

**Town of Perryville  
Town Meeting Minutes  
June 2, 2020**

ATTENDANCE: Mayor: Robert R. Ashby Jr., Commissioners: Robert Taylor, and Christina Aldridge, Assistant Town Administrator: Cathy McCardell, Town Clerk: Jackie Sample.

Remote Participation: Commissioners: Michelle Linkey, Timothy Snelling, Town Administrator: Denise Breder, Finance Director: Debra Laubach, Planning and Zoning Director: Dianna Battaglia, Town Attorney: Fred Sussman.

The Town Meeting in its entirety can be listened to on the Town's web site at [www.perryvillemd.org](http://www.perryvillemd.org).

**The Town Meeting was called to order at 7:00 p.m. by Mayor Ashby.**

There was a brief delay in the beginning of the meeting due to the webinar service timing not in sync with ours, so it was not live yet.

**Pledge of Allegiance**

Mayor Ashby stated that we have remote participation from two Commissioners. The record is to reflect that Commissioner Linkey and Commissioner Snelling are attending remotely. He asked the board members individually if they could hear him and clarified that they can be heard and that votes taken will be by roll call.

**Consideration of Commissioner Appointment**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve the Mayor's appointment of Christina Aldridge to replace Commissioner Pete Reich. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

**Swearing in Ceremony**

Ms. Notarcola performed the Swearing-In-Ceremony for Christina Aldridge who will be replacing Commissioner Pete Reich who resigned.

**Commissioner Assignments**

Mayor Ashby stated that the Commissioners that were previously assigned would remain the same, Commissioner Linkey in charge of Parks and Rec and DPW, Commissioner Taylor in charge of the Water and Wastewater Plants, Commissioner Snelling in charge of Planning and Zoning, Mayor Ashby in charge of Safety and Public Health, Commission Aldridge in charge of the office.

### **Approval of the Town Meeting Agenda**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Snelling to approve the Agenda as written. Roll Call Vote: Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

### **Approval of the Consent Agenda**

**Motion** was made by Commissioner Taylor and seconded by Commissioner Snelling to approve the Consent Agenda as written which include the April 28, 2020 Budget Public Hearing Minutes, the April 28, 2020 Special Meeting Minutes, the May 5, 2020 Town Meeting Minutes, the May 11, 2020 Town Meeting Minutes, the May 19, 2020 Work Session Minutes. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

Discussion ensued regarding the new Commissioners vote on the Consent Agenda items which was determined to be left on there.

### **Commissioner Reports**

#### **Commissioner Linkey's Report –**

Commissioner Linkey stated that the full DPW Report will be part of the unified report on-line. The employees have been doing everything they can do in response to the COVID and improving some of the signage. She wanted to thank the Parks and Rec and DPW staff for their hard work.

#### **Commissioner Snelling's Report -**

Commissioner Snelling reported that he does not have anything to report yet for the Planning and Zoning department since he is still in transition to that department. He wanted to thank the office personnel for making his job easier and the work that they do for the town.

#### **Commissioner Taylor's Report -**

Commissioner Taylor reported that both the Water and Wastewater Plants were in compliance with MDE for the months of April and May, with May lab results received to date. They have completed the SCADA system installation at the Wastewater Plant and the SBR influent valve motor drive that failed was repaired that was under warranty.

### **Mayor's Report**

Mayor Ashby reported that he had a lot of conference calls last month. One of the biggest calls that they had was working with the Little League. The Governor's guidance was for no organized sports until things improve and we have been working with the Little League who have

gotten CDC guidance for us to all work on a plan so that they can start playing ball. He received a lot of emails and calls on why the field is not open, which as he explained was because it is still under the Governor's advisement not too at this point. The team that came to play was from a distance away and he was not working with that team, he was working with our organization in town. It will be opened when it is declared safe to open.

There were no questions or comments from any of the Commissioner or Mayor's Report's.

#### **Town Administrators Report - Denise Breder**

Ms. Breder wanted to highlight some items from her report which included a draft of a reopening plan that she and the staff came up with and are still working on. The next leadership staff meeting is on June 11 at 10 a.m. and if you have any topics of discussion please email them to her on Monday or Tuesday if possible. In regard to the Fire Company Station 16 water tie in project, USDA recently reached out to us because they had some staffing turnover within their organization, but they are moving forward with our grant funding application and have asked for additional information, which we have provided. We hope to get that funding soon and be able to construct that water line.

We also had a fairly large Public Information Act request that took quite a while for staff to respond to, but it was turned in on time. The rest of the report is on-line if anybody has any questions.

Commissioner Taylor inquired what the Public Information Request was about.

Ms. Breder responded that it was for the 231 Roundhouse Drive Condo building, which is being sold and they are doing their due diligence in requesting a lot of documentation in regard to building permits, zoning certificates, complaints, etc., it was over 500 pages. Ms. Breder did want to add that when she emailed everyone today, she had noted that Outreach was originally scheduled to re-open in June, but they will not be re-opening until July.

#### **Treasurer's Report - Debra Laubach**

Ms. Laubach reported that we still have not received our last Local Impact payment for the partial month of March when the casinos were still open. Ms. Laubach reported that she discussed with the auditors if any special actions had to take place by the Town to document the Local Impact Tax shortfall for the fiscal year. They confirmed that the Town did not have to take any special actions in the way of Budget Amendment Ordinances as the shortfall would be picked up and recorded in the normal audit will be August 24-September 4<sup>th</sup> for their on-site visit. She also prepared a COVID-19 expenditure report for reimbursement from Cecil County.

There were no questions or comments from Ms. Laubach's report.

Mayor Ashby asked Ms. Breder if she had any comments or questions from the Police Department or Outreach Program Report, which she did not.

**Police Report - Written Report only**

Mayor Ashby reported that we did finally get our last vehicle for this year for the Police Department which is currently waiting on the lights and radios to be installed to be put in the road.

### **Planning and Zoning Report -**

Ms. Battaglia stated that her full report will be on-line. We have been very busy in the office with Zoning certificates with a lot of people working from home and getting pools, sheds, and fences installed. The Chesapeake Overlook property had a meeting and are talking about doing a mass grading of the top portion of that development to prepare pad sites which is promising. We have heard that Great Wolf has remained committed to Perryville, which is also another positive sign. The Planning and Zoning held a virtual meeting; however, Board of Appeals is currently on hold due to all of the restrictions on holding a meeting and following all of the social distancing requirements. The Farmer's Market opens up Friday evening and we encourage everyone to come on out.

Mayor Ashby asked for clarification that there is a Food Truck at Lower Ferry Park.

Ms. Battaglia confirmed that there was a Food Truck from Macgregor's and that it will be there on Friday and she is going to get confirmation on that because we are highlighting that as part of the Farmers Market.

Commissioner Taylor responded that he had gotten food from them and they had told him that they would be there on Wednesdays and Fridays from noon until 8 p.m.

Ms. Battaglia responded that they were not there last Friday so we want to confirm with them that they will be there.

Commissioner Linkey asked for confirmation of the times because she went there a couple of times and they were not open and one time they were supposed to be open until 7 p.m. and it was 6:05 p.m. and they were packing up.

Mayor Ashby stated that he has spoken to Great Wolf Lodge extensively since this has happened and they are still committed to the Town of Perryville and have put extra money out to make sure that deadlines have been extended until they get out of the COVID problem.

### **Engineers Report -Written Only**

Ms. Breder stated that Mr. Ryan has still been working diligently with the USDA on the Station 16 water tie in along with MS4 permitting and a resident across the street experiencing water runoff onto his property.

### **From the Floor - remote questions**

Ms. McCardell stated that Jane Bellmyer requested a picture of the Swearing in Ceremony. Ms. McCardell stated that there was a hand raise showing on the screen but no typed in question, which turned out to be Ms. Myers who resides at Rustic Court who asked her questions verbally versus typing in.

Ms. Myers stated that Frenchtown Road needs to be mowed, especially at the corner of Frenchtown and Sumpter Drive.

Commissioner Linkey asked for clarification regarding the areas of mowing so that she could forward it to Public Works.

Ms. Myers commented that it is from Rustic Court to Sumpter Drive.

Commissioner Taylor commented that it is the area of Frenchtown Road underneath the Railroad Trestle to Sumpter Drive.

Ms. Myers understands that we have experienced layoffs with staff due to the COVID-19, to which the Mayor stated that we have. She asked if he intends to bring all of those people back, he replied that he does. She asked the Mayor if he has a timeline for that to which he did not.

Commissioner Taylor responded that it was going to depend on how our budget was impacted.

Ms. Myers asked when he thinks he might have a timeline.

Mayor Ashby responded that he is not going to have a timeline, when the world gets back to the way it is supposed to be then he will make a decision on how and when to bring them back. We started out the year with a working budget and four months later IKEA gets reassessed and right off the bat we lost \$250,000. Four months later we had COVID-19, which closed the casino, then we lost \$110,000 a month from the casino, so right now we are about \$550,000 short on the budget.

#### **Old Business -**

##### **Ordinance 2020-04 Wireless Communications -**

Ms. Breder stated that we have been working on this Ordinance for many months and she feels that we finally have a good document that we can all work with, it was introduced last month and just needs voted on tonight.

Ms. McCardell announced that there is a hand wave from Ms. Myers showing on the screen again.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Snelling to approve Ordinance 2020-04 Wireless Communications. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

#### **New Business -**

##### **Health Insurance Options**

Mayor Ashby asked Ms. McCardell if she had any more to discuss with the Health Care options, which she did not.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Snelling to approve Health Care Plan Option #1 for our FY 2021 budget. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

##### **Deed of Easement and Agreement for 5<sup>th</sup> Brewing Company**

Mayor Ashby asked Ms. Battaglia if she had anything to add to this Deed of Easement and Agreement and she did not.

Commissioner Taylor requested validation that with this particular easement and agreement that it states that is only for as long as they own the Company or if the follow up business was also a restaurant, to which Ms. Battaglia confirmed that it does.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Aldridge to approve the Deed of Easement for the 5<sup>th</sup> Brewing Company. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

#### **Resolution 2020-04 Consent for Annexation for the Perryville Park - Dianna Battaglia**

Ms. Battaglia explained that if you consent to go through the process for Annexation for the Community Park a Resolution has been prepared by Mr. Sussman for you to vote on so that we can get that started.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Snelling to approve Resolution 2020-04 Consent for Annexation for the Perryville Park. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

#### **Planning Commission Appointment**

Ms. Battaglia state that we currently have three residents that are interested in serving on the Planning Commission, and we currently have vacancies, two members and one alternate, totaling three vacancies. We are looking for appointment of three members, one of them being named as the alternate.

Commissioner Taylor inquired that in the event that a current planning board member leaves does the alternate then become the new member.

Ms. Battaglia responded that it would be seamless to have an alternate move into a spot that becomes vacated, but I would still bring it to the board, which would be the best way.

Mr. Sussman stated in follow up to what Ms. Battaglia said that the proper protocol would be to fill the vacancies that have been created, which could be by the alternate or some other party.

Commissioner Taylor inquired if we have a preference who could be the alternate out of these three names. Ms. Battaglia responded that she did not have any preference.

**Motion** was made by Commissioner Taylor to appoint Julie Rachel and Tim Myers to the Planning Board and Jim Baxendell as the alternate since he is new to the Town of Perryville.

Mayor Ashby responded that he is not going to back that he wants the Planning Board to decide where they are going to put those people.

Commissioner Taylor responded that we just said that if we wanted to name the alternate to the board that we could, which leaves him to believe that our vote decides which one is the alternate. He questioned if the Planning Board itself decide who is going to be the alternate.

Mr. Sussman it is the Board of Commissioners who determine who are the regular members and who is the alternate, it is not a planning board determination.

Commissioner Aldridge inquired if they were volunteer or paid appointments.

Mayor Ashby responded that they are volunteer appointments, he asked Commissioner Taylor to proceed with his motion.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Aldridge to appoint Julie Rachel and Tim Myers to the Planning Board and Jim Baxendell as the alternate. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

**Resolution 2020-05 - Transfer of funds to the reserve account**

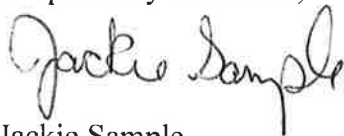
Ms. Laubach explained that this Resolution is to assign a portion of the Town's Water Fund Retained earnings balance to the Town's Facilities reserve Fund in the amount of \$85,000. Prior to this assignment the Town's Water Fund Retained Earnings balance has not met the minimum unassigned fund balance requirements of the Fund Balance Policy, she is asking for approval of this Resolution with that knowledge.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Linkey to approve Resolution 2020-05. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

Mayor Ashby went back to Ms. Myers to ask her if she had any further questions before we adjourned and she did not.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Aldridge to adjourn the June 2, 2020 Town Meeting at 7:42 p.m. **Roll Call Vote:** Commissioner Linkey, Aye, Commissioner Snelling, Aye, Commissioner Taylor, Aye, Commissioner Aldridge, Aye, Mayor Ashby, Aye. **All in Favor: Motion Carried.**

Respectfully submitted,



Jackie Sample  
Perryville Town Clerk