

**Town of Perryville
Meeting Minutes
March 4, 2008**

ATTENDANCE: Mayor: James Eberhardt, Commissioners: Barbara Brown, James Hansen, Gary Tennis and Tim Tolbert; Town Administrator: Denise Breder, Financial Coordinator: Peggy Rice, and Police Chief Chris Daly.

The Town Meeting was called to order at 7:00 p.m.

Pledge to the Flag

APPROVAL OF THE MINUTES

MOTION was made by Commissioner Tolbert and seconded by Commissioner Brown to approve the February 5, 2008 Town Meeting Minutes. **All in favor; motion carried.**

MAYOR'S REPORT-

Mayor Eberhardt reported that it is the time of the year that they are starting the budget process for the Town and there is a lot going on now at the Capital with tax increases and cuts that will be made which will have an impact on the budget of Municipalities. Mayor Eberhardt is a member of the MML legislative committee and they have been reviewing bills that have been proposed in the Legislature and the impact that they will have on the Municipalities. Mayor Eberhardt has started going over some items with the Police Chief and some of the needs that the Police Department will need in the budget process. Mayor Eberhardt attended a meeting with the Council of Government to discuss the County Comprehensive Plan and to make sure that it keeps in line with the Town's new Comprehensive Plan that is being developed in Perryville. Mayor Eberhardt met with the County Economic Development Board in discussing Route 40 beautification in Cecil County. Mayor Eberhardt also met with the State Highway Administration and the schools once again trying to pursue a sidewalk to the High School, the County is now involved and they are looking at cost estimates and feasibility.

COMMISSIONER'S REPORTS –

COMMISSIONER TENNIS' REPORT-

Public Works Report

Replaced a leaking valve on Franklin Street.
Installed new valve at dead end on Frenchtown Road.
Spread salt for ice storms and inclement weather throughout the month.
Began replacing other valves around town to make water repairs and water shut offs more efficient.
Completed new offices in the upstairs of Town Hall and moved Accounting Department back from the Cedar Corner Building.
Disconnected the old water line from the reservoir that was running through the Wein property.
Patched potholes around Town.
Began upgrading old meters around Town to improve the accuracy of meter Readings.
Repaired a water leak on the Town side at Aiken Avenue Extended.

Commissioner Tennis also reported that he noticed that the YMCA has a sign at the 275 & 222 intersections showing their presence in Perryville and they have an upcoming carnival which you will hear about later in the meeting.

Commissioner Hansen wanted Commissioner Tennis to know that he had talked to a representative from Amtrak over the weekend in regard to the pothole leading into the Train Station. He stated that a couple of areas were patched today but there is still a gigantic hole there. Commissioner Hansen had spoken to Wayne Church from Amtrak who indicated that they had surveyors there recently and Mr. Church indicated that it is the Town's responsibility not theirs.

Commissioner Tennis indicated that with the increased amount of people that are using the MARC train system which is putting more wear and tear on the entrance we will have to determine whose responsibility of ownership it is.

Ms. Breder commented that it is the responsibility of the State and that Mike Lewis has been notified of the problem.

Commissioner Hansen also commented that there has been a problem with the trash can at Aiken Avenue and Broad Street not getting emptied.

Ms. Breder has spoken to Mr. Caldwell and he has put it on his schedule to empty it on Mondays and Fridays.

Commissioner Tennis commented that he would reiterate that to Mr. Caldwell as well.

COMMISSIONER TOLBERT'S REPORT-

Commissioner Tolbert reported that work is on-going at the Water Plant and at the Tower site, the new Sewer Plant is out to bid. Commissioner Tolbert asked Mark Prouty from URS if there was a new date for the bid openings.

Mr. Prouty commented that presently it is the first of April.

COMMISSIONER HANSEN'S REPORT-

PLANNING & ZONING UPDATE

March 2008

PLANNING & ZONING MEETING

- In the month of February the Planning Board reviewed and provided comment on the concept plan for the Woodlands Perryville project. Mom's Kitchen also came before the Board to discuss the opening of their restaurant and received minor comments from the Board based on the Highway Corridor Overlay District regulations.
- The next Planning and Zoning meeting will be held on Monday, March 17th at 6:30pm. The Planning Commission will review a preliminary site plan for Perryville Yacht Club Phase II, a Special Exception Request for a Manufactured Double Wide Home at 1424 Clayton Street and a permitted use request for a retail liquor store at 5279 Pulaski Highway in which the Board will review the application under the Highway Corridor Regulations.

BOARD OF APPEALS:

- No applications for the Board of Appeals were received for February and March therefore no meetings were held.

Mayor Eberhardt inquired what the nature of the Woodlands presentation.

Commissioner Hansen commented that they were there to present a concept plan of what they want to do and to get the information out to the community. They will be holding informational meetings at the firehouse starting next week throughout the week to get the public's input into what they would like to see be built for their community.

COMMISSIONER BROWN'S REPORT-

ANNOUNCEMENTS:

- March 3, 2008 Contractor mandatory pre-bid meeting for water/sewer to the boat ramp 3 p.m. Two bidders were present.
- March 6, 2008 Bids are due by 3 p.m. for the installation of water and sewer to the boat ramp.
- March 27, 2008 Perryville Greenway Meeting, 10 a.m., Ms. Breder's office.
- March 12, 2008 Meeting at Rodgers Tavern to go over some preliminary design drawings related to the HVAC and electric, 1 p.m.

MEETINGS & HAPPENINGS

- February 10, 2008 Attended the Four Chaplains Ceremony at the American Legion.
- February 19, 2008 Attended the P & Z meeting for the purpose of hearing the Woodlands presentation by Doug Hill.
- February 20, 2008 Nelson Campbell and I met with Lindsey Robbins and Matt Button of the Record for a tour and explanation of our plans for the Tavern restoration.
- February 21, 2008 I was invited by the Maryland Association of Boards of Education to participate in a forum with political leaders and agency department heads to voice our thoughts on the selection of a new Superintendent of Schools. In my opinion it was a wonderful venue with a lot of in-put from those who attended.
- February 22, 2008 The MHAA grant was completed and sent to the LSHG by Nelson Campbell. However, I received a call yesterday that it has not been delivered as of yet. We may have to make another packet if it does not appear by Friday.
- February 24, 2008 I attended the Blue and Gold Banquet for Troup 331 at the American Legion.
- February 28, 2008 I met with Doug Hill and his group to take them on a requested

tour of Perryville in preparation of their work on the plan they are conducting for the Goldberg and other properties. I encourage citizens to participate in this process.

I also attended the Council of Governments meeting in Elkton. The topic is still water and sewer infrastructure needs. Information has been very slow to come from the towns participating.

March 3, 2008 I attended the Cecil County Chamber's Breakfast with the Delegation. This time it was well attended. I was not encouraged by any good news to come forth as far as the economy and the budget for our State. I was, however, very discouraged to learn that the tolls were going to be raised again to six dollars which is what is being proposed which is ludicrous.

GOOD NEWS: Work, I hope, will soon be getting underway at the boat ramp. I hope that the weather breaks and we can get the field in the park seeded. I'm crossing my fingers that the shoreline erosion project starts soon. And, last but not least, we will be replacing the old blacktop pathways in the park with new concrete sidewalks as a result of a grant that we received.

Mayor Eberhardt reported that the Legislature finally appointed a representative to the MD Transit Authority from Cecil County who is from Elkton, so we will have some representation from this area.

Water Distribution Progress Report-URS- Mark Prouty

Mr. Prouty reported that there are 176 days until substantial completion of the Water Distribution project with a date of August 26, 2008 and 236 days until final completion with the date of October 25, 2008.

Work completed since the previous report:

Previously installed 16" water main has passed bacteriological test.

Valve Vault 7 North connection of piping continues.

Valve Vault 7 South connection of piping continues.

Second floor of tank shaft slab complete.

Ground floor slab of tank shaft complete.

Interior piping and valves including altitude valve complete.

Swales at tank site area complete.

Top soil at tank site area complete.
Stone for parking area at tank complete.
Perimeter fence installation at tank area underway.
Valve vaults at the Cedar Corner Tank site set.
Progress meeting No. 9 was held on February 12, 2008, the next meeting will be March 18, 2008.

The contractor submitted pay request number 10 in the amount of \$267,491.65 which URS is recommending payment for.

Mayor Eberhardt inquired when the painting is to be done.

Mr. Prouty commented that they plan on doing it when the weather breaks, there may be a date formulated but he is not aware of it if there is, he can find out and get back to us.

MOTION was made by Commissioner Tolbert and seconded by Commissioner Brown to approve payment request No. 10 in the amount of \$267,491.65 to Greensburg Environmental. **All in favor; motion carried.**

Water Plant Project-URS- Mark Prouty

Mr. Prouty reported that there are 248 days until substantial completion for the Water Plant project with a date of October 27, 2008. There are 278 days until final completion with a date of November 26, 2008.

Work completed since the previous report:

The inside wood doors were installed at the closets and the bathroom areas. Tile was installed at the shower area in the control building.

Furniture for the Office and Break Room as well as the lockers and file cabinets for the Locker Room and Laboratory were delivered to the site.

The gutter Sub-Contractor installed the gutters on all the site buildings.

The concrete pump pads for C.I.P. Pump, the Recirculation Pump and the Permeate Pumps within the proposed mezzanine pump room at elevation 18.40 were poured.

The existing stairway from the new floor slab to the lower level was re-installed.

Town Meeting Minutes
March 4, 2008

- 7 -

Rigid aluminum conduits and surface mounted lightings at the mezzanine pump room floor were installed.

JLW extended the 14" DIP finished water line to the future tie-in point of the existing distribution main. The 6" DIP sanitary force main from the Waste Flow Meter Vault was also extended to the tie-in point at the jack and bore work.

The 1 1/4" grinder pump discharge line was installed from the grinder pump to the 6" DIP sanitary force main.

Mid Atlantic Electric provided a temporary 30 amp service to the Control Building.

The Electrical sub-contractor installed service feed conduits within the Chemical Room and Electrical Room portions of the Filter Building Extension for receptacles, switches and lighting.

Mid Atlantic Electric is coordinating with Delmarva Power regarding the delivery and installation of the transformer. JLW received the generator at the site.

Progress Meeting number 9 was held on February 27, 2008 at the project site.

JLW submitted pay request number 10 in the amount of \$480,789.01 which URS is recommending payment for.

Mayor Eberhardt inquired if it is possible that the generator that is now on site will be in place and functional so that we can get rid of the generator that we have there now, long before the 278 days.

Mark Prouty indicated that he feels that it will possibly be in 4 to 6 weeks, he will have to check into that and get back to him.

Mayor Eberhardt inquired if there would be any problems with us approving the payment request in light of a letter that we received from a sub-contractor.

Ms. Breder commented that she discussed the issue with our attorney and he feels that we just need to make sure that when we get to the end of the project we need to make sure that all of the sub-contractors have been paid before we pay out any retainage. Ms. Breder commented that every month when you look at what they sign the contractor is certifying that they are paying their sub-contractors from the progress payments that they receive. Ms. Breder commented that this is why there is a payment bond in place as a level of protection for the Town.

MOTION was made by Commissioner Tolbert and seconded by Commissioner Brown to approve payment request No. 10 in the amount of \$480,789.01 to JLW Associates. **All in favor; motion carried.**

Mr. Prouty wanted to remind the board as he had discussed at the last meeting that once the weather breaks he can schedule a tour for those that would be interested.

ADMINISTRATORS REPORT-Denise Breder

Town Administrator's Report Town of Perryville, MD March 4, 2008

- Water Treatment Plant and Distribution System Improvements Projects:
 - Met with Mr. Kevin Pampuch on February 12th to determine, per the last Town meeting, the best locations for the placement of the Town Seal and name on the new water tower.
 - Attended a construction progress meeting at the water plant, on February 27, 2008.
- Wastewater Treatment Plant:
 - The bid due date for the Wastewater Treatment Plant project has been extended to April 1, 2008 so that the engineers can make a revision to the plan related to the placement of the reed beds.
 - Sent a letter to MDE in response to their letter regarding a Consent Order violation.
- Pier Project update:
 - John Klein of Coast Watch Engineering is working on the package for Phase I submission to State Highway Administration for review.
- Annexation issues:
 - Reviewed and made comments on the Annexation Plan for the proposed annexation of the Susquehanna Overlook property.
 - Prepared a new draft schedule for the Susquehanna Overlook proposed annexation. A copy is attached. Please review the schedule and let me know if it is okay so that I can finalize it.
- February 14, 2008 Met with Mayor Eberhardt, Commissioner Brown, George Patchell and John Kampes (both of the YMCA) to discuss the offerings at the Perryville branch "Y" and look at the work that has been done to the Community Center.
- February 21, 2008 Prepared for and attended the Mayor and Commissioners work session.
- February 28, 2008 Prepared for and attended the Perryville Greenway Committee meeting. Mr. Al Moolenschot and Mr. Matt Harris both metal work artists attended the meeting and presented their proposed design for a sculpture piece for the Town to be placed along our trail. You will be hearing more about that in the future.

- Wrote a newsletter article which should be coming out soon, there has been a slight delay.
- Done some investigation into hiring a company/organization to remove the cats from the park. So far I have contacted 10 rescue / shelter organizations asking for quotes for removal of the cats from the park. I am awaiting responses. So far, only one has responded with a cost of \$200 per cat to remove, but they are too far away to do the work (Annapolis). There is a Perryville organization who has said they will be sending in a quote, which I am waiting on from an organization called All Paws.
- Prepared and mailed or emailed numerous correspondences to Town employees, Town Residents and to other governmental organizations addressing various concerns including a letter to the Liquor Board, regarding problems with a liquor store in Town. Spent some time working with other Town employees regarding the approval of invoices and purchase orders, and addressing personnel issues and concerns.
- Met with Ms. Heather Erickson for approval of zoning certificates.
- Follow up to last month's report and Town meeting:
 - The sediment and erosion control plans for the (FEMA) shoreline erosion project at the Community Park were completed and submitted to Cecil Soil. Cecil Soil has approved the plans and the Town is now applying for a grading permit to do the work. Also, the license to transport across VA property for this project is in the process of getting signatures.

Commissioner Brown expressed concern over a letter that she received from Mary Ann Skilling.

Ms. Breder commented that she spoke to Steve Elinsky today who assured her that she does not need anything for that. John Klein had submitted the plans he looked them over and he stated that he did not need anything from us.

- Mr. Richard Lindsay did respond to the letter regarding the speed limit on US 40. As of right now, SHA is not willing to reduce the speed limit any further.
- Ms. Fran McKee of Sprint (she has replaced Mr. David DiStefano on this project) is seeking approval on a proposal related to constructing a communications tower on the existing Cedar Corner Road water tower site.
- Did some preliminary investigation into a meets and bounds for the Town Boundaries since it needs to be updated to include the properties that have been annexed. I had requested a quote from URS to do this work, but they have recommended that we seek another firm that specializes in surveying to do the work.

TREASURER'S REPORT-Peggy Rice

Ms. Rice read the bank balances for PNC; the balance was \$756,972.54 for the MD Government Investment Pool the balance is \$3,180,904.25, for Bay First Bank it is \$763,609.77, for Bank First \$2,500.00, and for NBRB it is \$69,192.48, for a grand total of \$4,773,179.04.

Ms. Rice reported on the Financial Statement Summary for the month of January 08 the MTD for the General Fund was at a deficit of (\$87,777.66) and a YTD surplus of \$776,596.60. The water fund MTD was a deficit of (\$44,655.18) and a YTD deficit of (\$49,790.82). The sewer fund MTD was a deficit of (\$75,012.04) and a YTD deficit of (\$43,422.21).

Treasurer's Report Town of Perryville, Maryland March 4, 2008

For the Month of February, 2008:

- 142 purchase orders were processed totaling \$269,672.75
- 79 accounts payable checks were processed totaling \$287,726.45.
- Processed 412 cash receipts totaling \$337,927.33.
- Prepared the January 2008 month-end closing entries and financial reports.
- Transferred payment to Greensburg Environmental Contracting Systems, Inc. in the amount of \$93,857.93 on February 20, 2008 for the Water Distribution System Improvements.
- Transferred payment to J.L.W. Associates, Inc. in the amount of \$195,569.66 on February 20, 2008 for the Water Treatment Plant.
- Processed Loan Payment Disbursement Requests 19 and 20 to MDE on February 14, 2008 totaling \$289,427.59.
- Received \$14,051.44 on February 8, 2008 from the Cecil County Treasurer's Office for Fiscal Year 2008 Real Estate Tax Revenues collected in January.
- Attended two Government Finance Officers trainings; Financial Planning & Multi-Year Budgeting and Intermediate Governmental Accounting.
- Moved offices from the Cedar Corner Building to Town Hall. The move was completed by Friday, February 29, 2008 and we are still settling in to our new offices.

Ms. Rice commented that she has scheduled a Mayor and Commissioner's Budget Work Session for April 24th at 6 p.m. at the Town Hall to discuss the FY 2009 budget with public input and will be advertised on April 18th. The constant yield tax

Town Meeting Minutes
March 4, 2008

- 12 -

CDS	4	1
DISORDERLY	12	7
MDOP	10	6
ADULT ARRESTS	2	4
JUV. ARRESTS	2	0
TRAFFIC CITATIONS	12	3
WARNINGS	10	32
SEROS PARKING VIOLATIONS BOAT RAMP VIOLATIONS	8	9
ACCIDENTS CALLS	11 220	7 122

Police Chief's Report-

02/13/08- I attended the first Comparative Compliance Academy graduation and luncheon at the Elkton Campus of Cecil College. Officers Armington and Hoffman attended this five week course mandated by MPCTC. Both officers well represented the Town of Perryville and the Perryville Police Department. Officer Chase Armington tied with another Officer for top academics with a grade average of 98.6%. My congratulations to Officer Armington.

02/26/08- I attended a meeting with David Kloid of the MD Transit Police to discuss entering into an MOU with the MD Department of Transportation covering the MARC train station. We also discussed the parking issues behind Town Hall. I hope this problem will soon be solved.

During the month I continued work on the analysis of the Perryville Police Department requested by Mayor Eberhardt. This analysis will evaluate manpower hours, coverage, hours not covered, calls for service and Part I crimes and stats. It will be an in depth study of the Police Department to date.

Mayor Eberhardt explained that the comparative training class that Chief Daly is referring to is a program that they started at Cecil Community College to have a local source of training for those that come from out of State instead of going to the Police Academy. This was the first class for the program and our officers did very well.

FROM THE FLOOR

Colonel Fisher, 365 Elm Street, wanted to report on a problem that he recently became aware of in regards to the water and sewer billing process and a recent large increase in usage on his current bill. Colonel Fisher indicated that he had the house checked for leaks inside and there were none.

Margaret Barrow, a Town resident had a couple of displays to put up in reference to the Water & Sewer billing schedule.

Colonel Fisher stated that what they are proposing is that the quarterly billings get mailed out in a timely manner, within two weeks at a maximum and he does not know what it will take for that to happen other than a change in policy. He is asking that before a decision is made on how that happens he would like to see a public meeting held to get input from the Town and its residents. Colonel Fisher has a list of petitions that he is asking how it would be entered into the public forum tonight.

Mayor Eberhardt stated that they have gone to a lot of effort in presenting this. Mayor Eberhardt indicated that he had this conversation with Margaret, the problem was pointed out to the board and they had discussed it at the very next Work Session after the Town Meeting. Mayor Eberhardt commented that we know that we have to find a way to improve it. We have analyzed the problem and have come to the conclusion that it may take some software changes from our billing contractors, hiring someone or changing how we read the meters. Mayor Eberhardt stated that we do not need convinced that there is a problem we are taking steps to resolve the problem. Mayor Eberhardt commented that they have been reviewing the entire process very thoroughly since it came about and while they have been reviewing it they have received phone calls from MDE, a letter from a State Senator, petitions in the 7-11 and now a presentation.

Colonel Fisher inquired if the plan forward would be to hold a Public meeting and to put something in effect.

Mayor Eberhardt commented that you asked us to solve the problem we have looked into the problem and are still looking into the problem and there are some improvements that we think we can make already.

Colonel Fisher admitted that he does not pay the bills his wife does and was not aware of the problem until his wife showed him their recent bill in which their usage went up 20,000 gallons. Colonel Fisher indicated that if they would have been notified in a timely manner not seven weeks later they might have been able to spot a problem sooner if there was one.

Mayor Eberhardt indicated that some of the changes may be able to be implemented by the next quarterly reading; some of the changes such as hiring a new person which was budgeted for may take another quarter before happening.

Colonel Fisher indicated that he believes that is all that everyone is asking for some type of action to be taken as quickly as possible because it is hitting our pockets.

Ms. Breder asked Colonel Fisher if he had someone check the outside for leaks.

Colonel Fisher commented that he had a plumber come and look at his house, not outside for leaks.

Ms. Breder told him to get with Cathy and she will get the Public Works Department to come out and check your meter to see if it is spinning when all of the water is turned off.

Colonel Fisher indicated that he checked the meter inside the house and everything was fine.

Ms. Breder commented that there is an Ordinance in effect that if you have an outdoor leak and you show proof that you fixed the problem you can request for an abatement.

Ms. Barrow indicated that this was brought forward a couple of years ago and no action was taken so this presentation was done to prevent it from being swept under the rug. Ms. Barrow commented that it can get into a loss of 100,000 gallons or more with a business with no notification or receiving the bill 46 days later. Ms. Barrow commented that we should be encouraging businesses to come into Town and monitoring their meters more closely on a monthly basis because you can put them out of business very quickly if they go for a long time before discovering a problem.

Mayor Eberhardt commented that the residents will have an opportunity at budget time to tell us if they want to pay extra for businesses to be read on a monthly basis; that is going to be the tough one. Mayor Eberhardt commented that residential rental

properties are not businesses. Mayor Eberhardt inquired if she thinks that businesses would be willing to pay extra to have the meters read monthly, we charge a fee if someone is moving or selling a property to have the meters read.

Ms. Barrow commented that you charge \$50 and you ought to be ashamed of yourself.

Mayor Eberhardt commented that she somewhat answered the question with that response that businesses would not be willing to pay extra to have the meters paid monthly and it would not be fair to spread it to the people that are just residents.

Ms. Barrow commented that we want to set a precedent for people to want to come into the Town and set up a business and be willing to work with them to help them from not taking the chance of going out of business. Ms. Barrow commented that when you do not come into this with an open mind and do not have the background of running a business you do not realize the impact that it takes on them.

Colonel Fisher commented if you could have a public meeting to hear from some of the businesses and the residents at least you would hear their concerns.

Donna Ward, who resides on Aiken Avenue, commented that she recently encountered a problem with her mother's bill that lives in Elkton. Ms. Ward commented that they paid \$1,600 to get a pipe fixed that broke in her yard and they were unaware of it until she got her bill which came in January which was five times greater than it normally was. Ms. Ward commented that her mother went ahead and paid that \$500 bill immediately, which she is going to try and get an abatement for on her behalf. Ms. Ward commented that had it been seven weeks before she had gotten her bill she would have been into another quarter with an additional \$400. Ms. Ward stated that we need to work together to get these water bills out on a timely basis to prevent this from occurring to senior citizens in this Town.

Mayor Eberhardt commented that her mother would get an abatement if she went through the process since it was an outside leak if she lived here.

Ms. Ward commented that her mother was not aware of the process which is why she just paid it and that many people are not aware that they have an option which is why she is working on getting an abatement for her.

Mayor Eberhardt commented that another part of the analysis was to look into spreading out the billing instead of doing all of them in one quarter.

Ms. Barrow commented that nobody wants to be in a position of asking for a rebate.

Elmer Reynolds, who resides on Aiken Avenue, inquired why a tag was put on his doorknob about the trash that was just put out yesterday. Mr. Reynolds commented that he gets picked on because the Town gets phone calls from neighbors.

There was more detailed discussion between Mr. Reynolds, Ms. Breder, Mayor Eberhardt, and Chief Daly in addition to the summarized version.

Mayor Eberhardt inquired what exactly it was that he had the problem with.

Mr. Reynolds response was that he put his trash out and the next day he got a notice on his door saying that he has 48 hours to remove it.

Mayor Eberhardt inquired if Ms. Breder knew what the violation was.

Ms. Breder commented that it must be a property nuisance issue or maybe not the right time if it was heavy trash removal or not on the regular trash day, you can't just put it out there and leave it until the next trash pick-up unless it is the day before, she is not aware of what the quantity of his trash was.

Mayor Eberhardt commented that the issue here is whether he is in violation of an Ordinance.

Ms. Breder indicated that it is in violation of the Ordinance.

Mayor Eberhardt commented that you did not get fined you just got a tag notifying you.

Mr. Reynolds commented that when he went around to other people who have trash on their properties and asked if they got tags, they say they did not get a tag.

Ms. Breder commented that other people do get tagged; we have someone on staff to do that.

Mr. Reynolds commented that they are about a year or two behind because there is plenty of other stuff lying around Town that has been there for quite a while.

Ms. Breder commented that we do our best and that you cannot get everything.

Mr. Reynolds commented that you do what you can until somebody comes down there and raises heck.

Mayor Eberhardt commented that many of the violations that we find out about are a result of complaints from other citizens; we try to respond to our citizens.

Mr. Reynolds asked what right Ron has to come onto his property, why he can't just leave a notice on his garage or something.

Mayor Eberhardt commented that he has the right to be on his property if he is issuing a violation.

Mr. Reynolds commented that the cops get called and they come up here when they should be out there doing other things this is not their business it is a civil matter.

Chief Daly explained to Mr. Reynolds that if his department is dispatched they are going to respond to it.

Mr. Reynolds commented that he was confronted by one of his officers who blamed him for throwing stones in the neighbor's yard before asking him anything about what happened.

Chief Daly commented that if he has a complaint against one of his officers to stop by his office tomorrow and he will be in after 11:00 a.m. because he has a meeting in the morning.

Dr. Mindy Carletti, a local veterinarian was present to discuss a potential solution for the cat over population problem that the Town has. She has been doing the trap, neuter and return program for over ten years. Dr. Carletti commented that there is a feral and stray cat over population crisis and the approach over the past several years from the community has been to ignore its existence. This lack of approach may have been due to a lack of resources and funding by the local Government. There has been no system of population control implemented; therefore the community has been divided on how to fix the problem. Dr. Carletti stated that trapping and killing cats has been historically shown not to be effective in reducing the number of cats within the community or in a particular location. Dr. Carletti commented that the community is looking for a solution and the answer is the trap, neuter and return method. Dr. Carletti stated that it is a proven cost effective, permanent long term solution to the problem. It starts with the utilization of a group of trained volunteers who enter into a colony of feral cats and humanely trap them, they then neuter them, ear tip them so they are readily identifiable and vaccinate them. They are then returned to where they came from. The vaccinated group are fed and sheltered and monitored on an on-going basis by designated caretakers. There are several

advantages to the TNR program one is that they are neutered which makes them incapable of reproduction so they will be a stable population. The second advantage is that the ear is tipped so that when new cats enter into their colony they are easily identifiable to be trapped, neutered, vaccinated and ear tipped and returned to their colony. The third advantage is that the cats are vaccinated against rabies forming a barrier against any humane or wildlife encounters that they may have. Dr. Carletti requested that the TNR program be endorsed as an official policy of the community of Perryville; they are extending an offer to come to a work session to discuss TNR and to answer any questions about its implementation. Dr. Carletti left some paperwork to be looked over for the community.

Mayor Eberhardt inquired if the packets that she supplied them have more of a detail about what she is proposing.

Dr. Carletti commented that it has facts and statistics about the TNR program and preventions that have been implemented in other areas that have been successful, along with other methods that have been attempted and have failed and the reasons for them failing. Dr. Carletti commented that it will probably not answer all of the questions that you may have but she would be welcome the opportunity to be on the agenda of the next Work Session and answer any questions that they may have.

Sheila Lee, who resides in the Beacon Point community and is a member of the board of the Beacon Point Homeowners Association, was present to discuss some problems with vandalism in their community lately and the possibility of their street lights being shut off tomorrow. Ms. Lee commented that the light bill has come to us as a community; she is guessing that Delmarva and the developer decided to send them the bill. Ms. Lee feels that the bill should be coming to the Town since the Town pays the utilities for the other communities in Town. Ms. Lee commented that we have been paying as of September and as of tomorrow our lights will be cut off leaving us vulnerable to vandalism, she is asking for the Town to take over the payment of the utility bill. Ms. Lee commented that she talked to the property manager from Trenton Property who informed her that she had spoken to Denise and they were supposed to be put on the agenda but were told we would not be put on until next month. Ms. Lee commented that something needs to be done to help their community.

Mayor Eberhardt wanted to get a better understanding of who has been paying the bills; somebody has to have been paying the bills.

Ms. Lee commented that nobody has been paying the bills.

Jennifer Hagar, who also resides at the Beacon Point Community and is a member of the Homeowners Association, commented that Delmarva realized the bill was not

getting paid and sent it to Crouse who told them that it belonged to us. Ms. Hagar commented that the Property Manager from Trenton property started looking into the Public Works agreements with Crouse and the Town and did not find anything that indicated whose responsibility it was on any of that original paperwork.

Ms. Breder commented that she talked in person to the Property Manager and the Property Manager told her that because she had other developments that pay their utilities that she manages, she thought that it was a typical policy that the HOA's pay for their utilities. Ms. Breder commented that the Property Manager was the one that authorized for it to be put in the HOA's name.

Mayor Eberhardt was under the same impression that your Property Manager accepted those bills from Delmarva because it was their understanding that in managing developments that this is the way that it is done.

Ms. Hagar commented that the Property Manager stated to them that she accepted them because she did not know that it wasn't ours.

Ms. Breder commented that the Property Manager accepted those bills on your behalf.

Ms. Hagar commented that she accepted just the ones that are past due.

Ms. Breder commented that this is not the way that she understood it.

Mayor Eberhardt commented that you have been here all of these years and Delmarva is now going to shut the lights off after all of this time. Mayor Eberhardt commented that we need to talk to John Denver at Delmarva tomorrow about this issue.

Ms. Breder commented that she will contact them tomorrow.

Commissioner Brown inquired if there were any bonds on these utilities.

Ms. Breder commented that they would be on the public infrastructure but not on the payment of the bills.

Commissioner Brown commented that if we had a bond on the utilities she would not have a problem paying it and taking it out of his bond.

Mr. Baynes commented that usually the bonds are for payment of the infrastructure not for payment of the bills that are accrued later.

Mayor Eberhardt commented that with the normal course of business they remain the developer's responsibility until they are turned over to us, so he still owns those lights and Delmarva ought to know that.

Ms. Breder agreed that Delmarva should know that and should be billing Crouse.

Chief Daly commented that in the event that their lights do go out he will have increased patrols in their area.

Mayor Eberhardt inquired who they should contact her or the Management Company.

Ms. Lee indicated that we should contact them since there seems to be a conflict of words with the management company.

Mayor Eberhardt asked her to leave the name and number of the person that she would like us to contact regarding the resolution of this problem.

Pamela Hancock, a resident of Perryville wanted to urge everyone to truly consider the TNR program for the cats. Ms. Hancock commented that to some people they are considered a nuisance but with her family they are in integral part of their life. She has rescued many of the sick cats at her own expense over the years at her own costs and through various agencies to try and find homes for them. Ms. Hancock believes that it is wrong and inhumane to just remove the cats; it also serves as therapy to people as it did for her a couple of years ago after going through some skin cancer issues. Ms. Hancock commented that the Perryville Park now has the lowest number of cats that they have had in a decade. Ms. Hancock has fed the cats for the past ten years along with some other volunteers and she does not condone those who feed them and leave the cans there or anybody that leaves trash there. Ms. Hancock commented that they stay away from people and only actually come to known feeders. Ms. Hancock commented that they are well fed, she would be glad to bring pictures in of the colony that is left there.

Mayor Eberhardt asked to give an estimate on how many she thinks are there now.

Ms. Hancock indicated that there are about 20 to 50 cats; at one time there were 100 to 150 cats there. Ms. Hancock commented that when they live out there in the wild like that a lot of them do not live long, however there is one that she has been feeding for the past ten years and she took him home in his later years. She does not think they are any more of a problem than the squirrels or the dogs that people take to walk in the park create. Ms. Hancock would like to see the Town get involved in assisting with helping the situation but not destroy the cats.

Commissioner Tennis inquired if she was part of the group that was here representing the TNR program.

Ms. Hancock indicated that she is just a resident who has been doing this for some time and just recently found out about this group who had assisted her with some of the cats that she has rescued. Ms. Hancock commented that she feels that there should be signs at the park for no littering and for not dropping off cats and they should be fined.

Dr. Carletti indicated that Ms. Hancock is one of the volunteers who feed the cats; their organization does not feed them they have a group of volunteers who do that.

Mayor Eberhardt commented that regardless of what solution we come up with one of the items that we will need to explore would be an Ordinance that would prohibit the dropping off of domestic animals.

Ms. Hancock commented that there is actually an abandonment law in place.

Mary Jackson, who resides on Front Street, inquired if the Mayor received the information that she left for him regarding the lift station. Ms. Jackson also wanted to know about notification regarding the Planning and Zoning meetings.

Mayor Eberhardt stated that he did receive her information and that we do give notifications about the Planning and Zoning meetings and what will be on the next one at the Town Meetings.

Ms. Jackson stated that it should be placed on the community boards so that everyone will see it.

Mayor Eberhardt thought that it was put out on the board he agrees with her on that.

Ms. Jackson commented that she is concerned over what will happen to the cats over at the park and that there are also people over at the park with their dogs and they are not on leashes and wandering loose.

Ms. Jackson inquired what the population of Perryville was.

Ms. Breder commented that the population was 3,672 as of the last census in 2000, but we estimated it to be around 4,500.

Ms. Jackson inquired how the condos are billed for water and sewer.

Ms. Breder commented that they are billed per unit.

Ms. Jackson inquired if the lift station was going to hold all of the extra sewage that will be coming through from the new projects along the river.

Mayor Eberhardt stated that a study was done prior to adding those and for additional ones that will be coming on line they will do another study to determine if an upgrade to the lift station is needed. If so it will be the responsibility of the developer.

Ms. Jackson stated that she read in the paper that the Condos received their building permit in October but yet nobody knew they were coming and she is still questioning how close they are to the power lines.

Mayor Eberhardt looked into the height after she brought up her concerns regarding it the last time and they are within their authorized rights but he will look into the power line concern that she has.

Gary Hughey, who resides at 556 Charles Street, expressed concern on behalf of his daughter on 654 Franklin Street regarding the ditch line from her house to Aiken Avenue extended which has not been attended to yet. Mr. Hughey stated that the two drains on Aiken Avenue Extended have not been attended to and he has called the State Road and nothing is getting done. Mr. Hughey also asked if they would please fix their roads on Charles Street they are falling apart, and on Franklin Street there are some bad spots.

Francis Bowman, who resides on 31 Bay Circle Drive, wants to know when Chesapeake Landing Drive is going to reopen it was closed without any warning.

Ms. Breder commented that a week ago they told us that it would be another two weeks, so it should be a week away.

Carol Tamler, a resident of Fairgreen, asked that the cats in the park not be destroyed, she suffers from severe depression and it is very therapeutic for her to be able to feed the cats. Ms. Tamler stated that people come from around the County to see the cats.

Commissioner Tolbert commented that it was never the position of the board to destroy the cats we wanted to work with the SPCA or the necessary agency to do what is best for them.

Mayor Eberhardt wanted clarification regarding the trap; neutering and release program meeting that he attended last night his understanding is that the long term goal of theirs is eradication.

One of the representatives concurred that this was correct to be done by natural means.

Dr. Carletti inquired whether Commissioner Tolbert was talking about the ASPCA or the SPCA.

Commissioner Tolbert commented that he was referring to the Cecil County SPCA because that is who the Town relies on for animal control.

Michelle Linkey, who resides at 624 Franklin Street, commented that the park is not there for the animals per say it is there for people to enjoy as well. Ms. Linkey agrees that the cats should be treated humanly but wants her concerns to be heard as well. Ms. Linkey has concerns regarding the feral cats that are all over the park. Ms. Linkey has a young son who likes to be able to run freely within her site and she is concerned when he does because she never knows where the cats are and fears for his safety.

NEW BUSINESS-

Dwight Thomey, an Attorney for the Shelter Group along with Jeff Paxson from the Shelter Group, was present to discuss plans for affordable housing in Perryville. Mr. Thomey commented that they are looking for a vote from the Town regarding their intent to support a plan that the Shelter Group submitted in the Work Session to bring affordable, quality housing for the working class residents that are looking to find reasonably priced housing. They are looking for funding from the Town for this project that would eventually come back to the Town through a grant. Mr. Thomey believes that this is important to the residents of Cecil County and the Town to have a good place to start out with that is well maintained and an asset to the community. Mr. Thomey commented that this group is ready to address road issues or other issues that may come up with the Town and they have a long history of working with other Government agencies. Mr. Thomey commented that the process does take some time it may take a year or two so they are hoping to get the initial consent to get the process started.

William Huss, who resides at 510 Charles Street, commented that the traffic out on the highway is horrible and there is only one way in and one way out of the development and it is twice as bad since the shopping center opened across the street. Mr. Huss commented that he could not imagine it getting in and out with 80 more

families living up there. Mr. Huss believes that when they talked about putting 44 town homes in there at one time they could not put a Traffic light in that close to Route 40.

Mr. Thomey commented that he believes that the traffic would not be significantly different from the 44 town homes that were proposed, he does not anticipate as many trips for them as town homes.

Mrs. Linkey inquired how he could think that they would not have as much traffic if you have two people working and they may have children that drive.

Mr. Paxson indicated that they are early in the process; he understands that there are concerns and they will have to do a detailed traffic study and figure out what will need to be done to mitigate these issues. Mr. Paxson commented that the income will be limited, in the range of \$25,000 to \$45,000 for these apartments so they approach it as more than likely a single income family which would potentially reduce the trips in and out.

Mrs. Linkey commented that she does not want to see them minimize the issue of the traffic problem.

Mr. Paxson commented that he is aware that it a concern and it is something that they would have to address in the site plan process if they get to that point.

Ms. Jackson stated that we do not need any low income housing, we have it now and we have problems.

Mr. Hughey indicated that he was here a few years ago when they proposed the town homes and they had done a traffic study which they basically stated that it would be like a storm in and out in 15 minutes. Mr. Hughey stated that these roads are not going to be able to handle this additional traffic.

Mr. Paxson commented that part of the process is to have the Town apply for State Community Development Block Grant Funds which part of the funds could be used to improve the roads in working with us.

Mayor Eberhardt inquired exactly what is before us tonight.

Ms. Breder commented that they have requested for the Town to make a contribution to the project, they have to have a contribution in order to get their funding through the DHCD. Ms. Breder commented that you heard their proposal at the Work

Session she is asking for the board to take a vote on whether you are willing to make a contribution to the project.

Mr. Paxson commented that they are looking for a letter of support for the types of support that we are considering for the project not committing the Town to move forward with the project, it basically would allow us to go into the State for funding and then come back and work out all of the details.

Commissioner Tennis inquired if the Town does not contribute to the project will that prevent you from doing the project.

Mr. Paxson commented that this would prevent them from doing the project.

Mrs. Linkey commented that this is a small neighborhood with no sidewalks she has safety concerns, the water and sewer issues and the drainage systems with water lying all over the place. Mrs. Linkey indicated it will affect the schools, the busing, and so many other things that need to be considered.

A member from the audience commented that the examples that they have on display are not towns representative of Perryville some are in high crime areas.

Mr. Huss inquired how long the traffic study would take place.

Mr. Paxson commented that what he would envision would be looking to commission those studies in the summer and the fall if the financing was available.

Mr. Huss commented that his concern is that BRAC will not be coming in the summertime and you will get different outcomes with the traffic studies depending on when you do it.

Commissioner Brown commented that she is very familiar with this area and a lot of her concerns that she had were discussed and they may or may not get addressed once they start the project. Commissioner Brown commented that she does not believe it would be fiscally responsible for the Town to make a contribution to his project at this time. Commissioner Brown commented that from the meetings that she has attended with the BRAC people they are looking for high end housing and she is very concerned for 150 more cars on the street.

MOTION was made by Commissioner Brown and seconded by Commissioner Tennis to deny the request for support for this project. **All in favor; motion carried.**

Mr. Paxson inquired if they come back to them with a more attractive location for the project if they would be open to considering it.

Commissioner Brown cautioned that if they do come back before us to be better prepared on what they are going to do for us. Commissioner Brown commented that they should spell out what we would be getting back from the various grants that we would be applying for.

Resolution 2008-4-Budget Amendment

MOTION was made by Commissioner Brown and seconded by Commissioner Hansen to approve Budget Amendment 2008-4 to reclassify funds for a shore erosion project and to reclassify funds for emergency repairs at the Sewer Plant. **All in favor; motion carried.**

Sprint Request-

Ms. Breder commented that Kevin Pampuch from URS had just received the changes from Sprint today since the last Work Session and he made some comments that he wanted to be incorporated into a motion if one was made regarding the request. Ms. Breder read Mr. Pampuch's comments as follows:

1. The attached exhibits are preliminary as noted on the sketches the Town should require that Sprint provide detailed construction plans for review and approval at a later date.
2. There is an existing Town water line that parallels the fence on the east side of the tank site, the water line is in the general vicinity of the proposed temporary and permanent relocation area. This water line location was reviewed in the field with Mr. Scott Deburger of Sprint on February 29, 2008. All proposed improvements such as, foundation; pads, equipment, etc. must be 10 foot minimum from this existing water line. We suggest the proposed temporary relocation area be shifted to the east if necessary to provide this minimum separation which can be further coordinated when detailed construction plans are submitted for review.
3. We acknowledge that the proposed underground Sprint utilities have been relocated, there are numerous on site utilities such as Town water, Delmarva Power, Atlantic Broadband and existing Sprint Communication lines that are not indicated on the exhibits. It should be Sprints responsibility to locate, protect and avoid conflict with all existing utilities when installing the proposed underground Sprint utilities. All existing utilities must be shown on the detailed construction plans.
4. It should be confirmed that the proposed relocation area is owned by the Town.
5. The applicant must obtain all necessary approvals and permits from Cecil County.
6. The Town may want to have the above comments addressed in the agreement.

7. URS recommends that the Town accept the agreement contingent upon the above comments.

Keith Baynes, the Town Attorney, made a couple of comments regarding the amendments to the Sprint agreement. Mr. Baynes commented that it will be necessary for Sprint to obtain a special exception from the County since they are going to be the owner of the tower, they along with the Town will have to file an application to get a special exception. Mr. Baynes commented that they did put a provision in this latest agreement about subsequent carriers if someone else uses this tower. Mr. Baynes commented that Sprint owns the tower and the Town owns the land, the way it is worded Sprint would negotiate with any future carrier about what rent they are going to charge to put these antennas on the tower itself. The only way that the Town would be compensated by any future user would be if that user were required to build some type of building on the land, then the Town would be able to charge for the equipment building. If the future carrier were to be able to locate their equipment inside the building that Sprint is using then the Town would not be able to get any revenue from them the way it is worded.

Ms. Fran McKee, a representative from Sprint commented that this is not an issue that is the standard language which restricts Sprint from in ground uses. It would only allow us to rent space to the tower any in ground space needed they would have to go to the Town.

Mr. Baynes understands that but if anyone came in and did not need space from the Town then the Town would not get the revenue.

Ms. McKee stated that every carrier has to have equipment to run their antennas. Ms. McKee stated that the only building that will be in the fenced in area would be Sprints. Ms. McKee commented that they are taking up a small section of property to build the temporary tower and to put the permanent tower pending approval by the County.

Mayor Eberhardt needed to obtain the revised version.

Mayor Eberhardt wanted to make sure that he understood that Ms. McKee was stating that Sprint was erecting this tower and operating it just for their equipment.

Ms. McKee concurred with the Mayor.

Mayor Eberhardt asked that they make a better offer for subsequent additions to that Tower.

Ms. McKee commented that it will cost them over \$100,000 to remove their equipment from the existing water tower and purchase the labor and materials to put up the temporary tower.

Mayor Eberhardt stated that you are willing to do that to operate your system as a stand alone system.

Ms. McKee commented that they are required by the FCC to keep a network.

Mayor Eberhardt commented that if she gets four more people to rent that tower then they would be receiving four times what they are paying us for ground rent. Mayor Eberhardt commented that in their last meeting Ms. McKee had stated that they could receive about \$1,600 a month from additional carriers.

Ms. McKee commented that this would be if it was for the tower and the grounds, if you take the grounds away then they are not going to pay \$1,600 a month. Ms. McKee commented that every carrier is going to need ground space.

Mayor Eberhardt commented that if we would get \$1,200 a month and you would get \$400, he inquired how we could spell that out. Mayor Eberhardt commented that maybe on line 3. where it references, In the event SSLP subleases space on the tower to a subsequent carrier, any ground space required by that carrier shall be negotiated by the owner, it should read, any ground rent shall be paid to the owner and be negotiated by the owner.

Commissioner Brown inquired how many connections, or antennas there were going to be to this monopole.

Ms. McKee commented that what they are proposing on this one is three or four.

Mr. Prouty commented that the tower will be engineered for four antenna sound lines.

Commissioner Brown inquired if more can be added at a later date.

Mr. Prouty was not sure he commented that they would have to go back to the people that engineered the tower.

Commissioner Brown commented that the point that she was trying to make was if Sprint got three more carriers and charged them each \$1,000 a month they would be getting \$36,000 a year and could have their new tower paid off in a couple of years.

Ms. McKee commented that they would be asking for a proportionate rate because it is a smaller area.

Commissioner Brown stated that Sprint would be receiving more than us for the tower that is on our property.

Ms. McKee commented that as she had mentioned in the Work Session there is a lot of maintenance and ownership of the tower is not cheap they have to register with the FCC.

Ms. McKee referred to an exhibit in the back that showed a different type of antenna structure that they would like to propose to the Cecil County with 12 to 15 antennas and as many cables as they can get.

Mr. Baynes commented that a minute ago she stated that it would be three or four antennas.

Ms. McKee commented that she was talking about the temporary monopole when she referenced three or four, they would like to propose 12 to 15 if acceptable for the permanent monopole.

Mayor Eberhardt and Commissioner Brown thought they were talking about the permanent Tower earlier.

Ms. McKee commented that the permanent monopole would hold four carriers, she is not sure that they would ever lease the fourth spot.

Mayor Eberhardt commented that it would be four carriers with multiple antennas.

Mayor Eberhardt questioned the last sentence on paragraph 2 where it referenced the payment schedule and the rent increasing in accordance with Section 3 of the Agreement, section three talks about subsequent carriers.

Mr. Baynes commented that this refers back to the original agreement that the Town has with Sprint.

Mayor Eberhardt indicated that he does not think that the board has a problem with them locating the tower there; he believes there may be a problem with the numbers.

Ms. McKee commented that the reason she is here tonight is more for a landlord tenant issue. Ms .McKee commented that what she needs from us is

approval for a mutually agreeable location for the temporary tower. Once she gets that then she can do what she needs to do to provide it, she stated that they must also design the temporary cell site to be off of the Water Tank by the end of April. If we are not interested in making that a permanent location the year that they are given for the temporary site will give her time to negotiate for another commercial property somewhere else nearby.

Commissioner Tolbert commented that he is against anybody other than the Town people being around the Water Tower and the Water Plant; it all goes along with Homeland Security issues.

Mayor Eberhardt commented that the Water Tower will be gone.

Commissioner Tolbert commented that it will be a pump station there with vaults and valves and we own that piece of Real Estate to maintain water distribution.

Commissioner Tolbert commented that he does not understand why with the temporary tower rent would be \$1,000 when the permanent location is \$1,700 you are still using our property.

Ms. McKee commented that you do not have the structure to provide the antennas.

Commissioner Tolbert commented that we have the property and you need the property.

Commissioner Brown inquired how big this piece of property is that may hold more than one user, or how many buildings can you put on this property.

Mr. Baynes indicated that the buildings are typically small, 10' by 10' or 10' by 12'.

Ms. McKee commented that Verizon has a 12' by 20' and she believes that Cingular has a 12' by 24' it is a shelter, T-mobile has outdoor equipment the way that Sprint has. Ms. McKee wondered how much space the pumping station would be taking up, if it would need the entire fenced in area.

Commissioner Tolbert commented that there will be two vaults that they are relocating there and cable TV stuff.

Ms. Breder stated that this is why our engineer met with their engineer which brought up the comments that she read earlier. Ms. Breder commented that there is room enough for both and we already have Atlantic Broadband there and an

agreement with them. They already have a shed like structure there right now, which they are reducing it to something they call a panel, like a metal box.

Commissioner Brown does not have a problem with them using the site but would like us to look around and see what a comparable rent would be.

Ms. Breder stated that the rent that they are proposing is comparable to their usage; she cannot speak in regards to additional users.

Commissioner Brown commented that there must be some sort of a formula that users are charged a certain amount of dollars for a building based on its dimensions.

Mr. Baynes commented that the way that this is being proposed right now you are not agreeing to any fixed sum at this point. If a future user comes to Sprint and they want to put another antenna on that tower and as part of their usage they are required to have some kind of equipment on the ground then they have to come to the town to negotiate what that rent is going to be. Mr. Baynes commented that it sounds like where the tower is going to be located will not meet the County setback requirements and you will need a variance and you are going to have to have an engineer signed document that is sealed verifying that the tower will be designed in such a way that it will collapse, that is the only way you are going to get it.

Mayor Eberhardt asked for clarification on what we are approving.

Ms. Breder commented that it would be Amendment 1 to the PCS site agreement with the provisions that she read earlier from the engineer that need addressed.

Mayor Eberhardt inquired how approving or not approving this tonight was going to fit the timeline of the removal from the tower.

Ms. McKee commented that they may not even have the tower in time now; at least with our approval she can design it and get something in front of Cecil County.

Mayor Eberhardt clarified if the approval was for the temporary tower.

Ms. McKee replied that the temporary is all that she is going to apply for right now, that has to get approved first.

Mr. Baynes commented that if they file their application by March 14th with the County they may be able to get on the April agenda with the County.

MOTION was made by Commissioner Brown and seconded by Commissioner Hansen to work towards a design for a temporary pole incorporating the comments from URS. **Four in favor, 1 nay** (Commissioner Tolbert); **motion carried.**

YMCA Event Form

Mayor Eberhardt presented a request from the YMCA to use the grounds adjacent to Rodgers Tavern to hold a carnival to benefit the YMCA and to have the fees waived scheduled for April 14th through the 19th.

Commissioner Brown wants clarification regarding the hours where it references ending at 10-11 p.m. whether it is a Friday or Saturday night because of curfew. It must be 10 p.m. during the week and Friday and Saturday nights it can be 11 p.m. Commissioner Brown also inquired if there were going to be additional trash receptacles and not just the dumpster.

Mayor Eberhardt is not sure whether the vendor would have those or not.

Commissioner Brown commented that the Town has some that she would be willing to lend them if she knew that they would not get torn up.

MOTION was made by Commissioner Brown and seconded by Commissioner Hansen to address her concerns and approve the event form for the YMCA to hold a Carnival the week of April 14th through the 19th with the fees waived. **All in favor; motion carried.**

Chamber of Commerce Event Form

Mayor Eberhardt commented that The Greater Perryville Chamber of Commerce is requesting the use of the park to hold their annual Spring Fling fundraiser on May 10, 2008 and to have the fees waived.

Commissioner Brown stated that she would offer the use of the trash cans to them as well to be used during this event.

MOTION was made by Commissioner Brown and seconded by Commissioner Hansen to approve the event form for the Perryville Chamber of Commerce Spring Fling on May 10, 2008 with the fees waived. **All in favor; motion carried.**

Town Meeting Minutes
March 4, 2008

- 33 -

MOTION was made by Commissioner Brown and seconded by Commissioner Tennis to adjourn the March 4th Town Meeting at 9:48 p.m. **All in favor; motion carried.**

Respectfully submitted,

Jackie Sample,
Town Clerk

