

COMMISSIONERS OF OXFORD
Regular Meeting Minutes
May 26, 2015

The Commissioners Meeting was held in the meeting room of the Community Services Building on May 26, 2015. Commissioner President Carole Abruzzese called the meeting to order at 6:00 p.m.

PRESENT

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

The meeting was opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Fronk made a motion to approve the minutes as amended of May 12, 2015, the motion was seconded by Commissioner Graves, all were in favor, and motion carried.

The disbursements for the month of April 2015 were received. Commissioner Graves made a motion to file the disbursements for audit, Commissioner Fronk seconded the motion, all were in favor, and the motion carried.

President Abruzzese announced that at the conclusion of the last meeting on May 12, the Commissioners convened a closed session for legal advice for a public security matter, a property maintenance issue, and consideration of a property acquisition. Those present were Commissioners Abruzzese, Graves and Fronk, Chief Maxwell, Clerk Lewis and Attorney Booth. A written statement setting forth the vote of the Commissioners and topics that were discussed will be filed within the minutes of the Commissioner meeting.

PUBLIC WORKS

Superintendent Delude presented the maintenance report consisting of the following:

- The town has received its new vehicle for storm water operations. The vehicle is a 2006 Humvee transport truck with 11,000 miles on it. Thanks to the police department and federal government, the truck was at no cost to the town. This truck will be used in high water events and for wastewater operations in storms in order to save the town's current vehicles from the saltwater corrosion.
- The town has a sidewalk contractor working on the Morris Street sidewalk doing routine yearly maintenance. The brick sidewalks have come a long way in the last year with plans to keep them up for the future with the town's sidewalk program. Administrator Lewis added that the town sidewalks will be re-evaluated each year as well as identifying cement areas that may benefit sidewalk retrofits. Where brick sidewalks exist now, measures will be taken to maintain the original bricks. Money for the sidewalk repair will remain in the annual budget each year.
- Delude reported that the town's arsenic reduction system was going to need new media. The cost is around fifty thousand dollar, which has already been set aside for the new year's budget. The media has a life of 6 months to 3 years. The current media has lasted just over a year and is now coming to the end of its functional life. Delude stated that he had contacted the provider of the media and that as soon as the media is no longer working, the provider will have a new one available so that no interruption will take place with the town's water service.

POLICE REPORT

Chief Maxwell presented the Police Report, which consisted of the following:

- 2 – Alarms
- 1 - Assist other Police Agency
- 10 - Police Information/Service
- 1 – Suspended driver (charged and released pending trial)
- 4 – Assist the Fire Department
- 8 – Property Checks (3 at the OCC and 5 at the basketball courts)
- 4 – Parking complaints (citations issued)

Chief Maxwell reported that the Memorial Day weekend was very busy and that speeding coming into town was a problem and several tickets were issued for excessive speeding. The beach was packed during the holiday weekend and many bicyclists were in town. The Oxford Police Department assisted the Talbot County Sheriff's Department with a vehicle that was driving recklessly on Oxford Road, endangering people and property. The Memorial Day dedication in Town Park was well attended by residents and visitors alike.

Commissioner Graves cautioned all on phone scams having recently received such a call.

OXFORD FIRE COMPANY REPORT

President Abruzzese presented the Oxford Fire Company report for the period May 12 to May 26, 2015. If there were any calls during this period, the statistics had not been recorded. The next Fire Company breakfast will be Sunday, June 14, 2015. The Ladies Auxiliary rummage sale will be Saturday, May 30, from 9 a.m. to noon. Items can be dropped off on Friday, May 29th, from 9 a.m. until 4 p.m.

UNFINISHED BUSINESS

President Abruzzese revisited Ordinance 1503: AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND SECTION 10 OF THE OXFORD ZONING ORDINANCE TO ADDRESS THE LOCATION, PLACEMENT AND/OR STORAGE OF ON-SITE CONSTRUCTION MATERIALS, EQUIPMENT AND DEBRIS; AND TO ESTABLISH THE HOURS DURING WHICH WORK CAN OCCUR PURSUANT TO A BUILDING PERMIT. The ordinance was deferred at the May 12 meeting with a request that Attorney Booth revise the section regarding construction noise.

Booth explained that a lot of discussion had taken place at the last meeting regarding the hours of operation with good comments being made. As a result, Booth modified the language in Section 10.05 – Permit Condition, to tie the hours of operation to loud construction activity. The new language, under Section 10.05.A, was changed as follows: *Any construction activity that causes or is likely to cause excessive noise or vibration (including, by way of example and not by limitation, hammering, use of heavy construction equipment, saws, or power tools, or playing loud music), which is audible from a public way or from an adjacent property, shall only occur between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and from 8 a.m. until 4:00 p.m. on Saturday and Sunday.* Attorney Booth explained this would not limit the hours pursuant to a building permit but means if a contractor were going to undertake work that would result in loud noise that could be heard from a public way or from an adjacent property, that activity would have to occur between those hours as noted. She further stated that after this draft had been circulated, resident and past commissioner Peter Dunbar had gotten back to her with the suggestion that perhaps Sunday should be excluded from the list so that no loud, excessive noise be allowed at all at least one day a week. The other change involved Section 10.02.A1, where there was some confusion with the language so that it was changed to read *Three copies of a recorded plat, site plan, or drawing (depending on the requirements set forth elsewhere in the Zoning Ordinance) upon which shall be drawn, shown or depicted to scale...* President Abruzzese reported that many part-time homeowners were in Oxford over the Memorial Day weekend and they too complained about the noise created by certain contractors working over the weekend, in particular one who starts on a Sunday morning, takes a break in the afternoon, and begins again from 5 to 8 p.m.

They were concerned that they had no options in ensuring the noise would stop at a reasonable hour. President Abruzzese admitted that although there have been problems on her end of town, she believes most local contractors usually work from 7 am to 4 pm and are rarely seen on Saturday and not at all on Sunday, and as such did not see that this ordinance would cause a hardship for them. The problems seem to be coming from contractors who are living in vacant houses while they are working on them. She added that she looked favorably on Mr. Dunbar's suggestion that work on Sunday be removed from the list. Administrator Lewis added that few businesses work on Sunday and that the change proposed would be no more different than a liquor law. Administrator Lewis reported that the members of the audience who spoke with their concerns over this ordinance at the previous public hearing had all been made aware of the proposed changes and found them agreeable, although she had only had the opportunity to discuss the Sunday recommendation with a few of them. All three Commissioners agreed that they had no problem with striking Sunday from the ordinance but keeping Saturday with the hours as written. Commissioner Graves made a motion to adopt Ordinance 1503 with the change of dropping Sunday and correcting a typo that was found. President Abruzzese seconded the motion which was then unanimously carried with all in favor.

NEW BUSINESS

Commissioner Fronk reported that the town had contacted the French tall ship, L 'Hermione, in hopes that Oxford could be added to their schedule in June. He explained that he was alerted by marina operator John Shannahan that L 'Hermione was leaving Alexandria, VA and headed to Annapolis. The hope is that the ship can dock in Oxford a day or two before it is scheduled to arrive in Annapolis. Administrator Lewis added that resident Anna Snow assisted the town in reaching out to the French embassy. Lewis noted she was putting together a letter to the French Captain, which would include attachments of water depth, dock specifics, and positive comments regarding the visit from El Galleon.

LETTERS

President Abruzzese reported that a letter from Stephanie Handy from the Talbot County Arts Council had been received thanking the Commissioners for their \$1,000 donation for FY 16.

ATTORNEY

Attorney Booth reported that at the last meeting, there was a closed session to discuss the Mews property and that she wanted to give the public an update as to what had taking place. Booth explained that she and Lewis had met with the owner of the Mews to talk about the condition of the property, along with an inspector who inspected the property conditions and assessed rehabilitation possibilities. Ultimately, the owners listed the property for sale, which prompted an on-going dialogue with them about having the town potentially purchase the property. It was listed for \$550,000 but after negotiations, the owners were willing to accept an offer of \$525,000. Following the closed session at the last town meeting, the Commissioners reconvened in open session and directed Booth to prepare a contract to present to the owner. Booth stated that she had learned, prior to attending this night's meeting, that the contract had been accepted with a few minor revisions. She further explained that for the town to actually purchase the property, it will be necessary to go through the normal ordinance process granting acquisition authority, which with their direction she would prepare for the next meeting. She added that there was a specific contingency in the purchase contract that provides it null and void if the Commissioners do not eventually adopt the acquisition ordinance. Once this ordinance has been introduced, Booth stated she would draft something to the owner making it clear that in the event there was some sort of broker fee the seller would be responsible. She recommended the Commissioners introduce an ordinance as soon as possible to allow the ample time for public input on this purchase. Lewis added she could put information about the purchase in the next town newsletter and that she was putting together a workgroup to discuss the Historic Commercial District per the Sustainable Communities Plan and that this would be the first topic of discussion. She recommended the

Commissioners consider a line of credit for purchasing, while other opportunities for development funding are being researched. Temporary funding would allow the town to acquire the building, while the potential for grant funded renovation by the town or development by investors, etc. would remain on the table. President Abruzzese thanked Lewis for all her work in getting this project going and expressed her excitement with regards to moving forward with the project.

CLERK COMMENTS

Lewis requested an executive session for a personnel discussion after the meeting.

Lewis reported that construction on the county park located outside town limits is expected to begin in August and that the county was very pleased with the portapot shelter the Oxford Public Works Department built at the ballpark and will be building for the new park in the fall. The park committee will be meeting again next month. Lewis added she was working on having them determine the height of the park sign at installation and not before as the county park signs are generally standardized tall signs. She added that she would like to see the sign as close to the ground as possible and that she had been very vocal about the impact it would have on Oxford Road. A name for the park has still not been decided. Park committee member Peter Dunbar spoke stating that it is possible there may be some old gravesites along the back of the new county park and that an investigation is taking place.

Lewis reported that she has had no response yet on her query to the Stories of the Chesapeake people as to what they will do with any money if the town were to give them a donation.

Lewis reported that a positive response had been received to the town's application to Maryland Energy and she was anticipating \$25,000 in grant funds that be used towards replacement of the town buildings obsolete HVAC system.

Lewis suggested a proclamation be signed at the next Commissioner's meeting celebrating The Scottish Highland Creamery's 10th anniversary.

COMMISSIONER COMMENTS

Commissioner Graves reported that the Memorial Day ceremony held in the front of the Blue Star Memorial in Town Park was very nice and well attended.

PUBLIC COMMENTS

Peter Dunbar stated he was elated with the possible purchase of The Mews as it opens up endless possibilities for the town to have control of the property.

There being no further business, President Abruzzese made a motion to adjourn the meeting in order to go into executive session for a personnel matter. Commissioner Graves seconded the motion, all were in favor, and the meeting adjourned into executive session at 7:25 pm. Following the executive session, Commissioner Fronk made a motion to adjourn the regular meeting, Commissioner Graves seconded the motion, all were in favor, and the meeting was closed.

Respectfully submitted,

Cheryl Lewis

"In accordance with Section 10-508(d) of the State Government Article of the Maryland Annotated Code, a written statement of the closed session is attached to the official minutes of the Commissioners of Oxford and maintained in the minute book in the Town Office."