

## COMMISSIONERS MEETING

August 25, 2009

### LOCATION

Commissioners Meeting was held in the meeting room of the Community Services Building on August 25, 2009. President Dunbar called the meeting to order at 7:45 p.m.

### PRESENT

Commissioners present were Peter Dunbar, Timothy Kearns and James Clair. Town Attorney David Thompson and a Star Democrat representative were in attendance. There were approximately fifteen (15) people in attendance.

### APPROVAL OF MINUTES

The minutes of August 11, 2009 were approved as distributed.

### EXECUTIVE SESSION

President Dunbar announced that the Commissioners held an executive session at 7:15 p.m. (prior to tonight's meeting) to meet with attorneys regarding potential litigation and an alleged zoning violation. There was no action taken.

### Oxford Pool Committee

President Dunbar announced that a workshop was held with the Oxford Pool Community on Tuesday, August 18, 2009.

### BLUE STAR MEMORIAL

Commissioner Kearns announced that a workshop was held on Monday, August 17, 2009 with Parks & Recreation and the Oxford Garden Club to discuss a location for the Blue Star Memorial.

### BOAT DELIVERY

President Dunbar announced that the Commissioners were in attendance on Friday, August 21, 2009 to witness a boat delivery along the Strand to Oxford Boatyard. This was to enable the Commissioners to investigate Oxford Boatyard's complaint of low hanging branches.

### AD HOC MEETING - ANNEXATION

President Dunbar announced an ad hoc meeting was held on Sunday, August 23, 2009 that he attended to discuss concerns with annexation of submerged lands. The meeting was attended by the following: Peter Dunbar, M. Rust, E.W. Clucas, C.G. Koste, Nancy Cook, Cathy Bitter, Denise Nathanson, Deborah Pulzone, Marshall Blume and Larry Myers.

### BID OPENING – Bid No. 1001 – 35KW Diesel Generator

President Dunbar opened bids for Bid No. 1001 – 35KW Diesel Generator. Bids were received from the following:

- Barnes Electric \$23,272

- Chucks Electric Service \$25,200
- A & B Electric Company \$28,700
- John W. Tieder Inc. \$28,800
- Sense Mechanical Inc. \$30,400
- John Owens \$31,986
- J. T. Clow & Sons \$32,600
- Alban Power Supply \$42,749

Commissioner Klair made a motion to accept the low bid of \$23,272 from Barnes Electric contingent on the bid meeting all specifications. Commissioner Kearns seconded motion.

Aye – Peter Dunbar  
 Aye – Timothy Kearns  
 Aye – James G. Klair

#### MAINTENANCE REPORT

Scott DeLude, Public Works Superintendent, gave the Maintenance Report that consisted of the following:

1. Scott spoke with the County to see if there were restrictions on placing signs regulating hours of operation of the Recycling Center. Scott advised that the County did not have a problem with regulating hours and requested that the Commissioners approve signs stating hours of operation from 7:00 a.m. – 7:00 p.m. The Commissioners agreed to placing signs regulating hours of operation from 7:00 a.m. - 7:00 p.m.
2. A complaint was received concerning the storage of the banners inside the tennis court that the Arts Committee puts out on weekends and holidays at the Causeway. The Art Committee asked that the banners be placed inside the fence in case of wind blowing them into the park. Scott advised that at this time he has placed them on the outside of the tennis court, secured to the fence and wrapped in order for the wind to not catch the material.
3. An ad is running in the newspaper to hire a person in the Public Works Department. There is enough winter work and training to keep the crew busy with more than enough work to do until our busy Spring.
4. The Public Works Department has completed the painting of the fire hydrants. They are a bright yellow and were in great need of cleaning and repainting and will be put on a three year cycle along with yearly flushing and oiling.
5. The Public Works Department worked Saturday night, August 22<sup>nd</sup> following the heavy rain in order to keep the wastewater facility from overflowing. Cones were also put down on the streets that were flooded. Scott asked all citizens that when they see high water in the streets and the cones to please be considerate of others and try to keep from driving through the water since the waves from the vehicles are damaging to personal property.

Scott reported that lightning struck the Banks Street Pumping Station doing some damage. Scott stated that he has been in touch with our insurance company and they are going to have an adjuster look at the damage.

Scott requested an executive session to consult with counsel to obtain legal advice.

Commissioner Klair suggested that temporary signs need to be placed in some areas during high water to warn drivers to slow down. Commissioner Klair asked Scott to make sure signs are available and stated that signs might avoid some problems. Scott commented that his department had placed cones throughout town.

President Dunbar commented that the water was still high on Sunday morning at South Morris and Pleasant Street and asked if the tide gates in the area are working properly. Scott advised that they are but that the water drains slowly from the tide gate at Pier Street. The Public Works Department has been checking the gates to make sure that debris is not caught in them.

Commissioner Klair questioned whether Scott was aware of Environmental Protection Agency putting out new regulations on TMDL's. Scott stated that if EPA lowers TMDL's the lagoon system in Oxford will not be able to handle the new regulation. Scott stated that he has spoken to our consultant and he does not think Oxford will be affected. Attorney Thompson stated that if TMDL's are lowered Oxford may not be able to do clarifiers at the wastewater treatment plant but have to go to a more expensive operation.

#### POLICE REPORT

Chief Borga gave the Police Report that consisted of the following:

- One theft (Two juvenile arrest - Two pending arrest)
- One drug Arrest with paraphernalia (jailed on \$1500 bond and eviction in progress)
- One man with a gun (intoxicated person, no gun found, victim desired no further action)
- Fifteen police information
- Two suspicious vehicles (ID and moved on)
- One behavior emergency
- One intoxication endangerment arrest (jailed on \$1500.00 bond)

President Dunbar stated that the Commissioners had received a letter from a family that was harassed by a person on a boat near the Tilghman Street boat ramp. President Dunbar encouraged everyone to dial 911 if they are ever put in this type of situation.

#### OXFORD FIRE COMPANY

Steve Mroczek, Oxford Fire Company, gave the fire department report that consisted of the following: the fire company responded to six (6) fire calls, two (2) mutual assistance calls, four (4) ambulance calls and one (1) assist the police department.

Mr. Mroczek announced that the fire company is in the process of obtaining a grant from EMS for emergency medical equipment to upgrade the auto defibrillator. The grant is in the amount of \$14,000 and the fire company is looking into matching funds. This will bring the equipment to the state of the art.

#### NEW BUSINESS

##### Oxford Museum

Oxford Museum has requested permission to store some of the Museum's most valuable and irreplaceable artifacts on the second floor of the Oxford Community Services Center if a major storm is approaching Oxford. All Commissioners were in agreement that the Museum can use the building. The items will have to be moved and put back in the museum by museum help.

## UNFINISHED BUSINESS

Commissioner Kearns explained that at the time of the meeting regarding placement of the Blue Star Memorial letters received from residents were more in favor of Town Park as placement for the memorial, but since the meeting more letters have been received both for and against. Commissioner Kearns stated that he had drawn a design for the location at the Park but since has heard a lot of discussion that the Commissioners should ask the Garden Club to reconsider the location and place the monument at the triangle where the flag is located. The Garden Club asked for three things (1) place of dignity, (2) place of awareness and (3) place of assembly. Commissioners Kearns stated that with the proper design the triangle can provide these three things. It was agreed upon by the Commissioners that Commissioner Kearns go back to the Garden Club to discuss another option for placement of the memorial.

### Stairwell Proposal

The Commissioners and Scott have reviewed a proposal presented to the town by Dennis H. Still for renovation to existing stairs and stairwell in the Town Hall Building. Mr. Still will bill on an hourly fee rate of \$110 per hour and the maximum fee will be limited to \$4500 for the entire project. Commissioner Klair made a motion to accept Mr. Still's proposal. President Dunbar seconded motion.

Aye – Peter Dunbar

Aye – Timothy Kearns

Aye – James G. Klair

A discussion ensued between the Commissioners and the Town Attorney regarding whether the town has any recourse that it can take. Attorney Thompson advised waiting for Mr. Still to finish his work and to look at the cost of the renovation to see if it is economical to litigate.

### East Strand Neighborhood

Cathy Bitter, East Strand Neighborhood, will be holding a workshop on Wednesday, September 23<sup>rd</sup> at 7:00 p.m. in the Meeting Room of the Community Services Building. Discussion will be parking, signs, beach, erosion, etc.

## ATTORNEY

### Law Enforcement Mutual Aid

Attorney Thompson suggested that the Commissioners introduce an ordinance authorizing mutual aid to other police agencies. Even though the Ordinance is introduced Attorney Thompson advised that changes can be made if necessary. President Dunbar introduced Ordinance 1003 which is "AN ORDINANCE OF THE COMMISSIONERS OF OXFORD AUTHORIZING THE EXECUTION OF A LAW ENFORCEMENT MUTUAL AID AGREEMENT IN ACCORDANCE WITH MD. CODE ANN. CRIMINAL PROCEDURE ARTICLE SECTION 2-105".

### Local Law Enforcement Agencies Participating in Drug Task Force

Attorney Thompson suggested that the Commissioners introduce a Resolution allowing Oxford Police Department to participate in the Talbot County Drug Task Force. President Dunbar introduced Resolution 1002 which is "A RESOLUTION OF THE COMMISSIONERS OF OXFORD APPROVING AN AGREEMENT BETWEEN THE MARYLAND STATE POLICE, THE OXFORD POLICE DEPARTMENT AND OTHER STATE AND LOCAL LAW ENFORCEMENT AGENCIES PERTAINING TO THE TALBOT COUNTY DRUG TASK FORCE".

#### Storm Water Ordinance

Attorney Thompson explained that as a result of regulation changes, local stormwater management ordinances will need to be updated. MDE has developed a new model ordinance to assist municipalities. Attorney Thompson presented the Commissioners with a copy of the model ordinance in order for them to review and suggest changes to fit the town of Oxford. Proposed revisions are to be submitted to MDE by November 11, 2009 and adopted by May 4, 2010.

#### PUBLIC COMMENT

Mitchell Nathanson, Oxford Boatyard, questioned when the problem of the tree branches hanging over the roadways was going to be addressed by the Commissioners. A short discussion ensued between Mr. Nathanson and the Commissioners. President Dunbar stated that a work session needed to be held with Mr. Nathanson in order to discuss issues such as trees and beach damage. President Dunbar requested that Mr. Nathanson put together a list for the Commissioners prior to a work session and strongly suggested alternative ways to handle boat deliveries such as; (1) an entrance alongside the paint shed, (2) generate another fence opening on Mill Street, (3) beach needs to be addressed, (4) trees in question, (5) get height of boat that was delivered last week, and (5) alternative to cutting limbs. The decision was made to hold the workshop with Oxford Boatyard on Wednesday, September 2, 2009 at 7:00 p.m.

Mrs. Gaffney asked the status of short term rentals. Attorney Thompson advised that he is putting changes into an Ordinance.

President Dunbar stated that to answer a question of Gus Koste from an earlier town meeting, \$1300.00 was spent for survey work in connection with the submerged land annexation.

#### EXECUTIVE SESSION

The Commissioners voted to go into executive session to consult with counsel to obtain legal advice. The executive session was held under Section 10.508 Open Meetings Act, Maryland Code (1992 Cum. Supl.) No. 2. Those in attendance were Peter Dunbar, Commissioner, Timothy Kearns, Commissioner, James Klair, Commissioner, Scott DeLude, Public Works Superintendent, James Borga, Chief of Police, Patrick Maxwell, Lt. Police Department, David Thompson, Town Attorney and Lillian Lord, Town Clerk.

#### BILLS PAYABLE

The regular meeting was reopened. The Commissioners went to Bills Payable.

Commissioner Klair made a motion to adjourn the meeting. Commissioner Kearns seconded motion.

- Aye – Peter Dunbar
- Aye – Timothy Kearns
- Aye – James G. Klair

Respectfully submitted,

Lillian Lord  
Town Clerk

