

**COMMISSIONERS OF OXFORD**  
**Regular Meeting Minutes**  
**November 27, 2018**

The Commissioners Meeting was held in the meeting room of the Community Services Building on November 27, 2018. Commission President Gordon Fronk called the meeting to order at 6:00 p.m.

**PRESENT**

Attending the meeting were Commissioner President Gordon Fronk, Commissioner Gordon Graves, Commissioner John Pepe, Public Works Superintendent Scott Delude, Police Chief Patrick Maxwell, Administrator/Clerk Cheryl Lewis and Town Attorney Brynja Booth.

**APPROVAL OF MINUTES**

Commissioner Graves motioned to adopt the minutes of November 13, 2018 as distributed. Commissioner Pepe seconded the motion, all were in favor, and the motion carried.

**MAINTENANCE REPORT**

Superintendent Delude reported public works has prepared equipment for any winter weather.

**POLICE REPORT**

Chief Maxwell reported the following:

- 10 - Police Information
- 3 - Assist the Fire Dept
- 1 - Check the Welfare
- 1 - Alarm
- 2 - Court Appearance

Thanksgiving holidays went off without any major incidents. The torrential rains caused minor flooding around town but no problems.

The Chief stated that he and Connie Greenhawk would be delivering a Festival of Trees decorated tree to BWI airport for arriving soldiers and that Fred Frederick had donated a vehicle for them to use.

**FIRE COMPANY**

Peter Dunbar reported on behalf of Chief Norbury there were 8 fire calls, 1 in Oxford and 7 mutual aid, 184 miles traveled, 52.5 hours worked and 69 member responses. There were 6 medical calls, 3 patients transported, 1 transferred to Talbot EMS; 67 miles traveled, 15 hours worked and 17 member responses.

On the weekend of 11/17-18/18 four members participated in the Talbot County Active Assailant training held at Easton High School. This was a combined event involving multiple law enforcement agencies, Talbot County EMS and county fire departments. Participants spent Saturday in the classroom with a mixture of lectures and hands-on training, and on Sunday there were full scale drills involving the rescue and triage of high school student volunteers, live shooters and fullscale response by area

agencies. Volunteers invested significant time (15 hrs each) as they recognize active assailants aren't limited to school surroundings and may affect gatherings and venues of any sort including restaurants.

Christmas on the Creek volunteers will be assembling "dock trees" at the firehouse on Saturday and Sunday. The Annual Breakfast with Santa will be at the firehouse on December 2nd from 8 am to 11 am.

## **UNFINISHED BUSINESS**

Ordinance 1815 AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND CHAPTER 8 OF THE OXFORD TOWN CODE TITLED "VEHICLES AND TRAFFIC" TO AMEND SECTION 8.5 TO REGULATE PARKING OF TRAILERS AND OVERSIZED VEHICLES ON PUBLIC PROPERTY, AS WELL AS PARKING ON TOWN STREETS had been provided to the Commissioners at the prior meeting. Attorney Booth reminded the Commissioners that they had asked for some time to review the document, adding that there was not a need to act currently and that it could be discussed in the new year. Fronk did state that after observing, he had not seen any issues, although admittedly it was the winter months. Pepe stated there were a few boats on the street for winterizing, but nothing he thought would present an issue as they would not remain on the street. A question was raised regarding the impacts to work trailers. Lewis stated that with all regulations, it is necessary to use good judgement and in the case of this ordinance, the times can be modified from 4 to 8 or 12 hours, etc. After discussion it was decided to wait until January to consider introduction.

Lewis stated she and Delude had met with the engineers reviewing the Water Main replacement feasibility and the engineers feel confident that CIPP Cured in Place Pipe lining may be the best solution for the town. It is a method being used in Baltimore and MDE has said that they will give it consideration within our current funding award. This work can be done in the gravel area of the road with directional boring for the new service lines to the opposite side of the road, reducing the impacts to the state-owned road and the necessary cost to resurface it. Delude said the main is 8" and will now be 7 ¾" because of the new lining, and the services will be upgraded to 1 ½" to support suppression systems and added that this will reduce any impacts to existing trees. In addition, the engineers have recommended three new areas of piping, looping water service for redundancy. Lewis reminded the Commissioners the current award from MDE for the proposed project is 1.1 million in grant and 1.1 million in loan, with the engineers estimate for a CIPP solution being around 2 million. Lewis stated the MDE has also recommended we apply in the next round of funding in the event they can offer a better funding opportunity with this new engineering in place. Lewis requested authorization from the Commissioners to have the engineers continue to pursue this option, including apply in the next Water Quality application round. Fronk questioned what would happen if the project came in at more than the 2 million award and Lewis stated that they are in contact with USDA regarding the project and the possibility of additional funding needs. After further discussion Commissioner Pepe motioned to allow the engineers to move forward in this direction and to proceed with an additional application to MDE, Commissioner Graves seconded the motion, all were in favor and the motioned was approved.

## **NEW BUSINESS**

Attorney Booth stated she had two documents for Commissioner review, the first being Change Order #4 for the WWTP construction project, providing a brief review of the project and the reasons that lead to this change order. The original construction included the decommissioning of the active lagoon and the construction of the new facility in the same location, as was preferred by MDE. As the removal of the sludge was initiated it became obvious very early on that the volume far exceeded estimates and that the removal was not going to happen within the allotted schedule. As the removal work progressed and in order to keep the construction portion of the project on schedule, the construction contractors

took advantage of the frozen sludge and moved it to the back of the pond and continued with construction preparation. As the Commissioners are aware the decision, with MDE's blessing, was to award the removal of the remaining sludge by separate bid to a professional sludge removal contractor. Following this award, the subcontractors efficiently removed all the remaining sludge in less than their bid time. The town applied to MDE to cover this additional work based on the DNR/ENR funding percentage along with apply to USDA for the remaining cost. This change order is to cover the additional cost incurred in the current contractors processing of additional sludge prior to the subcontractor work. Change Order #4 is for \$2,436,922 and covers all the work and efforts utilized by Pact to remove the initial sludge, which was a per ton amount in the original contract along with unfunded additional work and time necessary to complete this portion of the project. Booth stated this discussion has taken place in prior meetings but at this time she was requesting Commissioner approval so that it could be presented to funders for official action. Commissioner Graves motioned to approve Change Order #4, Commissioner Pepe seconded the motion. Commissioner Graves asked if it would have been easier to remove the sludge before the construction contract had been put in place. Lewis said that although in hind sight it may have, we would still have run into the problems created by the excessive amount of sludge and other unknowns, including volume restraints at the dump. The ability to bid this out with known conditions certainly made for an easier project. Brynja reminded the Commissioners the total decommissioning of a lagoon was also not a project that many other locations have attempted to do and that MDE is aware of the circumstances involved. President Fronk thanked Booth for again covering this information as it has been discussed in previous meetings and the understanding was at this time we need to proceed with the approval. All were in favor of the approval of Change Order #4 and the motion was approved.

Booth presented an amendment to the engineer's agreement to incorporate the additional contracting needs for the sludge removal and to include the additional construction administration, management and inspection time for the extension of the project itself. This document extends the contract, funds for which are already incorporated in Change Order #4 and is a requirement of USDA. President Fronk requested approval for Exhibit K amendment #3 dated October 12, 2018 for an increased amount of \$475,967.08 for an additional 12 months of service. Commissioner Graves motioned to approve, Pepe seconded the motion, all were in favor and the motion carried.

Booth requested a Closed Session following the meeting for legal advice on a potential litigation matter and a code enforcement issue.

## **LETTERS**

Trappe Little League sent a letter of thank you to the town for the recent donation of the old bleachers, which were removed in preparation for future improvements in developing an active park area, expressing their appreciation for all the town does for the youth of Trappe and Oxford.

## **CLERK COMMENTS**

Lewis pointed out that the next brush pickup was the morning after Christmas, and requested the Commissioners consider canceling pickup on Dec 26<sup>th</sup> and incorporating an additional pickup on Dec 19<sup>th</sup>, which would all for posting on the internet and out front. Lewis stated she was not anticipating any business to conduct at the December meeting as there was no pressing issues on the agenda, which the Commissioners were in agreement with, canceling the December meeting. She reminded all that the staff worked a light schedule between Christmas and New Years and the office would be closed, with appropriate contact information posted.

Lewis stated that the MEWS walk through for the current RFP was well attended earlier in the day and there have been additional request for access, which hopefully is a prediction of multiple responses to the RFP, which has a closing date of December 19, 2018. The RFP was advertised on eMarketplace and also place in the local newspaper and she added that the interested parties were all local contractors.

Lewis requested a Closed Session for personnel matters following the meeting.

#### **ATTORNEY COMMENTS**

Nothing further

#### **COMMISSIONERS COMMENT**

Commissioner Graves stated that he had heard from Larry Myers and he was interested in working with Peter Dunbar on the possibility of extending the rails to trails from Eason to Oxford and suggested Dunbar get in contact with Myers.

#### **PUBLIC COMMENT**

Peter Dunbar stated he had read that Betterton recently completed their WWTP and they have been a year or two ahead of us all along and that he saw this as a good sign. Additionally, Dunbar stated the fire company has a critical interest in the discussed redundant loops for safety reasons.

There being no further business, a motion to adjourn and go into Closed Session for attorney's advice on a legal matter and code enforcement, along with personnel matters was made by Commissioner Graves, seconded by Commissioner Pepe, all were in favor and the meeting adjourned into closed session at 7:01 pm.

Respectfully submitted,

Cheryl Lewis, Town Administrator-Clerk/Treasurer