

## COMMISSIONERS MEETING

July 14, 2009

### LOCATION

Commissioners Meeting was held in the meeting room of the Community Services Building on July 14, 2009. President Klair called the meeting to order at 7:30 p.m.

### PRESENT

Commissioners present were James Klair, Peter Dunbar and Timothy Kearns. Town Attorney David Thompson and a Star Democrat representative were in attendance. There were approximately thirty five (35) people in attendance.

### APPROVAL OF MINUTES

The minutes of June 16, 2009 were approved as distributed.

### ELECTION OF TOWN COMMISSIONER PRESIDENT

At this time President Klair made a motion to nominate Peter Dunbar to serve as president of the Town Commissioners for fiscal year 2009-2010. Commissioner Kearns seconded motion.

Aye – James Klair

Aye – Timothy Kearns

Peter Dunbar will serve as President of the Town Commissioners for fiscal year 2009-2010.

President Dunbar took over the meeting.

### MAINTENANCE REPORT

Scott DeLude, Public Works Superintendent, was not in attendance. In Scott's absence, Commissioner Kearns read the Maintenance Report that consisted of the following:

1. The Public Works Department installed two (2) new culverts at the intersection of Third Street and Town Creek Road. The old ones were completely deteriorated because they were made of metal and had a reaction over the years to the salt water. The new culverts are reinforced plastic that will last an indefinite time. There are twelve more culverts that need to be replaced this year.
2. After discussing the need for replacing the Bonfield lift station generator at the last meeting, permission is needed from the commissioners to put the generator out on bid.
3. The Public Works Department is requesting that the residents of Oxford refrain from leaving recyclables at the recycle center if the bins are full. The debris blows throughout town and into neighbors yards.

The Commissioners were in agreement to advertise for bids for the replacement generator at the Bonfield lift station.

### POLICE REPORT

In the absence of Chief Borga, Lt. Maxwell gave the Police Report that consisted of the following:

10 – Police Information

2 – Assist the Fire Department

3 – Suspicious motor vehicles (ID and moved on)

- 2 – Minors in possession of alcohol (cited and released pending trial)
- 1 – Alarm (malfunction)
- 3 – Animal Complaints (cited and notified animal control)
- 1 – Theft (Older Bicycle at Kids Camp)
- 1 – Hit and Run (damage to light post)
- 2 – Assist Other Police Agencies
- 1 – Trailer Permit Violation (cited)
- 1 – DWI (arrested and released pending trial)

Lt. Maxwell announced that the night of the fireworks went off well, traffic control went smoothly. There were several citations given for alcohol violations.

President Dunbar announced that Chief Borga has been in the Memorial Hospital but is doing much better and should be back to work on Monday, July 20, 2009.

Nancy Wallace, member of Oxford Parks & Recreation, thanked Lt. Maxwell for the Police Departments help with the activities in the Park and the Children's Parade on July 4, 2009.

#### OXFORD FIRE COMPANY

Jan Mroczek, Oxford Ladies Auxiliary, gave the fire department report that consisted of the following: the fire company responded to ten (10) calls for a total of ninety (90) personnel hours and ten (10) ambulance calls in the last four (4) weeks.

#### PRESENTATION OF LIVING SHORELINES

Stuart Parnes, Executive Director of the Chesapeake Bay Maritime Museum and Margaret Enloe, Chesapeake Bay Foundation gave a presentation on Living Shorelines.

Mr. Parnes began the presentation with a slide presentation showing aerial photographs of the fifty foot (50') of natural shoreline at the Chesapeake Bay Maritime Museum where the living shoreline has been placed. This area included a culvert that ran into the river from a parking lot. In the area where the living shoreline was created there was a wooden bulkhead in place and the bulkhead was left in place. A stone sill was installed with sand placed between the sill and the bulkhead. There was a dock out over the water which was replaced with a grille dock to allow light to pass through. The project took longer than was anticipated but turned out well. There was nothing living in the area before the living shoreline was created, but there is life in the area now. Mr. Parnes encouraged everyone to visit the museum and look at the shoreline. The living shoreline has created habitat, drainage for the parking lot and provided education to the public.

Margaret Enloe, Chesapeake Bay Foundation, stated that the museum was a perfect site for a living shoreline. Oxford will have a different design because of the wave action from the Tred Avon River. Ms. Enloe commented that there are many volunteers that live in Talbot County that want to help with projects such as these. Ms. Enloe stated that another name for a living shoreline is bioengineering w/native species and again how the shoreline is done depends on wave action in the area. A problem with rip rap or cement along the shoreline is that water will get through and the stabilization of the shoreline fails. Ms. Enloe showed several slides of work that has been completed by Chesapeake Bay Foundation. In some areas after the project is completed with plants it will fill in within three months. The idea is to create an inner tidal zone. Often living shorelines are less expensive than other means of dealing with erosion problems. The project is a great way for the community to become involved and some of the benefits are: create a habitat for bay creatures, slow wave action, help with runoff and an educational tool for the public.

Mr. Parnes stated that the town might consider a walkway over the area, allowing visitors to see what is happening in the living shoreline. Mr. Parnes explained that there is no problem with mosquitoes since the water will always be in motion with tidal changes, it will not be a stagnant pond.

Jane McCarthy, member of audience, stated that when the Fish & Wildlife Lab put in their shoreline they allowed for nesting of turtles. Mr. Parnes said the shoreline purposed for Oxford will allow for this also. Nancy Wallace, audience, questioned if the Town Park Shoreline project will cause any problems for neighboring properties. Ms. Enloe said that from the design she has seen it should not cause any problems, but engineers will look into impacts. Ms. Enloe said there are many ways to do a living shoreline and there is funding available that will help with these projects.

John Shannahan, audience, questioned whether living shorelines are actually a land grab and according to Mr. Shannahan, he had proposed one for his property two years ago. Ms. Enloe suggested that Mr. Shannahan look into this again, since rules have changed in dealing with erosion.

President Dunbar stated that there has been a transition period from doing rip rap to living shorelines and some projects are probably grandfathered. President Dunbar commented that Chesapeake Bay Foundation did a report card on the bay and water quality received a C whereas habitat received a D. President Dunbar explained that Town Park project status has not changed, the town is still in a design phase which will be presented to the public, no decisions have been made at this time and there will be an opportunity for residents input. Ms. Enloe stated that Chesapeake Bay Foundation would be happy to do a workshop with the town. Mr. Parnes commented that the project can bring the community together, everyone can be a part of the project.

#### DELMARVA POWER – Trees

President Dunbar announced that he had been in touch with Delmarva Power and asked where the information was that was requested when Delmarva Power representative attended the town meeting on April 28, 2009. (A plan was to be presented for trimming, a walk through with any interested citizens was to be done and concerns about trees above the high voltage lines was to be addressed) Since this has not been presented to the town, Delmarva Power will provide this information to the town before attending a town meeting.

#### NEW BUSINESS

##### Boats/Trailer Storage Area

Commissioner Klair informed everyone that he has been approached with the idea of the town developing an area where residents can store boats on trailers. Several years ago the idea of the town shop for storage was brought up. Commissioner Klair asked that his fellow Commissioners discuss this at a town meeting in the future.

##### Resolution – Annexation of Submerged Lands

President Dunbar explained that for at least the past two years there have been concerns over mooring buoys. The town is concerned with the safety of the buoys as far as proper installation. The Commissioners have attempted to work with DNR and Talbot County to have a regulatory program in place. Since the town has had little luck with the county responding, the town attorney came up with the idea to annex the bottom of the Tred Avon much like the Town has already done with Town Creek. This would extend authority in front of the Strand and the area known as “The Park”. The Resolution for annexation of the submerged lands would be advertised and there will be public comments taken. Step One, the town needs to have

authority in the Tred Avon and Step Two, the town needs to regulate placement of the moorings and make sure they are properly installed. The town would include DNR regulations. DNR does not address safety. The purpose of annexation is to establish regulatory regulations. Waiting until details are worked out would again delay the process which has already taken two to three years.

Commissioner Klair stated that quite often a bill is passed and regulations follow. The important issue is that Oxford Port Wardens have said that some type of regulations are needed. Whether, the Resolution is introduced first and then sent to Planning Commission and Port Wardens for recommendations is not the issue, the process needs to get underway. Once the Resolution is introduced a workshop is needed with the Tred Avon Yacht Club, the captains of the Oxford Ferry and interested residents. Commissioner Klair commented that it is time to get input from the public. Once the Resolution is introduced it will be advertised and all involved agencies will be notified.

Attorney Thompson explained that once the Public Hearing is over, the Commissioners can vote on the Resolution. If they vote to pass the Resolution, it would not go into effect for forty five (45) days. During this forty five (45) day period the citizens could petition the Resolution to a referendum and final action would depend on the outcome of the referendum. Attorney Thompson commented that annexation of submerged lands is recognized by the courts. The town has no jurisdiction on the Tred Avon side. DNR can only give authority if the town has jurisdiction, it is a matter of law that they can not give you authority outside of town boundaries. The Resolution will give the town authority on the Tred Avon side like it has in Town Creek, this is all the annexation does.

All Commissioners were in agreement that the Resolution should be introduced. President Dunbar stated that no public comments will be taken tonight, the opportunity to speak will be at the Public Hearing. President Dunbar read Resolution 1001 which is "A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO ANNEX SUBMERGED LANDS LOCATED UNDER CERTAIN PUBLIC WATERS ADJACENT TO THE TOWN BOUNDARIES IN ORDER TO REGULATE PLACEMENT OF WHARVES, PIERS, MOORING PILES, MOORING BUOYS, FLOATING DOCKS AND ASSOCIATED OR RELATED STRUCTURES" in its entirety. The Public Hearing will be held on September 22, 2009 at 8:00 p.m.

#### UNFINISHED BUSINESS

##### Blue Star Memorial

Commissioner Klair announced that several letters have been received in favor of placing the Blue Star Memorial in the Town Park. Commissioner Klair suggested that before the Commissioners approve the placement of the memorial in the Town Park that the Garden Club present a diagram and a specific location and what will be planted around the memorial to the Commissioners. Commissioner Kearns suggested a workshop with Ms. Stevens, Oxford Garden Club and Oxford Park & Recreation Board to present information on location to the Commissioners. Commissioners Dunbar and Klair were in agreement to Commissioner Kearns idea. Commissioner Kearns will arrange to meet with the Garden Club and Parks & Recreation. The Commissioners do approve of the Blue Star Memorial but need to approve its location.

##### Sidewalks/Streets

Commissioner Kearns commented that the town has received a complaint regarding the condition of sidewalks and the need to have homeowners repair their sidewalks. Commissioner Kearns mentioned that several citizens are also concerned about the stones from driveways that are coming onto the bicycle path. Commissioner Kearns stated that when attending the MML Convention in Ocean City, he visited a booth that sells street sweepers. A sweeper that is

installed on the front of a vehicle runs approximately \$3,900 and might help with correcting the stone problem.

#### Winner of Advertising Ad

Commissioners Kearns won a free ad in Chesapeake Life Magazine while attending a tourism meeting with the County. Commissioner Kearns suggested transferring the ad to the Oxford Business Association. All were in agreement that Commissioner Kearns work with the Oxford Business Association and Talbot Tourism to come up with an ad.

#### Short Term Rental

President Dunbar suggested that Attorney Thompson put together regulations consistent with the county regulations on short term rentals. Attorney Thompson stated that he has been monitoring the short term rental issue for some time. Preparing a draft ordinance and incorporating some of the county ordinance in the draft should be helpful.

#### Swimming Pool

Commissioner Klair commented that the Commissioners had requested that the Oxford Pool Committee look at a property on Second Street to see if the property might be suitable for a community swimming pool. At this time we are waiting for the chairperson or members of the Oxford Pool Committee to get on the agenda of a Town Meeting to give an update on the pool and their ideas regarding the property on Second Street.

#### EXECUTIVE SESSION

President Dunbar requested that the Commissioners go into Executive Session following tonight's meeting to discuss personnel and safety issues and 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, Patrick Maxwell, Oxford 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 Kearns made a motion to adjourn the meeting. Commissioner Klair seconded motion.

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

Respectfully submitted,

Lillian Lord  
Town Clerk