

COMMISSIONERS OF OXFORD
Regular Meeting Minutes
February 23, 2016

The Commissioners Meeting was held in the meeting room of the Community Services Building on February 23, 2016. Commission President Gordon Fronk called the meeting to order at 6:00 p.m.

PRESENT

Attending the meeting were Commission President Gordon Fronk, Commissioner Carole Abruzzese, Commissioner Graves, 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 Abruzzese made a motion to approve the minutes of January 26, 2016 as distributed. Commissioner Graves seconded the motion, all were in favor, and motion carried.

REPORT OF DISBURSEMENTS FOR JANUARY 2016

A motion was made by Commissioner Graves to file the reported disbursements for January 2016 for audit. Commissioner Abruzzese seconded the motion, all were in favor, and motion carried.

Following the regular meeting of January 26, 2016, the Commissioners convened a closed session for two real estate matters. Those present were Commissioners Abruzzese 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.

On February 2, 2016 at noon, the Commissioners convened a closed session to consider a real estate matter. 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.

PUBLIC WORKS

Superintendent Delude presented the following public works report as follows:

- The Public Works crew had another brush with winter on President's Day with 4" of snow. The crew was in for a total of eight combined hours, quickly removing the snow, which ended up melting away on the next day.
- Oxford experienced a very high tide event on February 9th with six of the town's roads covered with water for approximately four hours. The tide gate at the Causeway held back the tide and South Morris Street stayed dry. High water signs were put out by the Public Works Department and SHA to warn of the water.
- March 15 will be the start of the sewer relining project on Banks Street, which should be completed by the 17th. Traffic should not be a problem as one lane can remain open and no digging will occur.
- The Public Works Department hired a new employee, Michael Morris, on February 17th. He is a resident of the Oxford area and a member of the town's fire department.
- The Public Works Department has received a cardboard boat from the fire department for the Cardboard Boat Race this year. Superintendent Delude encouraged the Commissioners to think about participating in the event.

President Fronk read aloud a note received from town resident Becky Bell thanking Superintendent Delude and his crew for the excellent work they did during the latest snow event.

POLICE REPORT

Chief Maxwell presented the police report which consisted of the following:

- 1 – Drug arrest (less than 10 ounces of marijuana)
- 33 – Police information/ service
- 3 – Suspicious persons (ID & moved on)
- 2 – Suspicious vehicles (ID & moved on)
- 2 – Accidents
- 1 – Check the welfare
- 3 – Property checks
- 1 – Animal complaint
- 5 – Assist other police agencies
- 2 – Alarms (alarm malfunction)
- 4 – Assist the fire department

Chief Maxwell reminded everyone of the on-going IRS and lawsuit scam phone calls.

PUBLIC HEARING

Prior to opening the floor to the public hearing Attorney Booth clarified that Ordinance 1601 pertained to the residential code and Ordinance 1602 pertained to the building code, as they were transposed on the agenda. President Fronk opened up the public hearing at 6:20 p.m. of Ordinance 1601, “AN ORDINANCE OF THE TOWN OF OXFORD TO ADOPT THE 2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DEWLLINGS, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE RESIDENTAIL CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH. Attorney Booth explained that the Town Code incorporates, by reference, these building codes. If adopted, this ordinance would amend the Town Code to incorporate the 2015 edition of the International Residential Code, replacing the 2012 edition that the town is currently following. Attorney Booth confirmed that there really were not any significant changes other than updating to the 2015 standards. Going forward, the residential code will apply to new houses and not existing houses, as the intention is to adopt the 2015 International Existing Building Code. No comments were received from the public. President Fronk called for the public hearing to be closed on Ordinance 1601.

Commissioner Abruzzese read aloud Ordinance 1602, “AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE, AS MODIFIED BY THE MARYLAND BUILDNG PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE BUILDNG CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH,” which was then opened up to the public for discussion. Attorney Booth explained this ordinance applied to new commercial construction in town. No comments were received from the public. President Fronk called for the public hearing to be closed on Ordinance 1602.

Commissioner Graves read aloud Ordinance 1603, “AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE ENERGY CONSERVATION CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH,” which was then opened up to the public for discussion. Attorney Booth noted that this was a code required to be adopted by the State in 2012, with the town having previously adopted the 2012 International Energy Conservation Code. The 2015 edition would be substituted for the 2012 edition. No comments were received from the public. President Fronk called for the public hearing to be closed on Ordinance 1603.

UNFINISHED BUSINESS

Commissioner Abruzzese made a motion to approve Ordinance 1601. The motion was seconded by Commissioner Graves and unanimously carried with all in favor.

Commissioner Abruzzese made a motion to approve Ordinance 1602. The motion was seconded by Commissioner Graves and unanimously carried with all in favor.

Commissioner Graves made a motion to approve Ordinance 1603. The motion was seconded by Commissioner Abruzzese and unanimously carried with all in favor.

Administrator Lewis reported on the Tilghman Street Boat Ramp Construction bid results. The bids were opened in the town office on Friday, February 11th, at 4 p.m. Two bids were received. The results were as follows: Dissen & Juhn: \$347,563 and Mertech Marine Division: \$ 346,825 Administrator Lewis explained that the town has approximately \$250,000 reserved in grant funding, and, as such, is not ready to award this project. Copies of the bid results have been turned over to the engineers and DNR has been contacted in an attempt to look for ways to close the gap between the funding in hand and the bid cost. Administrator Lewis noted that the town had applied to DNR for additional funds in 2015 and was hoping this would be awarded in the Governor's 2017 budget. President Fronk asked if the work could begin this year. Administrator Lewis responded that the work must be done between March and November but that there was no reason to rush to start this month, as it appears the work will continue into the summer no matter what. The DNR permit restricts work between November and March because it is disruptive to winter waterfowl. The project time the town requested was 60 days, although the bidders felt like it would at least 90 days to complete.

Administrator Lewis reported on the Causeway Stormwater Pond Engineering bid results. The bids were opened in the town office on Friday, February 19th, at 4 p.m. Three bids were received for a series of stormwater ponds to be engineered and located from the public works department towards the causeway park in order to hold stormwater during major high water/flooding events. The results were as follows: Rauch Inc.: \$ 31,220, GMB: \$ 39,620 and McCrone: \$ 41,900. Grant funding has been received for this project. An offer had been received from the State to assist in the review of the bids and the town will take advantage of that offer. Administrator Lewis stated that it would be about two weeks before she would be ready to make a recommendation to the Commissioners. The point of this engineering is to be able to apply on 3/31/16 for construction funds. A letter of intent was sent in January to inform the State that the Town of Oxford intended to reapply for the construction funds. The engineering assistance was the result of the previous application for which the State wanted to see engineered prior to construction funding.

NEW BUSINESS

President Fronk introduced Ordinance 1605, "AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2015 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, AS AMENDED BY THIS ORDINANCE, AS THE EXISTING BUILDING CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH." Attorney Booth explained that this was a new code for Oxford and new to the State of Maryland. This ordinance will apply to existing buildings as opposed to new structures. She added that both she and Administrator Lewis were excited about this new code as it would probably be more useful in Oxford as most of the buildings are existing and not new. Like the aforementioned ordinances, this ordinance is not incorporating any substantial changes other than to reference the town clerk/treasurer as the code enforcer and Board of Appeals to hear for allegations of errors, along with penalties that would be incorporated into the Town Code. Commissioner Abruzzese made a motion to introduce Ordinance 1605. The motion was seconded by Commissioner Graves and unanimously carried with all in favor.

President Fronk introduced Ordinance 1606, "AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED BY THIS ORDINANCE, AS THE PROPERTY MAINTENANCE CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH." Attorney Booth commented that the town had adopted the 2012 edition of the International Property Maintenance code back in 2012 as part of the Town Code. She added that she had originally scheduled presentation of this code with the 2105 IBC and IRC, but

had held off on it as the Historic District Commission had been talking about having the Commissioners consider an ordinance for Demolition by Neglect. The Historic District Commission proposed an ordinance to the Commissioners and in looking at it, it seemed redundant to the property maintenance code. As a result, a meeting of the Commissioners, Planning Commission, and Historic District Commission was held in the past week in which was discussed incorporating relevant provisions of the proposed HDC ordinance that dealt with demolition by neglect into the property maintenance code. Attorney Booth stated that she had circulated such an ordinance with those revisions and had received positive feedback. Attorney Booth asked that the minutes reflect this ordinance, 1606, is identical to what had originally been circulated as ordinance 1605. This code, 1606, incorporates a few changes from the 2012 ordinance such as adding a definition of demolition by neglect and allowing for the Administrator to look into neglected property situations and consulting with the HDC on such matters. President Fronk moved to introduce Ordinance 1606. The motion was seconded by Commissioner Abruzzese and unanimously carried. President Fronk commended both Attorney Booth and Administrator Lewis on the handling of the workshop meeting with the HDC and Planning Commission. Commissioner Graves agreed as well.

President Fronk read aloud Ordinance 1607, "AN ORDINANCE OF THE TOWN OF OXFORD AUTHORIZING THE PURCHASE AND ACQUISITION OF CERTAIN PROPERTY LOCATED AT 105 SOUTH MORRIS STREET, OXFORD, MARYLAND, CONTINGENT UPON THE RECEIPT OF A GRANT FROM THE STATE OF MARYLAND IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000) TO BE APPLIED TOWARD ACQUISITION COSTS." Commissioner Abruzzese introduced the ordinance explaining that the grant referred to in this ordinance has been received by the Town of Oxford in the amount of \$300,000, leaving \$200,000 for the town to put towards in the purchase of The Mews. Commissioner Abruzzese noted that originally an ordinance had been put together for the town to purchase The Mews for the total amount of \$525,000. The Commissioners listening to citizen's request to have professional planning for the historic commercial district, had acquired grant assistance and has now begun a planning process. The town was recently notified that the town had been awarded a \$300,000 grant towards the purchase of the property in question. The Commissioners requested Attorney Booth put together a contract for the town to purchase the Mews for \$500,000, which the seller has agreed to. In the next few weeks, the Commissioners will be holding a workshop with their planner and the public. This is scheduled to take place on Saturday, March 12th at the Oxford Firehouse. Attorney Booth added that her advice to the Commissioners was to get the property under contract to see if the seller would even accept the offer. She was able to get the price down \$25,000 from the original asking price of \$525,000. The seller is committed to sell the property to the town at \$500,000 if the Commissioners adopt an ordinance. However, this is not a "done deal", as the town needs to hear from the public, and also there is the contingency of receipt of the \$300,000 grant. This would require a legal public hearing which is different than the fire hall meeting, which Attorney Booth proposed to take place at the Commissioner's meeting scheduled for March 22. This would give the public two opportunities to give their input. Commissioner Abruzzese moved to introduce Ordinance 1607. The motion was seconded by Commissioner Graves and unanimously carried with all in favor. President Fronk added that the town did try to purchase the property for less but it was obvious that that was never going to happen.

LETTERS AND REQUESTS

Administrator Lewis stated that she had received a letter from the National Multiple Sclerosis Society informing the town that the society is in the process of planning the BIKE MS: CHESAPEAKE CHALLENGE 2016. The event is scheduled for June 4 and 5 from 7 a.m. to 5 p.m. The two-day ride will travel through Talbot Co., including Easton, St. Michaels, Oxford, and Trappe. The group already has the State Highway permits in place. No streets will need to be closed and sticky arrows, indicating the bike route, will be placed on the road and taken up after the event.

A personal letter to the Commissioners was received from the Oxford Community Center informing them that the OCC made its final renovation loan payment in December and thanking the town for its generous financial support.

ATTORNEY

Attorney Booth presented the design plans for the WWTP which have been sent to the MDE and USDA for review. Once comments are received the project will be ready to be put out to bid. Copies will be made available for the public to review at the town office. The Town's Bond Counsel is finalizing documents and the town will be able to close on the financing bond on or around March 10.

Attorney Booth also reported that the town had received a letter from the MDE stating that their previous policy of funding 50% of construction funds for BNR improvements from the Bay Restoration Funds has been changed to 75% of construction funds, which may increase our grant contribution percentage as we move forward.

CLERK COMMENTS

Administrator Lewis reported of a single residential property that sits on Bachelor Point in the county that has a failed septic system and that they have come to the town to request annexation in order to connect to the town's water and sewer. The county referred them to the town for this process and the property owners are willing to commit. They have made a deposit and put in their request for annexation which has been turned over to the attorney. They are currently working with plumbing contractors to determine what they need to do to connect. The property owners will need to pay all costs to come into the town. Any money left over from the deposit that was received after all expenses have been cleared will be refunded. Administrator Lewis noted that this was an emergency situation and that the couple seeking annexation are former town residents.

The revised FEMA maps have been received and it appears that this final revision will be going through. Administrator Lewis noted that this latest map will probably have to be readopted. Once this is adopted, it will be the official floodplain map and there will be some properties in Oxford that will no longer be in the floodplain. Anyone with questions is encouraged to stop by the office and see Lewis.

Lewis stated she will be attending a Coastal Resiliency conference in Baltimore in April that will sponsor several relevant workshops. She was invited by the ESLC to participate through a locally sponsored grant covering the registration and hotel expenses. She is also registered for a weeklong FEMA training class in April and a second FEMA training in August. Both FEMA and possibly some of the workshops in Baltimore will provide ongoing credit hours necessary in maintaining her Certified Floodplain Manager status.

COMMISSIONERS COMMENTS

Commissioner Abruzzese reported that Superintendent Delude and his crew did a great job in clearing off the street in the recent unexpected snow storm.

PUBLIC COMMENTS

Cathy Bitter echoed other's sentiment about the excellent work performed by the Oxford Public Works Department and thanked them for their service.

Elizabeth Hasbrouck expressed concerns regarding the mosquito spread Zika virus, asking if the state had addressed the issue. Lewis stated that although she had not received anything specific from the state, the town participates in the county's annual mosquito spraying program, with spraying frequency based on the local concerns and needs.

There being no further business, President Fronk called for the conclusion of this night's meeting. Commissioner Abruzzese made the motion, Commissioner Graves seconded the motion, and the meeting was adjourned at 7:10 pm.

Rather respectfully submitted, Cheryl Lewis