

COMMISSIONERS OF OXFORD
Regular Meeting Minutes
February 26, 2019

The Commissioners Meeting was held in the meeting room of the Community Services Building on February 26, 2019. Commission 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 John Pepe, Public Works Superintendent Scott Delude, Administrator/Clerk Cheryl Lewis, and Town Attorney Brynja Booth.

APPROVAL OF MINUTES

Commissioner Graves motioned to adopt the minutes of February 12, 2019 as distributed. Commissioner Pepe seconded the motion, all were in favor, and the motion carried.

A motion was made by Commissioner Graves to approve and file for audit the disbursements for the month of January 2019. The motion was seconded by Commissioner Pepe, all were in favor, and the motion carried.

MAINTENANCE REPORT

Public Works Superintendent reported the following:

- The public works department is trying to get a jump on spring and using the dirt remaining from the pond construction to build up the community gardens. It has been slow moving because of the rain, but they hope to have it done in a few weeks in time to cover with topsoil and seed.
- The wash down pump used for cleaning out of the lift stations has reached the end of its life and PW is currently working on purchasing a new one.
- The town's teak benches have been removed and are currently being refurbished at the shop in preparation for spring.
- Public Works staff members are in the process of taking classes to be recertified for water and wastewater. In the meantime, PW will be running with a reduced crew.
- The WWTP contractors are removing the shoring plates over the next week or so, and as these plats will be vibrated out of place with a crane, there may be some vibration felt around town.
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POLICE REPORT

- 3 - Alarms
- 2 - Check the welfare
- 2 - Civil complaints
- 3 - Assist other police agency
- 20 - Police information service
- 1 - Animal complaint
- 2 - Patrol checks
- 3 - Assist the Fire Department
- 4 - Suspicious vehicles
- 4 - Warrant service
- 3 - Search warrants executed
- 1 - Burglary (arrest made) additional charges forthcoming

2 - Parking violations (cited)

Chief Maxwell stated three persons were arrested for a residential burglary, property recovery is ongoing, and additional charges for two principals are forthcoming.

FIRE COMPANY

No report at this time.

PRESENTATION

Jim Bass of Eastern Shore Land Conservation provide information regarding the ESCAP, Eastern Shore Climate Adaption Partnership, of which Oxford is a partner and provided the Commissioners with a brief summary of their recently released report, Mainstreaming Sea Level Rise Preparedness in Local Planning and Policy on Maryland's Eastern Shore, including sea level rise estimates and preparedness efforts currently underway. Support was offered for Oxford's consideration of regulating housing elevations outside of the floodplain in preparation for future changes.

PUBLIC HEARINGS

President Fronk read the introduction to Ordinance 1815 – AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND CHAPTER 8 OF THE OXFORD TOWN CODE TITLED “VEHICLES AND TRAFFIC” BY REPEALING AND RE-ENACTING SECTION 8.5 TO REGULATE PARKING OF TRAILERS AND OVERSIZED VEHICLES WITHIN THE TOWN, and Attorney Booth briefed the public on the purpose and intent of the ordinance. There was some discussion as to whether this would apply at a specific dead end street where an annual Oxford Day visitor parked next to the family they were visiting, to which it was noted there was the ability for the town to grant exceptions for special events like Oxford Day and regattas. With no further comments, the public hearing on Ordinance 1815 was closed.

President Fronk read the introduction to Ordinance 1901 – AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND CHAPTER 5 OF THE OXFORD TOWN CODE TITLED “TRASH COLLECTION” TO ADD SECTION 5.2 AUTHORIZING THE ESTABLISHMENT OF A TRASH COLLECTION POLICY BY RESOLUTION AND RENUMBERING FORMER 5.2 AS SECTION 5.3, AND INCREASING THE AMOUNT OF A MUNICIPAL INFRACTION FOR A VIOLATION OF CHAPTER 5 TO \$50.00 PER VIOLATION, after which Booth explained this ordinance would amend the town code to allow for the adoption of the town's current trash policy by Resolution, also allowing for penalties should an occasion every arise. With no additional comments, the public hearing on Ordinance 1901 was closed.

President Fronk read the introduction to Ordinance 1902 - AN ORDINANCE OF THE COMMISSIONERS OF THE TOWN OF OXFORD (THE “TOWN”) CONCERNING AN INCREASE OF THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THAT CERTAIN NON-REVOLVING LINE OF CREDIT PROVIDED BY SHORE UNITED BANK, PREVIOUSLY KNOWN AS THE TALBOT BANK OF EASTON, MARYLAND (THE “BANK”), TO THE TOWN (THE “ORIGINAL LINE OF CREDIT”), AND AN INCREASE IN THE INTEREST RATE BORNE UNDER THE ORIGINAL LINE OF CREDIT, AS WELL AN EXTENSION OF THE MATURITY DATE OF THE ORIGINAL LINE OF CREDIT PURSUANT TO A CERTAIN LOAN AGREEMENT BETWEEN THE TOWN AND THE BANK (THE “LOAN AGREEMENT”), WHICH ORIGINAL LINE OF CREDIT IS EVIDENCED BY A CERTAIN GENERAL OBLIGATION NOTE OF THE TOWN ISSUED AND AUTHORIZED UNDER ORDINANCE NO. 1516 OF THE TOWN (THE “ORIGINAL NOTE”), BY AMENDING THE LOAN AGREEMENT WITH RESPECT TO THE ORIGINAL LINE OF CREDIT AND BY REPLACING THE ORIGINAL NOTE WITH THE ISSUANCE, UPON THE FULL FAITH AND CREDIT OF THE TOWN, OF A GENERAL OBLIGATION NOTE IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION EIGHT HUNDRED AND EIGHTY THOUSAND DOLLARS (\$13,880,000), WITH AN INTEREST RATE NOT TO EXCEED THREE POINT THREE FIVE (3.35%) PER ANNUM, UNDER THE AUTHORITY OF SECTIONS 19-207 AND 19-301, *ET SEQ.* OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED

CODE OF MARYLAND (2013 REPLACEMENT VOLUME, AS AMENDED) AND SECTION C6-20 OF THE CHARTER OF THE TOWN, TO BE DESIGNATED "TOWN OF OXFORD GENERAL OBLIGATION NOTE (WASTEWATER TREATMENT PLANT PROJECT)," AS FURTHER DESIGNATED BY THE TOWN IN ITS DISCRETION (THE "REPLACEMENT NOTE"); AUTHORIZING THE ISSUANCE, UPON THE FULL FAITH AND CREDIT OF THE TOWN, OF A GENERAL OBLIGATION INSTALLMENT BOND IN THE PRINCIPAL AMOUNT NOT TO EXCEED FOUR HUNDRED NINETY THREE THOUSAND AND 00/1100 DOLLARS (\$493,000), UNDER THE AUTHORITY OF SECTIONS 19-207 AND 19-301, *ET SEQ.* OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND (2013 REPLACEMENT VOLUME, AS AMENDED) AND SECTION C6-20 OF THE CHARTER OF THE TOWN, TO BE DESIGNATED "TOWN OF OXFORD GENERAL OBLIGATION BOND (WASTEWATER TREATMENT PLANT PROJECT)," AS FURTHER DESIGNATED BY THE TOWN IN ITS DISCRETION (THE "BOND"); THE NET PROCEEDS OF THE SALE OF THE REPLACEMENT NOTE AND THE BOND TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF FINANCING AND REFINANCING, RESPECTIVELY, A PORTION OF THE COST OF CONSTRUCTION, REHABILITATION AND UPGRADE OF THE TOWN'S WASTEWATER TREATMENT PLANT FACILITY, TOGETHER WITH THE ACQUISITION OF ALL NECESSARY PROPERTY RIGHTS AND EQUIPMENT, TOGETHER WITH ANY RELATED CONSTRUCTION, ARCHITECTURAL, FINANCIAL, FISCAL, LEGAL, DESIGN, PLANNING AND ENGINEERING EXPENSES; PRESCRIBING THE FORM AND TENOR OF THE BOND AND OF THE REPLACEMENT NOTE AND THE TERMS AND CONDITIONS FOR THE ISSUANCE AND SALE OF THE BOND AND THE REPLACEMENT NOTE; PROVIDING FOR THE LEVY AND COLLECTION OF ANY TAXES NECESSARY FOR THE PROMPT PAYMENT OF THE MATURING PRINCIPAL OF AND INTEREST ON THE BOND AND THE REPLACEMENT NOTE AND THAT THE FULL FAITH AND CREDIT AND TAXING POWER OF THE TOWN BE IRREVOCABLY AND UNCONDITIONALLY PLEDGED TO THE PAYMENT OF THE PRINCIPAL AND INTEREST ON THE BOND AND THE REPLACEMENT NOTE. Booth explained that the current construction interim financing was scheduled to expire in March and that this ordinance would allow for a replacement note covering the previously borrowed amount along with any additional financing needed to complete the project. In addition, the ordinance also allows for the issuance of a general obligation installment bond in the amount of \$493,000, the additional loan amount committed by the USDA to cover the additional construction cost. The USDA is also providing an additional grant amount of \$1,735,000 towards the completion of the project. With no additional comments, the public hearing was closed.

UNFINISHED BUSINESS

President Fronk inquired as to whether the Commissioners had any discussion regarding Ordinance 1815 as read in the public hearing, Commissioner Pepe motioned to approve the ordinance, Commissioner Graves seconded the motion, all were in favor, and the motion carried.

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President Fronk then presented Ordinance 1902 as read in the public hearing, Commissioner Fronk motioned to approve Ordinance 1902, Commissioner Pepe seconded the motion, all were in favor, and the motion carried.

NEW BUSINESS

Nothing presented.

LETTERS AND REQUESTS TO COMMISSIONERS

Nothing presented.

ATTORNEY

Booth reported that she had been working with Lewis on a draft contract for Victor MacSorley in preparation for award of the MEWS construction project once the town had been notified by the State that they had a completed grant contract in place. Booth provided a brief summary of the drafted contract. The contract will be provided to MacSorley to review. Lewis reminded the commissioners that there were two things not in the bid documents, that may need to be incorporated into the project, the addition of a temporary staircase to the second floor and some type of offsite storage for any salvaged historic materials. Fronk requested a 10% hold back be considered, payable after final walk through. Commissioner Fronk motion to approve the contract with the 10% hold back/walk-through, allowing for non-substantive changes, Commissioner Graves seconded the motion, all were in favor, and the motion carried.

Booth presented the Commissioners with an amendment to the WWTP Construction Engineer's contract for \$17,167.15, which would extend the project inspectors efforts at the plant to cover the additional time on the Construction project. The GMB inspector is our onsite project manager who is at the construction site whenever the contractors are there. After Booth read the amendment, Commissioner Pepe motioned to approve, Commissioner Graves seconded the motion, all were in favor, and the motion carried.

Booth requested a closed session for legal advice regarding property enforcement and potential litigation matters.

CLERK COMMENTS

Lewis stated that following the recent repairs done to the brick sidewalk at the corner of Morris and Caroline to accommodate the stormwater improvements, she recognized a need to provide a long-term plan for maintaining the historic brick sidewalks along Morris. Over the last 5 years she has been working with Delude to spot repair the areas most in need, where tree roots had come up or deep holes had formed, but with time it has become apparent that there also need for a bigger plan. Her suggestion is that the complete relaying of a block at a time be included in each budget year starting at Caroline, moving towards the Ferry and then back up the north side of Morris to the Causeway. Funds would be budgeted each year for the anticipated cost of the 'next section' of sidewalk. In addition, the spot repairs could continue in areas of absolute need, but this approach would at least provide a plan for addressing the sidewalk over time. She intends to complete the Caroline block with this year's funds and then would propose the next section in the FY 2020 budget. The Commissioners were in favor of this approach.

There being no further comments or business, a motion was made by President Fronk to adjourn the meeting into Closed Session for legal advice regarding two matters in litigation, the motion was seconded by Commissioner Pepe and the meeting closed at 7:25 pm.

Respectfully submitted,

Cheryl Lewis, Town Administrator-Clerk/Treasurer