Session Minutes. **All in Favor: Motion Carried.**

Mayor Ashby asked Ms. Battaglia to introduce a new employee.

Ms. Battaglia introduced Amanda Paoletti, who started on September 3 and who was hired for Code Enforcement.

Ms. Paoletti recently moved here from West Virginia, but prior to that she had 11 years with Cecil County in the Department of Planning and Zoning, and she had 12 years total of Government experience. She is now doing code enforcement and two of her big projects that she is taking on is Cecil Cares 2019, which is a National Day of Service, and the Town has partnered with Cecil County to do a cleanup project in the Heather Lane area. The hours are 9 a.m. - 12 p.m. on October 5th that we are going to try to get the area cleaned up and we are looking for more volunteers to sign up for the event. The other project she is working on is to get the Landlord/Tenant Committee up and running again and is looking for Landlords, Tenants and members of the community to volunteer to serve on this committee. This committee is to help, in the event, that there are issues between the landlord and tenants in the community that we cannot meet a common ground with code enforcement on.

Mayor Ashby's Report -

Mayor Ashby congratulated Sergeant Nitz for applying for funding through LGIT for the Law Enforcement Body Camera Grant which has been approved in the amount of \$5,000. He announced that our Hazardous Mitigation Plan has been approved and that it has to be revised every five years. The census is coming up next year and he was unable to attend the County Meeting so he asked Ms. Battaglia to attend on his behalf. The County was undercounted in 2010 and we lost \$1,800 for every individual that was not counted, so we want to ensure that the

County gets their fair share of State and Federal funding. He deferred to Ms. Battaglia for more information on that meeting.

Ms. Battaglia commented that it was a very good meeting and that Maryland seems to be leading the way as far as the census count coming around. Ms. Battaglia reported that every time that children, elderly, or Veteran's are undercounted it effects services that are provided by the Federal Government, such as funding for roads, Medicare and for various other programs that children use at the schools, etc. They are reaching out to the communities to reach out to the residents to make sure that they respond to getting counted. April 1st is the kickoff for the census, which can be done on-line, by phone, or by mail and the information is to be used by them only and cannot be shared, it is all confidential and the questions are minimal.

Mayor Ashby stated that the Tap into the Tavern was a great event, and this was the second year for it, he asked Ms. Battaglia to speak about it a little bit as well.

Ms. Battaglia commented that it was a great event with a good turnout and we actually made some money. We also had a couple of people that saw the signs from the water that came in by boat and jet skis, which was nice.

Mayor Ashby reported that he attended his first tabletop exercise in the event of a hurricane with other representatives from various departments of the staff at Town Hall. He reported that he attended the APG Octoberfest again this year. He also attended the Fishing with the Fuzz event and once again wanted to thank Sergeant Nitz for his participation in this event, along with Danielle from the Outreach Program. He attended numerous meetings with the County, and he also attended the casino meeting, which is quarterly. He, along with Commissioner Linkey and Ms. Breder, performed a punch list inspection of the Little League field project. The Susquehanna River Running Festival was a great day as well, there was a little bit of things that we may have to talk to the organizer about, but overall it was a great event.

Commissioner Taylor -

Commissioner Taylor reported that the Wastewater Plant was in full compliance with info received to date. The SBR #2 influent defective valve was replaced along with the SBR air diffuser socks.

Commissioner Linkey

Commissioner Linkey stated that they did do the walk through for the Little League project and there were a few items that needed to be addressed, but overall it is looking very nice. On November 2nd is the "Keep it Clean" event where we will be doing a Town sweep to pick up trash and litter, we will be starting at Lower Ferry Park at around 8:30, there will be pre-registration and there will be lunch provided at noon. We did receive a grant for the Town Sweep and the battery recycle program for the Green Team, and the DPW report will be on-line. She also announced that there is a new business in Perryville, which is the Orchid Day Spa, operating out of Perryville Station, the Grand opening is scheduled for October 12th at 9 a.m.

Commissioner Reich -

Commissioner Reich announced that an alternate concept plan was approved for 68 Heather Lane, the old outlet area, for joint residential and commercial area at the recent Planning and Zoning Meeting. There will be several buildings where the top two floors are apartments, and the bottom floors are going to be retail. The concept plan had 284 apartments with 9 buildings, three stories high. The person that presented the plan did state during the meeting that if their lawsuit failed, then they will probably sell the property to somebody else to continue with that concept plan.

A resident inquired what the lawsuit was about.

Commissioner Reich responded that it was because we did not approve a zoning change so that they could put a warehouse up by the new Royal Farms, so the people that wanted that took us to court, which was just this past week.

Commissioner Snelling

Commissioner Snelling reported that the Finance Department had been working with the MDA and the auditors have completed their on-site work and the audit will be submitted on time. The next water bill will go out on October 15th. He wanted to give a shout out to Cathy for working on the town employee sick leave policy. Denise is scheduling a meeting with me to meet with staff next week to better learn and better understand the duties and responsibilities of the office personnel.

Mayor Ashby announced that he plans to bring Commissioner Snelling with him to attend a meeting with Charles Craven from Tiki Lees.

Commissioner Reich wanted to mention that he, along with Ms. Breder and Ralph, had met with KCI to go over the final report for this years MS4 program. We have gotten a lot of things done, but there is still a lot of things to do. The first year ended with the end of our fiscal year, and out funding did not start until October and ended in June, so it was a short first year. We have it planned out for the next year, which is already budgeted, so we will be working on the third year in our budget in the spring.

Town Administrator Report - Denise Breder

Ms. Breder responded that the bond bill for the construction of the Pennsylvania Railroad Monument sign has been approved which will be down by Lower Ferry Park where the historic location of the Roundhouse was. Our bid will be posted by Deb Gilbert on E Maryland Marketplace this Friday. The release date for the Request for bids will be Friday and November 7 will be the pre-bid meeting, November 14th questions due and bids will be due by December 5th. Aaron worked with American Energy Corporation to get a grant through Delmarva's Empower Maryland Grant program, so you should be seeing some LED lighting going in at Town Hall. The net cost is \$1,973, and the grant incentive amount is almost \$10,000 with an annual savings of \$1,097/yr., with a payback of 1.8 years on the cost of what we put out for this. As Commissioner

Linkey announced the Town Sweep event is Saturday November 2nd. She added that we are still planning for that event and other initiatives that the Green Team is working on. The Green Team meeting is scheduled for Wednesday October 9 at 5:30 p.m. in the Town Hall Meeting Room, we are always looking for new members. The registration form is now available on-line, you can register here or at 8:30 a.m. on November 2nd, the morning of the event at Lower Ferry Park. Our next Greenway meeting is November 27 at 10 a.m. here at Town Hall, we could use new members for that too. A Fact Sheet requesting information was sent to the Town by the attorneys regarding the Opioid lawsuit. The information was filled out by our staff and returned to the attorneys on September 20th.

Mayor Ashby announced that Ms. Aldridge was not going to be in attendance tonight to give the report for the Perryville Elementary School PTO Update.

Treasurer's Report - Debra Laubach

Ms. Laubach reported that the Auditors completed their on-site report and are scheduled to deliver their preliminary report by the end of this week and we have been working on the discussion and analysis.

Outreach Program Report - Danielle Hemling

Ms. Hemling reported that it has been a very busy month, the overall monthly attendance was 700, averaging between 40 and 50 kids a day, there are 70 active members that come every month, 2 parent referrals, and 17 new members just this month and we provided almost 500 meals, which are for the kids that sign up for the meals. Members attended a team building day trip to North Bay. We also had our first annual Fishing with the Fuzz event with our police officers and other officials. Ms. Jane came and provided our members with a new craft, steppingstones. We were also visited by Nancy Murphy who did a leaf rubbing activity with our members. There were also many in-house activities that were done. We have also started a volunteer program to assist with our growing membership, a lot of our older members have stepped up to the plate to assist. We are also starting to prepare for the holidays earlier since we are anticipating a lot of kids to provide Thanksgiving and Christmas Dinners for, and have reached out for places to be collection sites and, so far Healthies and Impact Martial Arts have agreed to that. Impact Martial Arts has also offered to do a Fundraiser event with the proceeds benefitting us. She was looking into possibly starting a Go Fund Me page for people that may not have time to buy stuff but want to give money. We have also received donations from the American Legion, Box Car and Ms. Marilyn from the Good Shepherd Church to help supply meals to our growing membership. She started an Amazon wish list for people to buy directly to donate food items, etc.

Mayor Ashby asked where they put all of the refrigerators and freezers that they had to replace.

Ms. Hemling responded that we haven't worked that out yet we are still working with Deb who is working with the insurance company to get the money to purchase new ones, we ran electric in the front room, to get them to the utility room, there are just some spacing issues that need to be worked out. We had three freezers and an old refrigerator from her house that were in the basement

that were destroyed by the flood. We brought a refrigerator from upstairs here, and there was one left here.

Police Report – Police Chief Al Miller

Chief Miller announced that the full report will be on-line. He wanted to thank all of the police officers that participated in the Susquehanna River Run and the Fishing with the Fuzz event. He attended the Perryville Elementary School “Walk to School Day”. He thanked Ms. McCardell and the Safety Committee for the grant funding to purchase 7 riot shields for our police officers. He also wanted to thank Kim, the Police Department secretary, for them passing the MD State Police Compliance checklist. On September 24th he met with three residents of the Rustic Court community to discuss concerns they had with their neighborhood and are working with them to assist them with their problems. October 15 is National Coffee with a Cop Day and October 19 is Coffee with a Cop at the American Legion Post 135 from 9 a.m.-12 p.m., and we also plan to be at the old outlet site Saturday for the cleanup, not only for police assistance but cleanup assistance. He wanted to add that there was a permanent speed sign installed on Maywood Avenue this year and we do have a portable sign that we plan on putting around town.

Planning and Zoning Report - Dianna Battaglia

Ms. Battaglia did not have anything to add this evening, her report will be on-line.

From the Floor

There were no from the floor comments.

Old Business

Ordinance 2019-15 - Public Safety Home Ownership Incentive Program.

Mayor Ashby asked for a motion to approve the Public Safety Home Ownership Incentive Program Ordinance 2019-15.

Motion was made by Commissioner Reich and seconded by Commissioner Taylor to approve Ordinance 2019-15.

All in Favor: Motion Carried

Mayor Ashby explained the Ordinance to a resident that inquired about it, that it is a tax incentive for police and firefighters that live in town and a recruitment tool to encourage them to live in town.

New Business

USDA ECWAG Application -

Ms. Breder responded that this is for your approval to move forward with the grant application for the 2" waterline to be installed for Perryville Fire Station 16 and for town staff to continue to work on it.

Motion was made by Commissioner Linkey and seconded by Commissioner Reich to move forward with the USDA Grant Application. **All in Favor: Motion Carried.**

Chesapeake Overlook Parkway - Denise Breder

Ms. Breder stated that this is for the town to take ownership of Chesapeake Overlook Parkway prior to Great Wolf Resorts taking ownership of the property. Her recommendation is for the Town to take ownership of the road with the condition that the staff, consultants and legal counsel have reviewed and agreed to final documents prior to the execution of the deed by Mayor Ashby, and she has listed some of the things that still need worked on.

Motion was made by Commissioner Linkey and seconded by Commissioner Taylor to take ownership of Chesapeake Overlook Parkway with the condition that the staff, consultants and legal counsel have reviewed and agreed to final documents prior to the execution of the deed by Mayor Ashby.

Consideration of Letter of Credit - Denise Breder

Ms. Breder stated that in the staff report it stated that the road improvements will not be completed by the time the Town takes ownership of the road so Principio Iron Company L.P. is entering into an agreement with the Town of Perryville stating that they will provide a letter of credit for 120% of the costs for the punch list items and if they are not completed then you have the letter of credit to fall back on for the Town to finish the punch list items for Chesapeake Overlook Parkway.

Motion was made by Commissioner Taylor and seconded by Commissioner Reich to accept the letter of credit to complete the improvements on Chesapeake Overlook Parkway in the event that the construction company does not do so after we have taken possession. **All in Favor: Motion Carried.**

Ordinance 2019-16 Budget Amendment Introduction - Debra Laubach

Budget Amendment Ordinance 2019-16 is an amendment of the FY 2020 adopted budget beginning July 1, 2019 and ending June 30, 2020 to appropriate for certain purposes certain funds and generally related to amendment of the Town's FY 2020 budget. There were some additional funds needed, but most of it is reallocation of current funds that are already in the budget or operating funds that have been requested in prior years and approved, to bring them in the current year. The first request is for additional funding to install an alarm system in the Cifaldo building and monitoring service for the remainder of the year in the amount of \$1,200. Another request is a rollover DNR Grant from FY19 and the associated expenditures in the amount of \$46,500 to improve the park trails and the basketball courts, and some of the work has been done and paid in 2019 and this is the balance remaining. Another one is from funding that was not used for

replanting of the Reed Bed which George had requested to be used to buy a new Scada computer for the Sewer Plant in the amount of \$48,275. Another one is to fund a change order in the AECOM contract in the amount of \$11,900 in the sewer fund. The last one is to roll over from FY19 the balance of funding for the ENR Refinement Study in the amount of \$4,000 in the sewer fund.

Ordinance 2019-17 - Sick Leave Policy Introduction

Ms. McCardell summarized the Ordinance which allows an employee to donate sick leave time to another employee for an FMLA qualifying event should they need it. The only thing that has changed since the Work Session which was not in Ordinance form at the time was in number 7 stating that any unused donated sick time shall be proportionately returned to the donating employee, not in whole hours as originally stated because the hourly rates may differ. Ms. McCardell read the introductory paragraph of the Ordinance as follows:

An Ordinance concerning the Town Personnel Manual for the purpose of amending the Town's current employee Personnel Manual to authorize employee sick leave donations under certain circumstances.

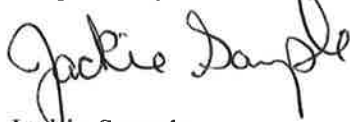
BY repealing and reenacting, with amendments

Section 5

Town of Perryville Personnel Manual (adopted by Ordinance 2012-1 and amended by Ordinance 2013-05, Ordinance 2013-07, Ordinance 2016-10, Ordinance 2018-07 and Ordinance 2018-15)

Motion was made by Commissioner Reich and seconded by Commissioner Taylor to adjourn the October 1, 2019 Town Meeting at 7:43p.m. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample
Perryville Town Clerk

**Statement Regarding September 17, 2019 Closed Meeting for Inclusion in Minutes of
October 1, 2019 Town Meeting**

On September 17, 2019 the Mayor and Commissioners of Perryville conducted a closed meeting at 7:28 p.m. at the Town Hall meeting room in accordance with General Provisions Article, §3-305(b) (7) To consult with counsel to obtain legal advice and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. In addition to Mayor Ashby, Commissioners, Linkey, Reich, Taylor, Snelling and the Town Administrator, Denise Breder, Assistant Town Administrator, Cathy McCardell, Town Clerk, Jackie Sample, and Public Works Foreman, PJ Meekins and Town Attorney Fred Sussman attended the entire closed session. The topic was discussion of a property dispute. The Town plans to take some steps to resolve the issue.

Motion was made by Commissioner Reich and seconded by Commissioner Snelling to adjourn the Closed Session at 7:20 p.m. **All in Favor: Motion Carried.**