

**Town of Perryville
Town Meeting Minutes
March 3, 2020**

ATTENDANCE: Mayor: Robert R. Ashby Jr., Commissioners: Michelle Linkey, Pete Reich, Robert Taylor, Timothy Snelling, Town Administrator: Denise Breder, Assistant Town Administrator: Cathy McCardell, Finance Director: Debra Laubach, Planning and Zoning Director: Dianna Battaglia, Police Chief: Al Miller, Police Lieutenant: Robert Nitz, Outreach Director: Danielle Hemling, Billing Clerk: Tara Blevins, 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 7:00 p.m. by Mayor Ashby.

Pledge of Allegiance

Approval of the Town Meeting Agenda

Motion was made by Commissioner Taylor and seconded by Commissioner Linkey to approve the March 3, 2020 Town Meeting Agenda. **All in Favor: Motion Carried.**

Consent Agenda Items: **Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve the February 4, 2020 Town Meeting Minutes and the February 18, 2020 Work Session Minutes as written. **All in Favor: Motion Carried.**

Commissioners Report

Commissioner Taylor's Report

Commissioner Taylor reported that the wastewater plant was in full compliance with the NPDES Discharge Permit for the month of January 2020 and February 2020 with the February lab results received to-date. The Contract agreement was executed with GMB Engineers to perform denitrification filters design work.

Commissioner Reich's Report -

Commissioner Reich reported that the total report will be on-line. He announced that the Planning and Zoning Board had election of their officers and Henry Barrett was voted to serve as the Chairman and Robert Turgon was voted to serve as the Co-Chairman position.

Commissioner Linkey's Report –

Commissioner Linkey stated that her report would also be on-line. She reported that she met with Aaron to discuss the budget.

Commissioner Snelling's Report

Commissioner Snelling stated that Ms. McCardell, the Assistant Town Administrator reported that the crossing guard position has been filled by Charlie Thomas who started on February 24th, and the Code Enforcement position is still open. The ESET anti-virus software is still being installed. He attended a scheduled meeting with the Town Administrator Denise Breder on the 27th of February and he also did a tour of the Outreach facility on February 27.

Mayor's Report -

Mayor Ashby reported that the Department Heads and the Mayor and Commissioners came in on a Saturday to discuss the Strategic Plan for the next two years. He reported that he attended Lieutenant Budnick's retirement party. He also attended a Budget Work Session and there will be more next month, which are open to the public.

Perryville Elementary School PTO Update - P.E.S. PTO President - Christina Aldridge

Ms. Aldridge reported that on March 18, 2020 they will be having a book swap where students are encouraged to bring an age appropriate book to school to swap with their classmates. Also, on the 18th there will be a "Read Across America" where students dress as their favorite book character. March 20th is Panda Spirit Day, and the theme for this month is Rock your socks for Down Syndrome. On March 26, from 4 p.m.-5 p.m., there will be food distribution at the Perryville Elementary School, which is a free event and there are no applications or income limits. We are looking for a handy parent and/or community member who would be willing to help our school design and install a sunshade for our outdoor classroom. Please contact Ms. Hammer if you are interested. The PTO will be hosting our second annual Green Globe Gala on April 22nd. Ms. Hammer would like to personally invite members of the Perryville Green Team to come out during the event to set up a table and explain what they do. The event will be from 5:30 p.m.- 7 p.m. and we will set up a table for you. They wanted to thank everyone who joined us for our annual Family Fitness Night. Also keep your eyes peeled for our next Paint Night event on April 2nd.

Mayor Ashby asked that anyone that may have old DVD's that they are going to get rid of to please consider donating them to the VA or the Nursing home.

Town Administrators Report - Denise Breder

Ms. Breder reported that she has a Leadership meeting coming up on March 5th at 10 a.m. and if you have a topic of discussion to please let her know. She and Debra Laubach attended the Local Development Council meeting on the 24th of February to present the 3-year Local Impact Budget, and Ms. Laubach made the presentation and did a wonderful job. The Local Development Council did approve our budget and it will now get incorporated in the upcoming budget FY 2021 and the next two years after that. We have an Active Shooter Preparedness Committee that has been established and they had their first meeting on the 27th of February. They will be putting together a plan to address active shooter response and evaluate our buildings and make recommendations on our needs and training, or cameras, or other

physical changes to the building that may be needed. MDE had provided comments to our plans previously submitted by AECOM regarding the sewer project. AECOM has addressed those comments and resubmitted them to MDE. The non-tidal wetland permit has been received but there is an amendment in process. Also, the Norfolk Southern railroad crossings have been approved and the two State Highway permits that were needed were approved. We have 3 of the 5 easements that have been signed by the Mayor to be executed by early next week. March 11 at 5:30 p.m. is the next Green Team Meeting. On March 11th we are meeting with KCI, who are our MS4 consultants, for discussion of the results of the stream and RRI assessments and determine which projects Perryville wants KCI to prepare a concept plan for.

Commissioner Reich inquired if we ever received approval from MDE for the first year's plan, to which Ms. Breder responded that we did.

Mayor Ashby wanted to mention that he received a phone call from Al Wein from the County and a letter from Bob Amato on how well Ms. Laubach and Ms. Breder did with the presentation of the VLT budget to the County and he wanted to thank the both of them as well.

Treasurer's Report - Debra Laubach

Ms. Laubach reported that a mutually agreeable addendum had been drafted by our attorney and the attorneys for Enterprise Fleet's master contract. We submitted two purchase orders for the two new police vehicles that had already been ordered so Enterprise will assume the contracts and lease back to the Town. After reviewing the Town's credit, Enterprise has offered us much more favorable terms. We received four proposals from the trash RFP that we sent out. She is also looking into merchant fees that we pay for all of our credit cards which have gone up quite a bit over the last several years because more residents are paying the water and sewer bills on-line. One of the vendors that we were looking into analyzed our statements and can offer savings of approximately 50%. In addition, they may be able to offer the Town residents the ability to pay their Water and Sewer bills as automatic ACH payments from their checking account, we are still looking into that to see if it is compatible with our software. We expect to save approximately \$4,500 to \$5,000 a year based on the current volume. We have also been working with a co-op with the Cecil County Chamber to try to lower our energy bills and have submitted the application and backup for the Cecil County Chamber of Commerce's co-op electric bid, and they are currently out to bid. We should hear back from them in a few weeks. We had a \$2.5 million dollar Certificate of Deposit at Howard Bank which matured at the end of February. The CD was paying ½% interest, (\$12,599/yr.). It was transferred to the Town's General MLGIP account which should pay (3.5%, which would be approximately \$87,500/yr.

Outreach Report - Kayla Nesbitt

Ms. Hemling introduced Kayleigh Nesbitt, the new Activities Coordinator, who will reporting for the Outreach Program tonight. Ms. Nesbitt reported that the overall monthly attendance was 482, and the number of active members was 65, the number of new members was 1, and the total number of meals provided was 326. We are starting a new thing this month which is a member highlight. This month we have decided to begin highlighting outstanding

Outreach members so the community can begin to learn more about the wonderful children who attend our program. DaShawn Marks is an 18-year-old Perryville local, who when not working at Food Lion, spends his days volunteering at Outreach. He has been a member for 7 years now and is an exceptional role model for our younger members. He often helps with homework, outside supervision, and life skills.

Announcements

This month at Outreach, members embraced the theme of love and togetherness through various activities. Members and staff welcomed a new team member, we celebrated Martin Luther King Jr Day by practicing collaboration and teamwork, and we took the time to give back to those in need by making cards for nursing home residents, cleaning up the community, and donating to WWF through Charity Miles. Additionally, members took the time to color American Flag photos to be displayed at Volunteers of America's Home of the Brave ceremony; an organization that assists homeless veterans.

Ms. Jane visited us early in the month to do a craft with our members. With her, members created adorable candy dispensers. Other crafts this month included a Chinese New Year paper lantern, positive moments reflection page, and a community service wall for the teen room. We also embraced the warm weather by spending a lot of time outside playing basketball.

We celebrated Valentine's Day with our members. We blew up heart balloons, made heart valentines, and celebrated by making our moms yummy chocolates.

Mr. Clifton, one of our CCPS teachers, has begun stopping by and helping tutor some of our students. He is a big help and the children are benefiting greatly from his instruction. In addition to working on traditional educational skills, members were also encouraged to think outside of the box for life skills as we focused on the importance of critical and creative thinking. To stay updated on all activities, events, and donation information, please go over to Facebook and give our page a like: facebook.com/PPDOP. There you can find our monthly schedule, events, and any activities we are currently up to.

Police Report - Police Chief Al Miller

The Maryland Police Training Commission sent us notification that the Perryville Police Department is 100% in compliance with COMAR 12.04.01.12 due to Lieutenant Nitz and his hard work.

Commissioner Linkey brought up the new emergency cards that the Police Department have available on-line and at their department for residents to fill out with their information to have available if an ambulance or other emergency agency would have to respond to their house for something. She suggested if they could look into as way of making the form more user friendly instead of being a PDF version to print out and fill in, they would have one that they could fill it out on their computers and update as needed.

Mayor Ashby also made note that he along with Lieutenant Nitz and some other fire company staff and the Red Cross were handing those cards out and explained what they were

about and installed 82 smoke detectors on Aiken Avenue and the trailer park and a couple of other places.

Engineers Report - Ralph Ryan

- Diesel Spill report submitted to MDE. Major diesel spill incident occurred Friday morning 2-7-20 at the Pilot Travel Plaza gas station. A diesel pump was hit by a truck at the travel plaza. This collision ruptured the pump causing the underground pressurized diesel lines to overflow and spill out an estimated 1,000 gallons of diesel into the storm sewer system (MS4). This cleanup action is still ongoing as of Wednesday 2-26-20, lasting several weeks in duration since the incident earlier in the month. The clean-up crews are currently cleaning the affected storm drain inlets and taking measures to clean the SWM pond and will not be relieved until MDE declares the site clear of contamination.
- Reservoir Road Dam
 - GTA Inc. has been charged by MDE and the Army Corps of Engineers to repair specific features within Mill Creek inside the Reservoir Road Dam property owned by the Town and the work was complete a couple of weeks ago.
- Fire House Station 16 Water Tie-in
 - We are currently working on the construction plans for Fire House Station 16 and looking for the construction plans of the Water Tower at the Perryville Travel Plaza as we tie into that and go across the I-95 access road into Station 16. That project is fully funded through the USDA and MDE. Because this is grant funding you have to go through the hiring process of contractors their way.
- Perry Point – LSHG Trail
 - Designed the LSHG trail with horizontal and vertical alignments and drainage ditch area analysis. Designed the SWM of the LSHG trail using bioswales and submitting to county for approval. Completed the SWM report and the necessary submittals. Designing alternate less costly SWM mitigation for the LSHG trail. Bioswale design determined to be too expensive to construct at \$249,000. We are looking at other alternatives, such as off-site stormwater management to keep the budget down, and the off-site location would be Lower Ferry Park area and it is also a prime site for proposed sanitary sewer projects that we are doing for Great Wolf. He met with the consultant for the developers for the housing project at Cedar Corner Road where they are proposing 82 housing units. In lieu of using the traditional pump station where all of the wastewater goes to the pump station and that facility pumps it to the gravity sewer of the Town. They only would use what is called a low-pressure system, which would put the responsibility from the Town to the homeowners where they would have a glorified grinder pump that it would send through the system. He is sure that they will be proposing the new design to the Planning Commission of the low-pressure sanitary sewer system.

Mayor Ashby reported that he had read the owner's manual on the grinder pump and did have a conference with Aaron and the owners of the properties and that if this comes to us he wants to make sure that those pumps are not the Town's because he does not want to be replacing refrigerators every ten years. If they choose to use that product it is to go to the homeowner, or the Homeowner Association to replace them. The Mayor also mentioned that he had heard that there were 16 stormwater ponds out of spec in the Town.

Ms. Breder responded that KCI had gotten the file from Cecil County and she is not sure of how many were out of compliance but we would have to work with Cecil County to get them to work with the property owners to get those ponds into compliance, which falls under the MS4 permit.

Mr. Ryan responded that we will not get any stormwater credits until they are up to compliance.

Ms. Breder asked for clarification if we received approval for the USDA grant or are we still waiting for USDA to give us the approval.

Mr. Ryan responded that he contacted Rasheeda of the USDA Rural Development and she stated that she is still reviewing the grant application for ½ the project budget amount and sees no issues at this point, however, we are still waiting on the final approval.

Planning and Zoning Staff Report - Dianna Battaglia

Ms. Battaglia stated that her full report will be on-line, she just has a few highlights to report on. As you probably noticed Bob's 3 C's is finally gone. There is a community Outreach Meeting at the Perryville Fire House, Minker Hall at 6 p.m. Thursday night to discuss the former outlet property. This meeting is being held by the owners of the property to explain what they want to do at the property and hear the resident's concerns. The owner of Owens Marina at 12 River Road has submitted an application to MDE to get authorization to work in the tidal wetlands and are hoping to get that soon so that they can work on the docks and piers. At Rodgers Tavern we will be posting the Speaker series on Facebook and at the kiosk at the Tavern, there are going to be 4 Speaker series held there. She is trying to have something different, to have a brown bag lunch on Thursdays at noon and listen to the speakers and will soon have more information available on that. They have also renewed interest in the Blue Star Museum program, for Blue Star families.

Mayor Ashby stated that he is aware that there will be someone down there this week to repair the plaster, he inquired if the soffit and the parking was also going to be done this year or next year's budget.

Ms. Battaglia responded that it is going to be in next year's budget, but the interior holes are being patched this week.

From the Floor

Susan Rodden, who resides at Susquehanna Avenue, complained that her water bill is to high for just one person. It was over \$200 this quarter and she washes clothes maybe twice a week, towels once a week, and sheets every two weeks and does not have a dishwasher because it is just her. She said that one day last week they were working on the manholes and she couldn't flush her toilet. She is hearing from other people that their water bills have doubled in this town.

Mayor Ashby responded that several years ago there was a study done regarding the water and sewer rates and it was determined that the fresh water and wastewater rates had to be raised. It has been raised once a year for the past three years.

Ms. Rodden stated that it is her tax dollars that you are wasting.

Commissioner Linkey responded that the water and sewer fund is an enterprise fund which the taxes do not pay for.

Ms. Rodden complained that the town wastes money and you have to many people working here and to many people working in the Police Department. She has never seen the police have a vehicle sit on Susquehanna Avenue stopping people that are speeding and she has lived there since January 10, 1983. People are also flying down 222 and getting on Route 40 to go across the bridge without taking the time to look while merging onto Route 40 and she never sees that being monitored either.

Commissioner Linkey commented that the Police Chief is here tonight, and she is sure that he has heard her concerns and can look into her concerns regarding Susquehanna Avenue and Route 40 at the intersection of 222 and 40 going across the bridge. She will get her information and talk to Aaron about having her meter checked regarding her water bill.

Ms. Breder responded that she had given Ms. Rodden her business card if she wanted to meet with her to discuss her water bill, we would be glad to.

Mayor Ashby responded that he knows that the Police have been on Susquehanna Avenue, Officer Reno pulled one over the other day.

Julie Rachel, who resides at Beacon Point, had a question about the former Outlet property issue. Ms. Rachel had read in the paper that there was a pre-application meeting to discuss the rezoning and it indicated that the Mayor had asked the company to have a community outreach meeting, which we are having on Thursday. She inquired what happens after that, if we all go there again and express our displeasure and that we do not want this warehouse in our back yard. She asked if they are allowed to reapply and how many times will we have to come back and let them know we do not want this and end up in court again.

Mayor Ashby responded that he does not know how his name was mentioned as having asked them to have a community outreach meeting, because he did not ask them to come and do anything, it had already went to court, which sided with the town, and was out of our hands.

Ms. Battaglia responded that the pre-application meeting was held here with her department and the owner, their intention is to resubmit their application for the warehouse without any changes. She explained that to them we cannot stop them from submitting their application, we would have to go through the process if they submitted an application and review it, like we did the first time. It was suggested for them to have a community outreach meeting first, before they submit an application, because maybe they will hear enough to realize that nothing has changed.

Further discussion ensued and it was clarified that they would have to come back through the Planning and Zoning process again, who would make their recommendation to the Mayor and Commissioners if they are resubmitting an application for a warehouse again that would require a zoning change. They must wait a year before applying again, which will be coming up soon.

New Business

Church of the Good Shepherd Abatement Request - Tara Blevins

Ms. Blevins summarized an abatement request that was discussed at the Work Session for the Church of the Good Shepherd School. They had discovered that a boiler had broken and leaked when coming back from a break over the holidays and because it did not meet the requirements for us to approve an abatement, they asked to come before the board.

Father McGee stated that they took our advice from the Work Session to purchase sensors to warn us of an equipment failure and we are going to pursue that.

Motion was made by Commissioner Linkey and seconded by Commissioner Taylor to approve the abatement request for the Good Shepherd School. **All in Favor: Motion Carried.**

Perryville Presbyterian Church Water and Sewer Abatement Request

Ms. Blevins stated that the request for the Presbyterian Church was also discussed at the Work Session. Their usage for the last quarter was 87,000 gallons and their usual amount used is 500 gallons. It was found to be a toilet leak which occurred and does not meet the requirements for an abatement, so they asked to come before the board for help with this. They were billed \$1,700 and we were going to bill average and this would be the one and only time.

Ms. Breder explained the code in reference to the policy on the time frame before you can request another abatement if something else was to occur, which is 36 months.

David Guerrero, a trustee representing the church, stated that they did discover that it was a leaking toilet and did not realize that because the church is empty most of the time and they have a very small congregation and this bill would be 10% of our budget for the year. The toilets have been repaired.

Motion was made by Commissioner Reich and seconded by Commissioner Linkey to approve the water and sewer abatement request for the Perryville Presbyterian Church. **All in Favor: Motion Carried.**

Non-Profit Grant Recommendations

The two grant recommendations were discussed at the Work Session and have not changed, one is for the American Legion for a monument sign in the amount of \$6,500, and the other one is for the Perryville Little League in the amount of \$2,889 for their public address system.

Motion was made by Commissioner Linkey and seconded by Commissioner Reich to accept the grant recommendations. **All in Favor: Motion Carried.**

Request to serve alcoholic beverages at 2020 events

Ms. Battaglia stated that this was discussed at the Work Session, it is the request for beer/wine tastings & sales at the Farmers Market, beer and wine sales at the Lower Ferry Festival, Christmas in the Park, and mulled wine and hot cider at Christmas in the Park.

Motion was made by Commissioner Taylor and seconded by Commissioner Snelling to serve alcohol at the 2020 events. Discussion ensued. Commissioner Linkey feels that the Christmas in the Park should not be serving alcohol because it is an event specific to children. **4 in Favor, 1 nay** (Commissioner Linkey): **Motion Carried.**

Budget Amendment Ordinance 2020-03 - Debra Laubach

Ms. Laubach read the introductory paragraph which states that this ordinance is for the purpose of amending the adopted budget for the Town of Perryville for the fiscal year 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. Ms. Laubach stated that this budget amendment Ordinance was discussed at the Work Session and is an introduction to amend the FY 2020 budget, there have been changes since then that she would like to go over briefly. Ms. Laubach stated that for Amendment B the original amount was \$18,285.00 and it was decreased by \$1,000 because of an adjustment that she found. We decided that we wanted to do a water and sewer rate study, we budgeted \$4,000 out of the water department and \$4,000 out of the sewer department, both out of contingency.

Acceptance of new rate proposals for electric services - Debra Laubach

Ms. Laubach had explained at the Work Session that when we put the electricity out to bid for the co-op, when they get the results, they usually would give us a week's notice that the rates are coming down and will send them to us and we only have 24 hours to approve or decline them. Because of that it would be difficult to get all of the board's approval in that short amount of time, so we are asking for the authority to accept on behalf of the Town Commissioners.

Motion was made by Commissioner Linkey and seconded by Commissioner Reich to give Ms. Laubach and Ms. Breder the authority to accept rate proposals on behalf of the town. **All in Favor: Motion Carried.**

Election Board Appointment Requests - Denise Breder

Ms. Breder stated that we have four people that wish to be re-appointed to serve on the Election Board, Mark Fayer, Sr., Terri Grove, Wayne Kommalan, and Sheron Alexander as an alternate.

Motion was made by Commissioner Linkey and seconded by Commissioner Taylor to re-appoint our Election Board in total. **All in Favor: Motion Carried.**

Motion was made by Commissioner Taylor and seconded by Commissioner Reich take a 10 minute break and go into a closed session under General Provisions Article §3-305(b): (1) (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, to discuss the management and organization of a department (7) To consult with counsel to obtain legal advice, regarding property ownership issues. (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, to discuss the trash bids at 8:05 p.m. **All in Favor: Motion Carried.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Jackie Sample".

Jackie Sample
Perryville Town Clerk

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

Location: Town Hall Meeting Room Date: 3/3/2020 Time: 8:05 p.m.
Motion By: Taylor Seconded By: Reich

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 Snelling	<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:

To discuss operations of the Outreach Program.

To get legal advice on a property dispute.

To discuss the trash bids and negotiations.



Signature of Presiding Officer