

**COMMISSIONERS OF OXFORD**  
**Regular Meeting Minutes**  
**September 8, 2020**

Due to the Covid-19 pandemic, the Commissioners Meeting was held virtually in a Zoom Meeting Room on Tuesday, September 8, 2020. The public was provided call in information for the purpose of listening, watching, and participating in the meeting, notice of which was posted on the bulletin board and the town website. President Pepe called the meeting to order at 6:00 p.m.

**PRESENT**

Attending the meeting were Commission President John Pepe, Commissioner Gordon Graves, Commissioner Gordon Fronk, Police Chief Pat Maxwell, Public Works Superintendent Scott Delude, Administrator/Clerk Cheryl Lewis. Town Attorney Lyndsey Ryan was unavailable. Citizens Eric Neustadt, Steve Gibson, Susan Devlin, Jinny Wagner, Cathy Bitter, Monica Otte, Skip Case, Freiderikos Franke, Steve Selden, Stewart Parnes, and Jimmy Jaramillo were in attendance by phone or video.

**APPROVAL OF MINUTES**

The August 11, 2020 meeting minutes were deferred to the next Commissioners Meeting.

President Pepe noted the Commissioners of Oxford held a special meeting on August 27, 2020 at 9:00 am for the purpose of holding a Closed Session to discuss public security including the implementation of an emergency plan and to obtain legal advice regarding a real estate matter.

**MAINTENANCE REPORT**

Water/Wastewater Supervisor Delude gave a brief update for Public Works: The WWTP is coming along, as is the Morris Street Water project. Several deck boards were replaced at the Tilghman Street pedestrian overlook. Paving has been patched throughout for a cost of 10k. A new HVAC unit was installed at the Public Works building replacing a failed unit at a cost of 10k. A bypass pump has been purchased for the WWTP and Stormwater at a cost of 5k, which will eliminate the need to rent a pump in the future. Following the storm, extensive work was needed on the small dump truck at a cost of 5K. Purple lights have been installed on town buildings and in parks. Citizens were informed they could request a purple bulb by calling the town office or by purchasing one at ED Supply in Easton.

**POLICE REPORT**

Chief Patrick Maxwell gave a brief update for the Police Department: Officers had had various calls for services, and had handled recent power outage concerns. There were a couple of fireworks complaints over the holidays and the beach has been calm with minimal impacts recently. Parking continues to be a premium at the Tilghman Docks shared parking lot. Officer Philips has been out on the bike for an hour or two on nice days, alternating with a police vehicle. Contact was made with SHA regarding possible additional speed notifications on Oxford Road. Some tickets have been issued to speeders entering town. Plenty of people outside and in parks and masks are being utilized.

**FIRE COMPANY**

Lewis provided the following report as submitted by Chief Graham Norbury for the Oxford Fire Company. Fire Company Report for Sept 8, 2020: Stats cover the period 8/12/20 - 9/8/20, Fire/Rescue:

11 calls : 5 first-due, 6 mutual aid (first-due calls include one police assist for forcible entry, one search for overdue kayaks, and one medevac), 120 miles traveled, 59 member responses, and 22 hours worked. September is Talbot Goes Purple Month. TSO will be hosting a drug takeback event at Oxford Fire Co in the afternoon on Sept 23, time to be confirmed. As we transition from summer to fall, please take the opportunity to have your chimneys and fireplaces cleaned & checked by professionals before you light it the first time. It is way more convenient, cleaner and (most likely) less expensive to have this done ahead of time, rather than have to call the fire company in the middle of the night!

(Medical as provided after the meeting: 9 calls : 2 transports, 1 medevac, 1 transfer to DES, 1 fire co assist, 1 medical alarm, 2 citizen assists, 84 miles traveled, 35 member responses and 26 hours worked.)

## **PUBLIC HEARING**

Public hearing was opened for Ordinance 2008 an Ordinance to amend Chapter 20 of the Oxford Town Code titled "Short Term Rentals" to revise and update certain minimum standards and requirements for Short Term Rentals within the Town of Oxford. Lewis stated that the redline version of this ordinance has been available online at the town website and further explained that the changes are basically adding requirements to strengthen the existing application and permitting process for the benefit of all, including requirements for off-street parking, ban on open fires and providing of the town noise ordinance to renters. Freiderikos Franke inquired as to whether the requirement for a resident agent could be restricted to town residents only. Lewis responded that the size of the town made it difficult for STRs to be managed locally and most are managed by a professional agent from an Easton office, the requirement was reduced from within 50 miles to 30 miles. She added that the professional agent officers generally do a good job managing, as they are providing a service and the quality of their work determines their business success. Anna Snow requested clarification of the two off street parking spaces. Lewis stated that the first effort is two off street parking spaces within the rental property, but that there was some flexibility to offer an alternative and also the ability to deny of a permit if there was not appropriate parking available. President Pepe added that each permit would be reviewed on a case by case basis. Jonathan and Dorothy Goldwietz inquired as to whether existing STRs with fire pits would be required to comply. Lewis stated that after much discussion in prior meetings the decision to limit to gas and electric outdoor fire uses was determined to be in the best interest of all and that STRs would be required to comply at renewal of their permit. Barbara Ranson asked why two spaces were a requirement and did this not penalize smaller homes, and couldn't STR users be required to use a public parking lot. Lewis stated the prior experience with STRs include multiple situations where rentals have many, many vehicles, hence the requirement for off street parking and vehicle limitations. Ranson did not feel that it was appropriate to restrict vehicles that were legally parked on the street. Pepe stated that in prior meeting discussions it was determined that a two car limit was appropriate, and all agreed that people who live or own a home in Oxford, whether full time or part time, do understand the parking limitations within town, but visitors to a STR would not hence the need to limit parking. Fronk agreed that this concern was thoroughly discussed and that as much as there was a desire to have absolute certainty in the ordinance, the circumstances where so that it just was not possible and it would have to be reviewed based on the circumstances for each individual request. Jim Jaramillo inquired as to who defines adequate or inadequate lot size. Lewis stated the section referred to was more of a catch all for situations that might possibly exist, there may in fact be a very small house, on a very small lot, in very tight quarters that was simply not suitable for an STR, and this section allows some ability to review and make a determination. He also asked how many violations someone would get before they would lose their permit. Lewis stated that there was a violation process now included with the ability to revoke and the ability to deny an applicant at their annual review if there had been issues the year before. Art Murr asked to verify that the parking area for an STR was to be designated during

the permitting process, as he had heard discussed at prior meetings. Lewis said that it was and for example if someone had made arrangements with another property owner to use their parking, that it would be clear on the permit approval and would be information found within the properties STR lease. Sarah Ramsey inquired as to how the town is notified that someone is going to operate as an STR. Lewis stated that those who do not inquire at the office are often discovered by other property owners, at which point they are notified of the need to apply for a permit. Liz Hasbrouck asked if the STR fee was adequate considering the amount of work that goes into permitting and managing these permits. Lewis stated that the ordinance allows for modification of the fees on the Town's normal fee schedule by resolution and is something that could be adjusted if there was a need. Hasbrouck felt that considering the rates the STRs did rent for, a higher fee would be appropriate and should be considered. The Commissioners will review the fees annually. Lewis added that all STRs must pay accommodations taxes to the County, which the Town does received a portion of quarterly. Susan Devlin asked how would it be determined if an STR was using on street parking. Lewis stated that the parking accommodations will be included in the permit and on the STR lease, if it becomes apparent that they are not being followed, it would constitute a violation of the STR. Devlin also asked if there could be a restriction on allowing STR permits to brand new home owners, those who have not had an opportunity to learn the nuances of the town. Lewis stated that in absence of the attorney, she could not be specific, but did feel there may be some legal push back on an ownership time frame restriction, but it could be looked into. Devlin stated she also felt the STR permitting fees should be higher. Ranson asked if the long term rental permitting fees were as high as the STR fees. Lewis stated that she looked at STRs and long term rentals differently, stating the STR owners who have the opportunity to rent at high rates over the summer and then utilize their home over the winter as more of a luxury use, whereas long term rentals create affordable rental properties within the town and are often in areas above store fronts, etc. and serve a different purpose. Commissioner Fronk stated although he appreciated the opinions regarding fees from both sides, the topic of fees should be discussed at a future meeting as this ordinance does not set fees. There were several comments supporting long term rental apartments and did not favor increase fees for these types of properties. Margaret Munsch asked if she should notify her STR agent of the two car limit, as she has more than two parking spaces. It was explained more than two cars off street could be permitted if her application supported it, but that it would not change until her renewal. Cathy Bitter asked if a Planning Board review of applications was appropriate, who enforced the Building Code, and how did the older homes fair under the code. Lewis responded that a Planning Review had been discussed, but it did not fall under the Zoning Code, which is within their purview, there were some additional concerns, and the legal recommendation was that it required an administrative review. The homes would be inspected by the town's regular inspector for compliance with the Town's Property Maintenance Code, with respect to Livability, Emergency Escape, Rescue Openings, Exits, Smoke Alarms, etc. Bitter also questioned whether restrictions governing STRs be held in the principal residence only should be in place. President Pepe, that he recalls the turmoil in town during the hearings on STRs ten years ago; and stated that he understood many of the concerns stated tonight and had some reservations himself, but when the small number of STRs was displayed on a map at the prior meeting it was noted that there were less than 20 active rentals in town; at this time he felt the criteria in this ordinance met the current demands, acknowledging that should things change it may need to be revisited. Liz Hasbrouck expressed her concerns with STRs as someone who lives near several of them and although she supports property owner rights, she did appreciate the Commissioners attempt to address many of the concerns with this ordinance. Steve Gibson asked how STRs would know about the town's noise ordinance and how does a resident report a noise problem. Lewis stated the new requirement would be that each renter be provided a copy of the news ordinance and as with any complaints, it should be reported to the police or herself when it is happening so that it can be dealt with immediately. Chief Maxwell stated that those hesitant to call 911 can call the regular Talbot Center phone number and they would dispatch the officer on duty at the time of the call. President Pepe closed the public hearing on Ordinance 2008.

The public hearing for Ordinance 2009 Authorizing Interim Financing of \$ 1,585,000 w/ Shore United Bank, as amended, was opened. Commissioner Fronk read the Interim Financing statement. Lewis stated this financing was for interim financing for the Morris Street Project, which was being financed by MDE Water Quality with a Loan at the end of the project and stated the amendment was increasing the interest rate from the quoted 2.95% to 3.5%. The increase in the interest was because it was determined to not use Bond Counsel to structure the loan, which would cost an additional \$5000 in legal fees. As this is not going to be a long term project, the savings of .55% would not be worth the additional Bond Council cost of \$5000 up front. Jim Jaramillo asked when we would find out if we have been awarded any money from the USDA application that had been submitted. Lewis explained that with full funding from MDE, the town was not expecting any funding from USDA at this time. Because this project started while COVID-19 had everything on shut down. The Town sought funding from USDA for back up in the event the MDE request was not approved. The town has now received approval from the Board of Public Works and that is no longer a concern.

### **UNFINISHED BUSINESS**

Ordinance 2008 an Ordinance to amend Chapter 20 of the Oxford Town Code titled "Short Term Rentals" to revise and update certain minimum standards and requirements for Short Term Rentals within the Town of Oxford was available for action. Commissioner Fronk motioned to approve Ordinance 2008, Commissioner Graves seconded the motion, all were in favor, and the motion carried.

Ordinance 2009 Authorizing Interim Financing of \$ 1,585,000 w/ Shore United Bank as amended was available for action. Commissioner Graves motioned to approve Ordinance 2009, Commissioner Fronk seconded the motion, all were in favor, and the motion carried.

### **NEW BUSINESS**

Lewis stated that in order to utilize the MD Water Quality Financing for the Morris Street project, the town needed Bond Council, and utilizing the same council used for the WWTP, she was presenting two documents for the Commissioners approval in order to move the financing along. The first was a Bond Counsel Conflict Letter, basically stating that McKennon Shelton & Henn LLP also represents MD Water Quality Financing Administration in connection with other bond issuances and loan matters and that this would not limit their ability to discharge their responsibilities to the town. The second document was the letter engaging McKennon, Shelton & Henn LLP to represent the town as Bond Counsel for the MDE Water Quality Financing of approximately \$1,500,000 with a not to exceed cost of \$12,500. Commissioner Fronk motioned to approve signing of the conflict letter and the engagement letter for the purposes of engaging the firm of McKennon, Shelton and Henn LLP, Commissioner Graves seconded the motion, all were in favor and the motion passed.

Commissioner Fronk motion to approve Resolution 2011 Declaration of Official Intent of the Commissioners to Reimburse Expenditures to be incurred with respect to the Morris Street Water Main Capital Project, with the proceeds of Debt to be issued by the town. The resolution states the town's intent to issue debt obligations in the estimated amount of \$1,585,000 for the project. Commissioner Graves seconded the motion, all were in favor and the motion carried.

Resolution 2012 A Resolution of the Commissioners of Oxford to Amend Section C7-3 of the Oxford Town Charter to provide that the position of Clerk-Treasurer may be combined with the position of Town Manager if the Commissioners determine it is appropriate. Lewis explained this was in response to the Commissioner's desire to have her position carry one title, as opposed to the multiple titles she now

carries and which she must use based on the effort she is engaged in. In order for a single title to allow for signing of legal documents that require the signature of a Clerk per the Town Charter, the attorney has recommended an amendment to the Charter allowing for combining of the clerk and town manager position when deemed appropriate and the combined position would carry the title of Town Manager. This still allows the flexibility to use the Clerk as a standalone title in the future. Commissioner Graves motioned to approve the Resolution as presented, Commissioner Fronk seconded the motion, all were in favor, and the motion carried. Lewis noted that the resolution would be advertised and become effective in 50 days, after which it would be submitted to the Maryland Department of Legislative Reference for inclusion in the Charter.

Commissioner Fronk stated that as the town has struggled to find anyone to develop the MEWS property in the fashion the town desires and as the negotiations with the responder to the recent RFP for Design and Purchase did not reach a satisfactory conclusion, there is a desire to move forward. In order to move forward, the cost of construction to complete the project needs to be determined. He recommended that an RFP be advertised for construction drawings that would include the interior construction and construction of the rear first floor additions as were presented in the original designs documents for the project. Lewis stated that she and the attorney could move forward with preparation and advertising of an RFP for construction drawings in order to determine an estimated price for construction. With the construction drawings, an RFP for cost of construction could be advertised, which would then provide a clear picture of the cost and allow for clear information regarding the necessary lease income needed. The Commissioners were in agreement with creation and advertising for proposals. Lewis stated that she also intended to speak with the Historic District Commission regarding the additions, as were presented previously, to let them know that the town would be seeking construction drawings to potentially include these additions and to give them an opportunity to express any concerns.

#### **LETTERS AND REQUEST**

A thank you card was received from Doretta Murray expressing her appreciation for the donation the town had made to the Oxford Community Center recognizing Larry Murray's care of the Yankee Pedler. The Avalon Foundation sent a card thanking the town for their donation to Plein Air Easton 2020.

#### **ATTORNEY**

Attorney Ryan was unable to attend.

#### **ADMINISTRATOR**

Lewis requested reappointment of Phyllis Gaiti, Pat Jessup and Doretta Murray to the Election Board. Commissioner Fronk motioned to approve, Commissioner Graves seconded the motion, all were in favor, and the motion carried. Lewis requested Brian Wells be moved from the alternate position to a full position on the Board of Zoning Appeals. Commissioner Fronk motioned to approve, Commissioner Graves seconded the motion, all were in favor, and the motion carried. Lewis stated the intention was to hold the upcoming election outside, weather permitting, and she was requesting approval to enlist volunteers to assist the Election Board in providing a socially distanced no touch election process, with Pam Baker and Suzanne Beyda as the intended volunteers. Commissioner Fronk motioned to approve the use of the volunteers, Commissioner Graves seconded the motion, all were in favor, and the motion carried. Lewis extended a thank you to Chief Maxwell for helping the administration by manning the town's booth at the recent Oxford Community Centers 'Community Day' his help was greatly appreciated.

## **COMMISSIONER COMMENT**

Commissioner Graves inquired as to whether a date for the Shredding event had been chosen. Lewis stated she had found a company willing to provide the one day service at a reasonable price starting at a few hundred dollars, dependent on volume, and that she was working with Liza Ledford and the OCC for a potential date in October.

Commissioner Fronk stated that during the discussion regarding reporting of noise for STRs, he was reminded that Lewis, Maxwell, and Delude were available to the town 24 hours a day, 7 days a week, and how appreciative the Commissioners and the citizens were for the dedication.

President Pepe stated that as Commissioner Graves term was nearing the end he wanted to express his pleasure in having served with him over the last few years. Commissioner Graves stated it has been a rewarding nine years. Fronk said he may be the longest serving at 9 years and 3 months, and he could only hope and pray that the next commissioner would bring the wisdom to the position that Graves has, and he too greatly appreciated the time he has served with him.

## **PUBLIC COMMENT**

Barbara Ransom wondered if the Commissioners had considered having a realtor take on the marketing of the property, because it is not listed outside of the community and would it be advantageous to have a task force of people who are looking to finish the project and get it occupied. Commission Fronk stated that the project was advertised throughout the Maryland - DC area and we only had one response. He added that we are all interested in finalizing the project and that she should certainly send any interested parties to the town. Jim Jaramillo asked for information regarding the potential investor, to which it was explained that there had been one response to the RFP, but it turned out to not be a viable concept, and there had been some interest in a potential lease, but nothing concrete at this time.

Being no further business, Commissioner Graves motioned to close the meeting at 7:50 pm, Commissioner Fronk seconded the motion, and the meeting was adjourned.

Respectfully submitted,  
Cheryl Lewis, Town Administrator-Clerk/Treasurer