

**COMMISSIONERS OF OXFORD**  
**Regular Meeting Minutes**  
**March 27, 2018**

The Commissioners Meeting was held in the meeting room of the Community Services Building on March 27, 2018. Commission President Gordon Graves called the meeting to order at 6:00 p.m.

**PRESENT**

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

The meeting opened with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

President Graves made a motion to adopt the minutes of February 27, 2018 as distributed. Commissioner Fronk seconded the motion, and the motion carried.

Prior to this evening's meeting an executive session was held at 5:30 p.m. to receive legal advice from the attorney regarding a contract. Commissioners Graves, Fronk and Pepe, along with Attorney Booth and Administrator Lewis were in attendance.

**MAINTENANCE REPORT**

Superintendent Delude reported the following:

- The public works department has finished the yearly grease trap inspections for the town's businesses that serve food. This is done every year to ensure that grease from cooking does not get into the system and stop up the sewer pipes.
- Bailey Marine has started the replacement of 44 pilings at the Causeway and at the Tilghman Street docks. With this project, all the town's pilings will have been replaced within the last 10 years. Work should be completed by April 13<sup>th</sup>.
- The crew has removed the salt from the public work's salt bin and donated it to the county during construction. The county has offered to allow the public works department to use their salt next year, if needed, until the town's new salt barn is constructed. An application will also be filled out with the SHA to buy salt from them as need for emergencies.
- A pothole list has been made of all the streets that the town owns and the public works department will start patching them in the beginning of April.
- Lane Engineering is surveying on Morris Street for the upcoming proposed waterline replacement project.

Administrator Lewis noted that resolving the salt issue was a perk for the town's public works department and a real plus for Oxford. The town's salt barn is coming down during the construction of the plant and rather than put up the new one in the middle of the yard while the construction project was taking place, Lewis and Delude preferred to get the new shed at the end of the project. The interim salt arrangements they ended up with speaks well of the town, county and state working together.

**POLICE REPORT**

Chief Maxwell reported the following:

- 10 – Police information-service
- 1 – Assist fire department
- 2 – Medical emergencies
- 30 – Patrol checks
- 1 – Alarms (weather related)
- 1 – Suspicious vehicles (ID and moved on)

Chief Maxwell reported that the town's Park and Recreation Committee was getting ready for their annual Easter event this coming Saturday and that the event will begin at 2 p.m. with Easter Bunny in attendance.

**OXFORD FIRE COMPANY REPORT**

The Oxford Fire Company report was given by Fire Chief Graham Norton for the period March 14 through March 27, 2018. He reported that there had been 4 fire/rescue calls (3 in Oxford, and 1 mutual aid with a building fire in Cambridge) resulting in 66 miles traveled, 24 member responses, and 12.4 hours worked. The EMS had responded to 5 calls (1 patient transported and 3 citizen assists), with 36 miles traveled, 16 member responses, and 14.7 hours worked. The next firemen's breakfast will be held on April 8, 2018.

### **UNFINISHED BUSINESS**

Commissioner Fronk opened discussion regarding the design options for the MEWS, noting that architect Cameron MacTavish was in the audience and available for discussion. MacTavish had previously presented a plan whereby the MEWS would be remodeled as it stood, with the same roof height, but with a few configuration alternatives. The design would have an open first floor space with two or three bays and a second floor space with either two (2) one-bedroom apartments or one (1) two-bedroom apartment with a decision to be made as to how to access the second floor. This could be either an interior staircase by removing the center section of the first level or provisions for an elevator in the same location which would create an additional expense of around \$60,000. Fronk noted that if a decision was to be made at this night's meeting it would give MacTavish time to put together construction bids, allowing Lewis to submit for grant funding which is due in May. Fronk made a motion to approve the plan for two (2) one bedroom apartments on the second floor. Commissioner Pepe seconded the motion but asked for more discussion on the apartments. Fronk noted that there would be a full kitchen and bath in each of the apartments having two separate individuals living there creating work force apartments. Pepe asked about a previous option with a two-bedroom apartment on one end and a one-bedroom apartment on the other, with an exterior staircase, asking if an elevator could be adapted to that layout. MacTavish responded that it would make it harder to keep the two-bedroom apartment, as the elevator would take too much space. Lewis asked about the possibility of an exterior lift. MacTavish responded it would have to be covered and thought given to the cost and appearance. Pepe offered that they could include the layout for an elevator and have it pre-done but just not use it. Mr. MacTavish responded that could be done but that it would still be forfeiting space and recommended the third option. He stated that Option 3 would be the most serving with no adverse effect with the MD Historic Trust. This would include an internal staircase with all windows being maintained as existing with two (2) one-bedroom apartments on the second floor. He noted that the other options all had elements, which may have adverse effects and noted that the plans should be as clean and straight forward as possible. President Graves stated that he liked the original plan with the potential for six (6) apartments. He also discussed a meeting that he and Lewis had attended whereby the Governor had started a program to build a better Maryland, hoping to address the needs of communities and one of the identified needs is the this ability to rehabilitate buildings to have retail spaces, apartment housing, etc. One of the Maryland Department of Planning members in attendance brought up the problem Oxford has had with coming so far on this rehabilitation project only to have the state back off financially leaving the town with a lack of support and suggested this program could possibly have a positive impact in the future. Graves added that he still liked the original plan for the building and was hoping anything designed at this junction would have the ability to expand the building into more apartments. Fronk revised his motion to proceed with two 1-bedroom apartments on the second floor with staircase access only. Graves ask that the provision that the bottom rear spaces be reinforced and designed to support another level in the future be added to the motion, Fronk was in agreement, Pepe seconded the motion to include this requirement, the vote was called, and the motion passed with all in favor.

President Graves announced that a public hearing is scheduled for **Ordinance 1801- AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND CHAPTER 11 OF THE TOWN CODE TITLED "HARBOR MANAGEMENT ORDINANCE," SECTION 11.12 TO CLARIFY THE STANDARDS FOR DETERMINING USEABLE WATERWAY AREA FOR CONSTRUCTION OF WATERFRONT STRUCTURES"** at 6 pm on April 10, 2018 during the regular Commissioner's meeting.

### **NEW BUSINESS**

Administrator Lewis reviewed a water tower rental lease amendment with Sprint. She explained that this came about in response to a proposal made by Sprint for the construction of an additional cell on the town's water tower. Full plans have been received and reviewed by the engineering firm of GMB at the expense of Sprint and the application is ready for approval. Sprint advised the town when they submitted their application that

they would consider a minor amendment to their lease of offering the town an additional \$300 a month. Lewis noted that she did not see any downside to the request and that Attorney Booth had reviewed the amendment. Fronk motioned to approve the amendment to the water tower rental lease agreement, the motion was seconded by Pepe, all were in favor and motion carried.

Attorney Booth presented the Commissioners with a series of Resolutions (1802- 1807) Amending Section C3 and C5 of the Oxford Charter. Attorney Booth explained that under Maryland law, the Charter establishes the election processes and that it had been a long time since the town's election provisions had been reviewed. In looking over the provisions it was found that some were out of date and no longer complied with state law. She further explained that under state law one has to address each change by separate resolution and proceeded to go through each one separately, all relating to elections. These are as follows:

1. **RESOLUTION 1802 – A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO AMEND SECTION C3-2 OF THE OXFORD TOWN CHARTER TO PROVIDE THAT THE RESIDENCY QUALIFICATION TO SERVE AS COMMISSIONER BE REDUCED FROM TWO YEARS TO ONE YEAR.** Attorney Booth explained that currently one has to be a resident of Oxford for at least two years before they can run for Commissioners. In 2005, there was a federal case that struck down a three-year residency requirement in another community and that if the town was challenged, two years might be found to be unconstitutional. Booth recommended that the Commissioners reduce from 2 years to 1 year, which is the same to hold a state office. Commissioner Fronk moved to adopt RESOLUTION 1802 as written, his motion was seconded by President Graves, all were in favor, and the motion carried.
2. **RESOLUTION 1803- A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO AMEND SECTION C5 OF THE OXFORD TOWN CHARTER TO ADD A NEW SECTION C5-13.1 TITLED “GENERAL ELECTION WHICH RESULTS IN A TIE AMONG TWO OR MORE CANDIDATES” TO ESTABLISH PROCESS FOR A RUN-OFF ELECTION IN THE EVENT OF A TIE BETWEEN TWO CANDIDATES.** Booth explained that ties in elections do occur and this was a process for breaking a tie. It basically states that in the event there is an election that results in a tie among 2 or more candidates, a special election would be held within 30 days to determine the tie breaker. Commissioner Fronk moved to adopt RESOLUTION 1803, the motion was seconded by Commissioner Pepe, all were in favor, and the motion carried.
3. **RESOLUTION 18-04 – A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO AMEND SECTION C5-11 OF THE OXFORD TOWN CHARTER TO CLARIFY WHEN QUALIFIED VOTERS MAY VOTE BY ABSENTEE BALLOT AND TO ADDRESS DELIVERY OF ABSENTEE BALLOTS WHICH ARE REQUESTED ELECTRONICALLY AND THE RETURN OF ABSENTEE BALLOTS.** Booth noted that this amendment modernizes the absentee voting requirements to make them consistent with state law and adopts the state standard for electronic delivery. Commissioner Fronk moved to adopt RESOLUTION 1804, the motion was seconded by Commissioner Pepe, all were in favor, and the motion carried.
4. **RESOLUTION 18-05 – A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO AMEND SECTION C5 OF THE OXFORD TOWN CHARTER TO ADD A NEW SECTION C5-9.1 TITLED “WRITE-IN CANDIDATES” TO ADDRESS WRITE-IN CANDIDATES IN TOWN ELECTIONS.** Booth explained that there is no constitutional right for a write-in but many towns have this practice and Oxford currently provides a line on their ballots for write-ins. This would establish a process for write-in candidates, which would mirror what is in the State election law, which says if someone wants to run as a write-in, they have 10 days before the election to file a certificate of nomination. This insures the town and citizens that the write-in candidate is qualified and notifies the town that a write in candidate is running. Commissioner Fronk moved to adopt RESOLUTION 18-05 regarding the requirements of write-in candidates to submit their intentions, within 10 days in advance of an election, the motion was seconded by Commissioner Pepe, all were in favor, and the motion carried.
5. RESOLUTION 18-06 – Attorney Booth noted that she had pulled this resolution, which addressed canceling an election if it is uncontested. She stated she understood after suggesting the resolution, that many felt people in town like to vote even if the election is uncontested.
6. **RESOLUTION 18-07 – A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO AMEND SECTION C5-10 TO ESTABLISH PROVISIONS FOR ASSISTANCE TO QUALIFIED VOTERS WITH DISABILITIES IN MARKING A BALLOT.** Booth explained that although this was currently in the Charter under absentee ballots, she took the State law requirements for assistance and put the procedures in the general election section. Commissioner Fronk moved to adopt RESOLUTION 1807, which provides the

opportunity for assistance to voters with disabilities, the motion was seconded by Commissioner Pepe, all were in favor and motion carried.

## **LETTERS AND REQUESTS**

Administrator Lewis read aloud a thank you note from the Mid-Shore Community Foundation thanking the town for the \$3,000 contribution to the Project Purple Fund.

Lewis announced that, thanks to Commissioner Pepe, the town would be graced by a visit from the **Maryland Dove**, which is a re-creation/replica of the *Dove*, an early 17th-century English trading ship, which is owned by the State of Maryland and operated/maintained by the Historic St. Mary's City Commission. The ship would arrive in Oxford on September 11, 2018 and stay for 3 days. It will be open for school tours for grades 3, 4, and 5, along with being open to the public. Lewis noted they would require funding and that she had told them the town definitely wanted the Dove to visit and would work with them in getting the funds needed. Her thought was that the town could budget the money now and then work with the community to raise the funds, as well as reaching out to the Talbot County Board of Tourism. She added that she felt strongly the Commissioners would be in favor of the project as they had tasked her previously with developing more visits similar to the El Galleon experience.

## **CLERK COMMENTS**

Lewis presented two agreements for which she was requesting signature approval from the Commissioners. The first involved the Health Waters Work Group in which the town has participated for several years and who was now the recipient of a \$150,000 grant from the State requiring a local match from the six participating communities, including Oxford. This program would provide professional help to assist the Town of Oxford with green stormwater infrastructure, grants, and potential projects. Lewis added that she hoped this would open up more opportunities for the town. The town is required to sign the group agreement, which commits the town to provide matching funds of \$6000 along with Administrator Lewis' time. Commissioner Fronk made a motion to authorize a signature to the Healthy Waters Agreement, the motion was seconded by Commissioner Pepe, all were in favor, and the motion carried. When the Commissioners inquired as to whether Lewis felt the town would receive benefit from this participation worthy of \$6000, she reminded the Commissioners that participation in this group had already benefitted the town by being the catalyst to the recently awarded \$650,000 grant for stormwater improvements.

The next request involved an agreement with MES to for assistance in preparing the Community Rating System application to FEMA, through grant funding from DNR Chesapeake and Coastal Services. This program allows a community to come in and show that they are doing everything they can for floodplain protections and if successful, participation will reduce everyone's premium across the board based on how much effort the town is putting out. Each time the application is renewed, if the community can show they are putting out increased effort, premiums can be reduced further. Oxford has a 40 to 50% citizen participation in the National Flood Insurance Program, which is higher than other towns in the area do to the higher percentage of properties within the floodplain, and as such, Lewis felt it was well worth the effort even though the application is complicated. MES and their contractors will help the town to write the application and also prepare a renewal manual that will assist when it is time to file for recertification. Commissioner Fronk moved to approve signing of the contract with MES, the motion was seconded by Commissioner Pepe, all were in favor and the motion carried.

There being no further business, the meeting was adjourned by Graves.

Respectfully submitted,

Cheryl Lewis  
Town Administrator

*"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".*