

COMMISSIONERS OF OXFORD
Regular Meeting Minutes
December 12, 2017

The Commissioners Meeting was held in the meeting room of the Community Services Building on December 12, 2017. Commission President Carole Abruzzese called the meeting to order at 6:00 p.m.

PRESENT

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

The meeting opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Fronk made a motion to approve the minutes of November 14, 2017 as distributed, Commissioner Graves seconded the motion, all were in favor, and motion carried.

Commissioner Graves made a motion to file for audit the November 2017 disbursements as previously emailed. Commissioner Fronk seconded the motion. Fronk inquired as to what vehicle had body work, to which Administrator Lewis responded that the car was a public works vehicle used as transportation for training classes and other times when a truck is unnecessary. One employee was rear ended returning from a training and repairs had been fully reimbursed by the other drivers insurance. All were in favor and the motion carried.

MAINTENANCE REPORT

Superintendent Delude reported the following:

- The town lost two pumps in the main lift station recently. The first one was an old pump that was being used until the newer one has been rebuilt and just died of old age. We then replaced that pump with a newly rebuilt pump, which ran for 10 days and then ceased to function. Hill Electric came out to check the problem and surmised that the new pump had a dead ground which was not the town's fault and had happened during the rebuilding process and that they would take care of it. Another backup pump was procured which is up and running the town's system until the new pump is repaired.
- December 13 will be the last leaf pickup on Wednesdays as the leaf truck now needs to become a salt spreader.
- The Public Works crew is ready for the winter weather. Plows have been serviced and waiting, the snow blower is up and running, the salt is ready and the salt spreader will be hooked up the end of this week following the last leaf pickup.
- The Town of Oxford also lost a well chlorine pump that had been running every day for the past 4 years and was replaced by a new pump. Parts for it have been order and will be rebuilt at the town's maintenance shop for a cost of around \$250.
- The town hall had a problem last week with the sprinkler system which set off a couple of automatic alarms at the Oxford Fire Department. The problem has been fixed and we are awaiting a bill for the repair.

POLICE REPORT

Chief Maxwell reported the following:

- 17 – Police information
- 1 – Alarm (malfunction)
- 3 – Assist the fire department
- 1 – Drug complaint (unfounded /tested no CDs)
- 1 – Identity theft (occurred out of town)
- 1 – Check the welfare (OK)

- 1 – Theft (unfounded)
- 1 – Auto accident (information exchanged)

Chief Maxwell reminded everyone to report suspicious activity and to keep their cars locked. He also advised that when shopping at malls to keep all valuables hidden and out of sight and to also keep track of packages being delivered to residences.

OXFORD FIRE COMPANY REPORT

The Oxford Fire Company report was given by Oxford Volunteer Fireman, Thomas Ray. Mr. Ray reported 16 Calls were received (4 were significant incidents, 4 required some investigation – e.g. water flow alarms, haze or smoke, etc., remainder were mutual aid canceled en-route), 290 miles traveled, 70 personnel hours worked, and 131 individual responses. The EMS received 11 Calls, 6 patients were transported, 2 patient refusals, 2 medical alarm activations (accidental), and 1 mutual aid support for Talbot Co. DES. The next fire company breakfast will be held on January 14th, from 8 am to 11 am.

PUBLIC HEARING

President Abruzzese opened **Ordinance 1707 – AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND CHAPTER 11 OF THE TOWN CODE TITLED “HARBOR MANAGEMENT ORDINANCE: TO ADD SECTION 11.14 TITLED “CHARTER ACTIVITIES”** for public discussion. Administrator Lewis stated that the amendment covers charter activities and regulates where charter activities take place. It identifies commercial marinas as appropriate places for charter activities. It also requires that dumpsters be placed in marinas where charter boats are being rented. Some concern was expressed regarding kayak rentals falling under this ordinance but the word “rental” was removed and the ordinance only states the operating of boats or vessels for commercial activities for profit. A special permitting process has also been incorporated for services that might compliment the town such as water taxis. This ordinance is not to be viewed as prohibitive but rather a way to clean up some loose ends in the Harbor Management Ordinance. The Oxford Board of Port Wardens have seen the ordinance with the wording change and are agreeable to this version. Dale Benson spoke stating that it seemed like the ordinance was being driven by a need to control refuge but it was his thought that was already covered in the Harbor Management Plan under Sanitation and felt the ordinance was rather redundant. President Abruzzese responded that it might be covered under Sanitation but that this amendment was needed to clarify the requirements, adding that the amendment also incorporates a permitting process that did not exist before. Benson responded by asking what the difference was between a charter and a rental, adding that he wanted to make sure the town was not overregulating something that doesn’t have to be. Attorney Booth added that the intent was to make sure charter activities are operated lawfully from commercial marinas instead of in transient slips or off beaches. President Abruzzese stated she felt comfortable with the definition and that it addressed a hole in the harbor management ordinance. This concluded the public hearing.

UNFINISHED BUSINESS

Commissioner Fronk made a motion to adopt **Ordinance 1707 – AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND CHAPTER 11 OF THE TOWN CODE TITLED “HARBOR MANAGEMENT ORDINANCE: TO ADD SECTION 11.14 TITLED “CHARTER ACTIVITIES”**. The motion was seconded by Commissioner Graves, all were in favor and the motion carried.

NEW BUSINESS

Administrator Lewis spoke about the FEMA CRS (Community Rating System) and a Letter of Intent to Apply to the program, which she presented to the Commissioners. She reminded the Commissioners that acceptance in to the program would reduce the flood insurance rates across the board for those within town required to carry flood insurance. The Town has received grant funds from the MDE CoastSmart program to assist in the creation of the program and application to FEMA. The first step is notifying FEMA that the Town of Oxford is interested in applying to the Community Rating System Program. Lewis asked if the Commissioners were agreeable to approving the letter she had prepared

expressing the town's interest. Commissioner Graves made a motion to approve the letter as written, the motion was seconded by Commissioner Fronk, all were in favor and the motion carried.

Commissioner Fronk reported that he and Administrator Lewis met with architect Cameron MacTavish and went over the plans for the Oxford Mews as it pertained to the MD Historic Trust's recent comments. Fronk stated that he had urged Mr. MacTavish to come up with a plan for a two level concept with four apartments and three commercial spaces (two apartments upstairs, two downstairs in the back, and three commercial fronts). An appointment has been arranged with the MDHT who will be in town on January 12, 2018 to review the project. Commissioner Fronk thanked Lewis for arranging the meeting.

LETTERS AND REQUESTS

President Abruzzese stated that a nice letter had been received from Judy Shuler, President of the OFCA, thanking the Commissioners, Town Office Staff and Town Maintenance Staff for their assistance during the Auxiliary's Antique Show and Sale with special thanks to the town's maintenance crews for their assistance in setting up and taking down the tables. Abruzzese asked Superintendent Delude to let his crew know how thankful the OFCA was for their help. Commissioner Graves added that this year's antique show and sale was an impressive one.

ATTORNEY

Attorney Booth asked for a closed session in order to give legal advice on a contract matter and stated that Administrator Lewis had requested a closed session for legal advice regarding the retention of an existing business in town and also a personnel matter.

ADMINISTRATOR/CLERK COMMENTS

Lewis reported that she and President Abruzzese had discussed the possibility of doing some construction work within the town office in order to open up some much needed file space. The plan would be to enlarge the Administrator's office by placing an opening between it and the under-utilized conference room. The conference table would be placed in the Commissioners room and would still be available for meetings. There is currently \$10,000 in the capital improvement fund that would allow this work to be done. Superintendent Delude and his crew would be doing the construction work. Lewis also stated that she was looking to change out the carpet in the front area of the office down the hallway to the back and that she would be coming back to the Commissioners with prices on doing the project. She added that she also needed a closed session for additional personnel matters.

COMMISSIONER COMMENTS None.

PUBLIC COMMENTS

Al Smith, resident on West Street, spoke stating that the town had had a quiet fall and wanted to find out if the Commissioners had elected not to proceed with a restrictive noise ordinance and instead were going with a permitting process. Attorney Booth responded that the issue of noise had last been discussed in September and that the Commissioners had not directed her to do anything further. Her understanding was that Mr. Oristian had been working with the property owners affected by the sound for practical solutions and that Administrator Lewis had been talking to an acoustical consultant to give the town feedback on things that could be done at the property. Booth stated that the town had heard from several citizens who said they believed the town was going to have the same concerns with the permitting process as with the noise ordinance. She felt that whatever the town does decide to do, even if they adopt something, it will probably go to referendum. If practical solutions cannot be reached then the Commissioners can consider legislation. However, with legislation one would have to regulate everything. Commissioner Fronk added that there had been communication between residents and owners and when things had quieted down, the Commissioners determined it would be best to table the ordinance. However, the Commissioners are sensitive to the problem and a consultant has been lined up when the music starts again. Mr. Smith stated that it had been a summer of hardship for him

and others including people as far away as Bellevue. President Abruzzese added that the man that had complained about the noise who lived across the river assumed it came from the restaurant when, in fact, the noise had been coming from the Tred Avon Yacht Club. Mr. Smith stated that he was concerned with the frequency of noise at the restaurant and that he expected some action. Resident Tom Ray spoke stating that if one were to take the number of hours that the music was played in the course of waking hours, it was a very small amount of time. President Abruzzese stated that the comments made at this night's meeting would be noted and the Commissioners will look at this again to see what direction they want to go but that the neighborhood needs to try to settle it amongst themselves first. Commissioner Graves added that he had had several discussion with the restaurant's owner and that he was pleased with the tenor of those discussions and with what will happen down the line. He added that he wanted to handle it non-legislatively if possible and that the Commissioners were still very much working on trying to come up with a solution.

Resident and AARP tax volunteer Peter Dunbar stated that the AARP will no longer be offering tax help in 2018 due what was explained to him as a lack of participation. He also mentioned the County was still pursuing the PACE program and he would keep the Commissioners informed.

Tom Ray asked about the future apartments planned for the MEWS and if it was the town's intention to make two of the apartments affordable for the town's working citizens. Commissioner Fronk responded that it is expected that at least two of the apartments are expected to be affordable. Administrator Lewis pointed out that there was a need for senior apartments too but that there was no easy way to say the town was just going to rent to a certain type of people. Fronk noted that the Commissioners do not intend to own the property indefinitely so it is necessary for the rental income to provide for an economically sound project in order for it to be attractive to private developers.

Dunbar asked if the town still owned the duplexes on E. Pier Street. Lewis stated yes, the townhouses were identified as town staff housing when they were built, currently the Chief lives in one and as no employee is in need at this time, the other is rented to a member of the Coast Guard.

With no further business, Commissioner Fronk made a motion to go into executive session to for legal advice on a contract matter and to discuss several personnel matters, Commissioner Graves seconded the motion, all were in favor and the meeting was adjourned to closed session at 6:56 p.m.

At 8:04 p.m., the closed session concluded, and the open meeting meeting was reconvened following the executive session. President Abruzzese stated that she had sold her house, and was submitting her resignation as she would be relocating to the Town of Easton in January 2018. Commissioner Graves and Commissioner Fronk each expressed their appreciation and gratitude to President Abruzzese for her service. Commissioner Fronk made a motion to appoint Commissioner Graves as President to fill the vacancy that will be created by Commissioner Abruzzese's departure, which was seconded by Commissioner Abruzzese. The vote was unanimously approved by a vote of 2-0 with Commissioner Graves abstaining. Attorney Booth stated that under the language of the Charter, the two remaining Commissioners could appoint an individual to fill Mrs. Abruzzese's vacancy at the next meeting.

Commissioner Graves made a motion to close the regular meeting, Commissioner Fronk seconded the motion, and the meeting was closed at 8:07 p.m.

Respectfully submitted,

Cheryl Lewis, Town Administrator/Clerk-Treasurer

"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."