

COMMISSIONERS OF OXFORD

Regular Meeting Minutes

November 10, 2015

The Commissioners Meeting was held in the meeting room of the Community Services Building on November 10, 2015. Commissioner President Gordon Fronk called the meeting to order at 6:00 p.m.

PRESENT

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

The meeting opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Graves made a motion to approve the minutes of October 13, 2015 as distributed and corrected. Commissioner Abruzzese seconded the motion, all were in favor, and motion carried.

REPORT OF DISBURSEMENTS FOR OCTOBER 2105

A motion was made by Commissioner Graves to file the reported disbursements for October 2015 for audit. Commissioner Abruzzese seconded the motion, all were in favor, and motion carried.

On October 20th at a Special Meeting, the Commissioners convened a closed session for a matter related to town owned property and a matter related to the contents of submitted proposals. Those present were Commissioners Abruzzese, Graves and Fronk, Clerk Lewis and Attorney Booth. A written statement setting forth the vote of the Commissioners and the topics that were discussed will be filed within the minute's book of the Commissioner meetings.

Prior to tonight's meeting at a Special Meeting, the Commissioners convened a closed session for a matter related to the contents of submitted proposals. Those present were Commissioners Abruzzese, Graves and Fronk, Clerk Lewis and Attorney Booth. A written statement setting forth the vote of the Commissioners and the topics that were discussed will be filed within the minute's book of the Commissioner meeting.

PUBLIC WORKS

Superintendent Delude presented the following public works report as follows:

- A water leak was found at Bachelors Point the week of November 2 which was fixed the same day as found at a cost of \$500.
- The town's small dump truck, which is used for brush, leaves, and a salt truck in the winter, was rehabbed and the rear dump bed was welded/braced and rubber coated inside and out for the upcoming season.
- The new skid steer and excavator have been received which will be a great help in the town's storm water maintenance and water installs in the future. A new snow blower has been purchased to be used for town hall and park sidewalks.

- The Oyster House that was at Pier Street docks has been taken to the public works building and rehabbed for show when the new dock at the Tilghman Street landing is built.
- There will be no leaf pickup Wednesday (Veteran's Day) as the Public Works Department will be closed. The crew will be back out Thursday morning to remove any raked up leaves.

POLICE REPORT

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

- 1 – Hit and run accident (suspect charged)
- 21 – Police information - service
- 3 – Check on welfare
- 4 – Suspicious vehicles
- 6 – Property checks
- 1 – Fraud (Florida case)
- 1 – Assist other police agencies
- 2 – Alarms
- 1 – Unattended death
- 2 – Suspicious persons

Chief Maxwell reported that the Halloween festivities went off without any problems and that the crowds seemed to be down this year.

UNFINISHED BUSINESS

President Fronk opened discussion of Bid 16-03, titled Oxford Historic Commercial District Development Plan, in order to announce the bid award. Administrator Lewis provided a brief discussion as to how the need for the planning came about. She explained that the Commissioner's had set up a work group for economic development work, which resulted in the recommendation that a professional planner be sought for developing a plan for the Oxford Historic Commercial District. A request for proposals was advertised seeking qualified consultants to provide all professional services and related incidentals necessary for the development of a strategic economic develop plan for the historic commercial district. Three proposals were received and copies were made and given to the Commissioners and work group to review and make comments. The work group responded individually and the majority of the comments received favored Jakubiak & Associates – a MD based company with extensive planning, extensive MD project work, and, as noted by the working group, having the potential to deliver the best value. Commissioner Fronk thanked the group for their work, interest, and thoughtful responses. He noted that all three proposals received were good, with each having their own strong points, but that he thought Jacubiak came across as a bit stronger with their experience in working in historic communities and small town planning in Maryland, along with their extensive work throughout the shore and that he would recommend them for the job. Commissioner Graves stated that in his careful consideration of each proposal that he too was drawn to Jakubiak because of their experience on the shore. President Fronk added that he respected the information given by the work group and with their input, Administrator Lewis's input, and the Commissioners review, he felt that the low bidding group under bid their time working in Oxford and increasing the needed visits would then bring the cost in line with the other bids. Lewis added that there were grant funds available from the state that could provide 50% of the cost up to \$20,000. Commissioner Abruzzese made a motion that the bid award for the historic

commercial district strategic planning be given to Jakubiak and Associates, Commissioner Graves seconded the motion, all were in favor and the contract was awarded to Jakubiak and Associates.

NEW BUSINESS

Administrator Lewis stated she had prepared Resolution 15-14, in discussion with the State, for an amount of up to \$20,000 to be used towards the cost of preparing the Oxford's Historic Commercial District development plan. She stated she had applied for a grant in the amount of \$20,000, yet to be awarded, and this was resolution was required in order to accept any grant funding based on state regulations regarding economic development funding. Commissioner Graves read aloud Resolution 1514 A Resolution of the Commissioners of Oxford, Maryland authorizing the Town Administrator to accept a grant award up to the amount of nineteen thousand nine hundred and twenty five dollars (based on the award to Jakubiak) from the Maryland Department of Commerce to fund a Strategic Development Plan for the Oxford Historic Commercial District. Commissioner Abruzzese made a motion to accept the resolution, President Fronk seconded the motion, all were in favor, and the motion carried.

President Fronk announced that a significant event was taking place and read aloud a Proclamation of the Commissioners recognizing Oxford United Methodist Church's 150th Anniversary. Commissioner Graves made a motion to adopt the proclamation, the motion was seconded by Commissioner Abruzzese, all were in favor, and the motion carried. The proclamation will be presented to the church at the anniversary celebration.

Resident Ray Stevens, on behalf of the organizers of the Sharkfest Swim, requested permission to hold the event again in Oxford on Saturday, May 21, 2016. Registration would be held that day at the Tred Avon Yacht Club. The swim would take place in the vicinity of the Oxford Ferry, over to Bellevue, and back. Chief Maxwell commented that because the event was being held at the yacht club it did not present much of a problem in town. Commissioner Abruzzese stated it was a wonderful event. President Fronk questioned if this was a national organization holding the event. Mr. Steven responded that the promotor lives on the west coast and its national to the extent that there are about 20-25 events similar to this all over the country. No benefit is involved. An entrance fee is collected and Mr. Stevens thought that a portion of the money was given to the yacht club.

A second request was presented to the Commissioners from Clark Semmes for a biathlon to also be held on Saturday, May 21, 2016, following the Sharkfest Swim. The First Annual Oxford Biathlon event began in late May of 2014 which piggy backed on the Oxford-Bellevue Sharkfest Swim. Its purpose is to raise funds for the Charcot-Marie-Tooth Association – a rare neuro-muscular disease that afflicts millions world-wide, including Mr. Semmes. Mr. Semmes noted that last year's event raised about \$90,000. Chief Maxwell stated that a permit would need to be obtained from the State Highway Administrator because the race would include travel along Rt. 333 adding that the bicyclists would have to ride along the shoulder of road. President Fronk stated he thought this had been a very successful event for a very good cause. Commissioner Abruzzese added that she would like to see this event move forward and that she respected what Mr. Semmes was doing and that the town would do whatever it could to make the event safe and would like to go on record as stating that the Commissioners support this event, with Commissioner Graves agreeing. Mr. Semmes added that he was also concerned with rider safety and would work with Chief Maxwell on logistics. Attorney Booth noted that both events facilitators will be required to provide insurance certificates and/or waivers removing liability from the town.

A request for an ordinance revision to Section 31 of the Oxford Zoning Ordinance to add Section 31.21 titled "Demolition by Neglect" to address negligent or willful neglect in the maintenance or repair of structures located within the Historic District was presented by Attorney Booth on behalf of the Oxford Historic District Commission. The purpose of the zoning ordinance amendment is to address demolition

by neglect, which is defined under state law and is a tool the state law allows in town's with historic districts. It addresses a situation whereby an owner is capable of maintaining a building but willfully chooses not to do so thus creating a situation whereby the building keeps deteriorating. This ordinance would act as a mechanism whereby it would facilitate a dialog between the property owner and the Historic District Commission and find ways to correct an action before a building deteriorates to the point where it is no long capable of being repaired. Attorney Booth noted that she had worked with the HDC, made their requests for revisions, and was now presenting it to the Commissioners for review. This would eventually require an introduction as an amendment to the Zoning Ordinance, which would then require comments from the Planning Commission, and eventually a public hearing for citizen comments. A question was raised as to how the Commissioners were able to secure the demolition of a house on Second Street. Attorney Booth responded that there is a property maintenance code already in effect. President Fronk asked if this proposed ordinance would improve the property maintenance code. Attorney Booth responded that it would act as an additional tool whereby the HDC could have a dialog with a property owner before it came down to enforcement. Though the town does have the tools in place, this acts as another avenue that state law has authorized in the historic district. President Fronk asked if any member of the Oxford HDC out in the audience would like to comment as to why they would want this ordinance introduced. HDC member Dick Deerin spoke stating that his understanding was that the property maintenance code really did not work as well within the historic district, as it is often the case that the end result is demolition. This code would work as a way to specify the items a property owner would have to accomplish in order to avoid going to court and potentially end up with an order for them to make the repairs. He added that the goal of the HDC was to work with property owners to avoid a property falling in such disrepair that a building has to be demolished. Commissioner Abruzzese asked who would need to go out and specify what work needed to be done on a house. Mr. Deerin responded that it would fall to the town office to carry out that work. The HDC would request the town office to go out and document the items of deterioration that are being complained about and report back to the HDC. It would involve an administrative process with the hopes that it would catch a person's attention and hopefully get them to do something voluntarily so that the building in question would not have to be demolished, which is what the HDC is looking to avoid. Deerin suggested it would be a complaint driven process by either neighbors, the town office, the HDC itself, or any other number of sources. Planning Commission member Ed Miller asked if this new ordinance were in place today, would it give the town any more leverage in situations we are experiencing in the commercial district. Attorney Booth responded that she felt the property maintenance code addresses the same issues. Mr. Miller expressed his opinion that this would put the process and proceedings within the context of the HDC and that the HDC is specifically geared towards historic structures within the Historic District itself. He thought it gave a little more orientation towards the historic aspects of a particular structure and that the HDC is a better venue for these issues to be played out as opposed to simply having the town pursue it. President Fronk added that it seemed to him since the town was about to spend \$20,000 to come up with an Historic District Strategic Plan, that this ordinance seemed to compliment that and adds to the efforts of the town to preserve the historic district. Ward Bucher, town resident and Chairman of the Talbot County Historic Preservation Commission, stated that the maintenance ordinance is geared towards health, safety, and welfare, which may cause the town to lose some historic elements in the Historic District. This could be an effective tool in preserving those historic elements. President Fronk suggested the Commissioners review the information given to them and consider it over the next two weeks. Commissioner Abruzzese asked for a working session with the Historic District Commission. Planning Commission member Ed Miller suggested having the Oxford Planning Commission attend that session as well. President Fronk ended the discussion stating that the Commissioners would defer any action at this time, allowing for review of the recommendation, adding a joint work session with the Historic District Commission and Planning Commission would be scheduled in the future.

LETTERS AND REQUESTS

An email was received and read aloud at the meeting by President Fronk from resident and audience attendee Debbie Hager asking if discounts were available for seniors with limited incomes. She questioned if the town was looking at different kinds of grants and opportunities to help with utility costs for full time residents. Administrator Lewis stated that the town has a program that is state wide that offers assistance with the bay restoration quarterly fee but that there had been zero participation in Oxford. She noted that the forms to receive help with that fee are on the front counter and would reduce one's quarterly water/sewer bills by \$15. As far as the water/sewer portion of the bill, if discounts were provided to some users, the burden would be placed on the remaining users, as the fund must be self-sustaining and regular rates would have to be increased to absorb any income offset by discounts. She added that she could put some information in the next quarterly newsletter directing citizens to Delmarva Power's program to help with the cost of electricity.

ATTORNEY

Attorney Booth presented the proposals she had received from two local banks for interim financing for the Wastewater Treatment Program. The purpose of this loan would be a short term loan to cover the financing needs until the USDA grants and loan came in at the conclusion of the project. This would be a line of credit only paying interest on the amount the town actually has outstanding. It would work as a revolving loan – as grant funds were to come in, the town could pay it down as they go. The total loan would be \$8,844,000. 1880 Bank and Talbot Bank presented proposals. The lower option would be Talbot Bank with a 3 year fixed rate of 2.24%, 2 year fixed rate of 2%, and 1 year fixed rate of 1.85%. With a project of this magnitude, Attorney Booth suggested the town use the 3 year option. 1880 Bank offered a variable rate, with a Wall Street prime rate of 3.25%, as well as having some terms and conditions. Commissioner Abruzzese moved to accept the Talbot Bank proposal as the lowest competitive priced proposal per their November 6 letter, Commissioner Graves seconded the motion, all were in favor, and the motion carried. Attorney Booth added that the Commissioners did not have to commit to loan term yet, as these interest rates would stay fixed until March 31, 2016.

CLERK COMMENTS

Administrator Lewis reported that the town would be receiving funding of about \$20,000 towards the historic commercial district strategic planning project but would be spending nearly \$40,000 on the plan. Neither the cost nor the grant was anticipated in this fiscal year's budget so at mid-year Administrator Lewis stated she would be recommending an amendment for the appropriate line items, including an increase for the town's balance of the planning cost.

An application has been submitted for funding for a working waterfront plan. Administrator Lewis stated the application has been submitted to MDE's Department of Natural Resources New Program. This is basically for economic planning for working waterfront entities. Administrator Lewis added that she found out Oxford is one of three towns in Talbot County asking for funding which may minimize our chances for success.

Lewis updated the Commission on the recent Critical Area staff efforts to develop stormwater related implementation within their critical area criteria through a recent grant award. They are trying to look more realistically at stormwater management and shoreline protection, and develop ways to tie these into Critical Area management. They will be bringing a presentation with some recommendations. These recommendations will be solely identified for Oxford. One of the things Lewis identified as a possible implementation change would be the ability to plant a grass buffer along the water's edge or the

addition of a rain garden in lieu of the required square footage of tree canopy for new development, with the understanding that the benefits of improved stormwater retention or shoreline protection would better serve the Critical Area initiatives. For instance, instead of having 400 sq. ft. of tree canopy, one could put in 400 sq. ft. of grasses along the shoreline or construct additional bio-swales and retention ponds. Lewis also introduced the possibility of a 1 for 1 tree replacement within the 1000 ft. buffer in order to keep a tree canopy throughout town or setting up a fund whereby if a property owner didn't have room to plant another tree on their property, they could make a payment towards a tree fund somewhere else that would be more appropriate in order to keep the tree canopy the town already has, again with the understanding that a solid urban tree canopy is valuable for stormwater management and runoff reduction.

Administrator Lewis requested an executive session for legal advice on two zoning enforcement issues.

COMMISSIONER COMMENTS

President Fronk announced that a Veteran's Day service would be held at the Wesleyan Church on the corner of South and S. Morris Street, at 6 p.m. on the 11th, along with a service at 11 a.m. in front of the Blue Star Memorial in Town Park. Other events for the coming weekend include the Oxford Ladies Auxiliary Antique Show and Miniature Boat Show exhibition at the Oxford Community Center.

PUBLIC COMMENTS

Debbie Hager noted that a number of street lights were out throughout town. Administrator Lewis responded that she would put a list together for Delmarva Power.

President Fronk asked for a motion to adjourn the regular meeting and go into executive session for legal advice on town zoning issues. Commissioner Graves made the motion, Commissioner Abruzzese seconded the motion, all were in favor, and the meeting was adjourned at 7:10 pm.

The meeting was reconvened at 7:47 pm at which time Commissioner Fronk made a motion to close the regular meeting, Commissioner Abruzzese 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.”