

**COMMISSIONERS OF OXFORD**  
**Regular Meeting Minutes**  
**May 9, 2023**

The Commissioners Meeting was held in the Oxford Commissioners meeting room on Tuesday, May 9, 2023. Commission President Jimmy Jaramillo called the meeting to order at 6:00 p.m.

**PRESENT**

Attending the meeting were Commission President James Jaramillo, Commissioner Brian Wells, Commissioner Tom Costigan, Police Chief Eric Kellner, Town Manager Cheryl Lewis, and Town Attorney Lyndsey Ryan. Public Works WW Supervisor Matt Ozman and W Supervisor Mike Bell were in training. Planning Officer Maria Brophy attended virtually. Approximately 50 people were in attendance and another 10 virtually.

The meeting opened with the Pledge of Allegiance.

Prior to this meeting a Budget Workshop was held to review the drafted Amended FY 2023 General and Enterprise Budget, which included an increase in the total amount of grant funding income, which was underrepresented in the original draft, and the drafted FY 2024 General and Enterprise Budget, which included an increase in interest income, which was underrepresented in the original draft. Both corrections will be reflected in the draft budgets for the public hearing to be held on May 23, 2023.

**APPROVAL OF MINUTES**

Commissioner Wells motioned to approve the minutes of April 25, 2023 as distributed, Commissioner Costigan seconded the motion, all were in favor, and the motion carried.

**PUBLIC WORKS REPORT**

Supervisor Ozman's report which was submitted prior to the meeting was provided. R.L. Ewing is to start paving tomorrow the 10th, they will start in front of the Oxford market and work towards Market St. and end in front of Town Hall. Thursday the 11th they will be doing patching work around town. The wooden bridges in Causeway Park have been completely rebuilt, once work started, they found more rotten wood than originally anticipated and the bridges will have to sit and dry for several weeks before they can be painted. All Public Works employees have been attending continual education classes to keep up with MDE required credits for water and wastewater license renewal. Town Manager Lewis noted that the shoulder paving that was to start on Wednesday has now been moved to Friday.

**POLICE REPORT**

Chief Kellner provided his report of calls, attached here, and a progress report for the department. He is continuing with review of policies and procedures, updating of the evidence submission procedures, and development of hiring processes. The speed sign has been redeployed on South Morris, noting that the sign records data accessible to the department. The Chief attended the recent OCC meeting and the Oxford Auxiliary meeting. The body cameras have been deployed and WBOC recently ran a story on Oxford body cameras. Regular updates and postings can be found on Facebook. There will be another Coffee with a Cop at the OCC on May 25<sup>th</sup>. The Chief has several interviews scheduled for a third police officer. Following a recent stolen wallet incident, the department successfully tracked down the suspect and was able to obtain a confession. Kellner and Phillips attended the County Police Accountability Board Administrative Charging Committee meeting. It was explained that Property Checks as listed on the report are general checks thorough out town of businesses and park areas, made while officers are patrolling, they are not stops prompted by calls for service. Kellner asked to be able to address something later in the meeting.

**ELECTION BOARD REQUEST**

Pam Baker, Election Board Supervisor, noting the new extended hours for the annual election from 8 am to 8 pm, stated she would like to appoint Eva Smorzaniuk, Jane Seldon, and Leanne Meisinger as temporary election clerks to assist with the June 20, 2023 election. Following her appointment, President Jaramillo issued the Oath of Office to all three temporary members.

**PUBLIC HEARING**

Attorney Ryan spoke on Resolution 2301 – A Resolution of the Commissioners of Oxford Establishing a Temporary Moratorium of Applications, Site Plans, Permits For, Construction of, Processing of, and Approval of Businesses Engaged in the Manufacture or Sale of Cannabis for Recreational or Medicinal Use within the Town for a Period of Nine (9) Months in Order to Allow the Town to Complete the Adoption of a Revised Comprehensive Plan and Such other Legislation that would Implement Certain Restrictions on Where and under What Circumstances such Businesses May Locate in Town to Promote the Public Health, Safety, and Welfare; explaining that due to the new state legislation allowing for such uses, it will be necessary for the town to incorporate reasonable zoning regulations for these uses. The moratorium allows time for the Planning Commission to determine the appropriate regulations for Oxford and propose such to the Commissioners for adoption.

Barbara Ranson inquired as to whether zoning for liquor licenses, which addresses vicinity, based on schools and churches, etc., would work for this purpose? Ryan stated she could not speak for the Planning Commission, but it is likely locations would be considered that did not impact residential, etc., but that it will be difficult with the town's size limitation. Ryan also explained with the language of the house bill, that zoning could not be so restrictive as to prohibit the uses. Lewis stated that the Planning Commission would start with the current commercial zoning districts found in the code and seek to determine which would be most appropriate for specific uses. Ranson stated she was opposed to any of this type of business and would hope the zoning would be fairly restrictive. A citizen asked if the state required the town to adopt regulations or if the town could just adopt their own regulation not allowing the uses. It was explained that the uses could not be prohibited, only regulated to certain appropriate areas based on zoning. There were questions regarding the public use of these products and the Chief explained some of the new regulations regarding public use and traffic stops. Susan Kordell asked how the public would know when the Planning Commission would be taking up the topic. Lewis stated that the Planning Commission has not started on this specific topic, but that it would be on agendas and would have public hearings during the process, but citizens who were concerned were welcome to submit written comments now, while it was fresh on their minds, and their comments would be provided to the Planning Commission so they will be aware the public is concerned. Dan Kordell expressed concerns with the number of parks and the inability to avoid them with any zoning regulations. Hearing no further comments, the hearing was closed.

#### **POLICE BUSINESS**

Chief Kellner asked Officer Chris Phillips and family to come forward and addressed Phillip's contribution to the Oxford Police Department, noting his positive relationship with the citizenry, his efforts as a team player working closely with not only himself, but also with Public Works and Administrative Staff, and his value to the town. After which Kellner announced Phillips promotion to the rank of Lieutenant, stating he would be Kellner's Deputy Chief of Police, with full authority to act as Chief in Kellner's absence. Kellner thanked Phillip's family, acknowledging that being the family of a law enforcement officer is not easy and the town appreciates their sharing of Phillips. Phillips was provided with his new badge and certificate of promotion. In addition, resident Leslie Howells recalled her story of a year ago, having called 911 when she was choking and unable to breath. Utilizing GPS, the 911 operator dispatched Phillips to her residence, where he performed first aid, thereby saving her life. She wished to acknowledge the Oxford Police Department, and specifically Chris, stating she does not believe she would be here today had he not intervened. Chief Kellner provided Phillips with the Oxford Police Department Life Saving Award.

#### **UNFINISHED BUSINESS**

Commissioner Wells motion to adopt Resolution 2301 – A Resolution of the Commissioners of Oxford Establishing a Temporary Moratorium of Applications, Site Plans, Permits For, Construction of, Processing of, and Approval of Businesses Engaged in the Manufacture or Sale of Cannabis for Recreational or Medicinal Use within the Town for a Period of Nine (9) Months in Order to Allow the Town to Complete the Adoption of a Revised Comprehensive Plan and Such other Legislation that would Implement Certain Restrictions on Where and under What Circumstances such Businesses May Locate in Town to Promote the Public Health, Safety, and Welfare, Commissioner Costigan seconded the motion, all were in favor, and the motion passed.

President Jaramillo noted that in reference to the Budget Ordinances, Public Hearings would be held at the May 23, 2023 Commissioners Meeting at 6 pm for Ordinance 2302 Amending the FY 2023 General and Enterprise Budget, Ordinance 2304 FY 2024 General and Enterprise Budget and Tax Rate, and Ordinance 2305 Setting FY 2024 Water and Sewer Rates.

Commissioner Wells request an updated regarding temporary investment in CDs as discussed following last meetings approval to utilized CDs with the town's current bank, BayVanguard, for the short term. Lewis stated she had spoken with the town accountant who stated the CDs and CDARs are, in his experience, what the municipalities on the eastern shore utilized for local government savings. He said it did appear that government entities could purchase Treasury Bills, but none of his clients were using them. Lewis stated there was a Maryland Local Government Investment Pool (MLGIP) available, which will require a resolution to request membership. She will come back with a resolution at a future meeting for the Commissioner's consideration, as this might be a good option for investment once the two upcoming major construction projects had been completed. She further clarified that borrowing money for interim construction costs will cost more in interest than the town would make on invested money. Noting that although the town is required to setup interim financing for the federally funded water project, the town is not required to make withdraws, and the more construction funded with operating cash, the less interest on interim funding. Lastly, she pointed out that serious consideration needed to be given to pulling this money out of the town's local accounts. As one of the largest depositors in Oxford, removing large sums of money could have a negative impact on the viability of the small satellite bank in town. The town has worked with the prior and current bank entities to keep this institution in town, including negotiation of rent and hour reductions, in order to continue to support the service for the town's merchants and business entities. The loss of the bank would have a big impact on the economics of the community and would require businesses and the town itself to travel to Easton for banking needs.

Commissioner Wells requested a follow up on a resident's request at a prior meeting for a trash can to be placed near the doggy bag stand on Bank Street and for a 25 mph sign to be placed on Bank Street. Lewis stated she had left that meeting and drove to Bank street that night and there was a can there. She is not sure of the confusion, but staff would keep an eye out to be sure cans were located near the doggy bag stands through out town. Lewis stated the Chief will look into the need for signage on Bank Street, which is a fairly short stretch of road.

#### **NEW BUSINESS**

None presented.

#### **LETTERS AND REQUEST**

Commissioner Costigan read a letter from the Oxford Day Committee thanking the town staff for their assistance. Commissioner Wells read two letters from the Oxford Fire Company thank the town for their annual contribution to the fire company and to the fire company retirement program. Letters are attached here.

#### **ATTORNEY**

Ryan provided an update on the Citizen Charter Referendum to Amend section C5-15 of the Oxford Charter, stating that she had received word from the Election Board that the referendum had achieved 20% of the elected voters as required. Based on State Law, the Commissioners will need to introduce a resolution no later than June 10<sup>th</sup> and will need to advertise in the paper 4 weeks prior to it being on a ballot at either a regular or special election. She pointed out State law for a Charter Referendum provides that the exact language submitted must be used and any resolution prepared would be with this language, stating that although she understands the intent of the language, she felt that further amendments would be necessary. The language does not establish a time frame for candidates to apply, nor does it establish a time frame for advertising for the nomination of candidates or for the special election. Additionally, the new language does not state what the term would be for a commissioner elected to fill a vacancy, with the recommendation that in future language it should be the unexpired term. In response to Commissioner questions, Ryan state that the only options were to either adopt the language as submitted by resolution or to create a resolution to place the requested amendment on a ballot. She does not feel the Commissioners have the legal authority to modify the language to address the inefficiencies created by the submitted language at this time, but she does feel that if approved in a special election, future amendments will be necessary to establish a time frame to file for candidacy, a time frame for notice, and a time frame for registering to vote, along with the term to be filled. The Commissioners requested Ryan draft a resolution to place the language on a ballot and present it at the next meeting.

#### **TOWN MANAGER**

Lewis inquired as to whether the Commissioners wish to continue utilizing Shore Rivers for Beach Water Quality Monitoring at \$600 for the season, explaining that they were incorporating signs that would contain a QR that could be scanned for the current results. The testing is done on Thursdays and notice is sent on Fridays allowing the public to follow the quality for beach bathing, adding the Oxford passes around 80% of the time. She stated that testing is for bacteria, which is generally created due to animal waste, including dogs and waterfowl, and following heavy rains is generally when it is highest. The new addition of QR access will allow beach goers to check current readings upon arrival. A citizen stated that the State already provides water sampling online. Lewis stated she was not aware of any testing specifically at the Strand Beach, but that she would look into it further.

Lewis provided the Planning Commission's annual report of new residential construction to the Maryland Department of Planning. Planner Brophy has prepared the letter of report, which includes the addition of one new residential structure in town, notes that the Upgrade to the 2010 Comprehensive Plan is underway, demonstrates the approval of the Planning Commission as required, and demonstrates that the report was provided to the Town Commissioners as required. The report will be forwarded to the MDP.

## **ANNOUNCEMENTS**

The Planning Commission as a component of their Update to the Comprehensive Plan effort will be hosting an Open House on May 17<sup>th</sup> from 10 am to noon and 2 pm to 4 pm (corrected to be 4 pm to 6 pm.)

**COMMISSIONER COMMENTS** No further comments.

## **PUBLIC COMMENT**

Art Murr expressed concerns regarding speeding on the Strand, requesting police assistance to patrol the area, especially the delivery trucks. The Chief Kellner said the speed sign could be placed on the Strand to monitor speeds and would provide data regarding speeding. Barbara Ranson asked if due to the upcoming construction at the Strand, the information regarding the Beach that is found on the Talbot County Tourism Board should be removed, and also noted that some of the street lights on the Strand are not working properly. Emily Knud Hanson commented on speeding on Bonfield and suggested stop sign enforcement could assist, and also suggested that locals should also watch their speed. Hanson referenced the response regarding the suggested Charter Amendment found on the website as being negative and asked who wrote the comment and that things posted on the Town Website need to have writer names attached to them. Jan Greenhawk also commented on the response and stated that the Town Manager should not be placing her's or the Commissioner's opinion on the Town Website. Discussion continued regarding the amendment, posting of information, and who should be providing information on the website. Warren Davis inquired of Lewis about the website statement regarding Oxford's method of filling a commissioner vacancy. Lewis reiterated the information, which had been read by Commissioner Costigan at a prior meeting, and which states appointed vacancies are only until the very next June election, thereby allowing citizens the opportunity to vote for their commissioner/s in a regular election every year in the same month, as opposed to random elections with little notice to the public. Davis mentioned a 1987 situation where the vacancy policy was not followed. Lewis stated that she was unaware of what may have happened in 1987, but is aware that vacant seats have gone to an election in June for the past 11 years, stating it is not just policy, it is the actual language found in the Charter. Warren Davis stated that according to the Charter of similar towns, specifically: Trappe, Preston, Greensboro, and Denton, commissioner vacancies are replaced with elections. President Jaramillo made it clear that with regards to the referendum, the Citizen Charter Amendment as presented would be going on a ballot for a vote. A resident inquired as to whether there was additional cost to have a special election. Lewis noted the majority of cost involved in elections is the advertising requirements, which would be the same whether this amendment was on a regular election ballot or a special election ballot.

Hearing no further comments, President Jaramillo requested a motion to adjourn into closed session for legal advice, Commissioner Wells motioned the same, Commissioner Costigan seconded the motion, all were in favor, and the meeting was adjourned into closed session at 7:15 pm.

Following the closed session, Commissioner Costigan made a motion to adjourn the regular meeting, Commissioner Wells seconded the motion, all were in favor, and the meeting was adjourned at 7:45 pm.

Respectfully submitted, Cheryl Lewis, Town Manager



**Oxford Police Department**  
**101 Market Street**  
**P.O. Box 339**  
**Oxford, Maryland 21654**  
**“Maryland’s First Port”**

*Eric M. Kellner, Chief of Police*

**Reporting Period: 4/24/23 – 5/7/23**

<b>REPORTS</b>	<b>RP</b>	<b>YTD</b>	<b>ARRESTS</b>	<b>RP</b>	<b>YTD</b>
Theft	1	1	Drug Arrests	0	0
Burglary	0	0	DUI Arrests	0	0
Drug	0	0	Criminal Arrests	0	0
Fraud / ID Theft	0	1	Warrant Arrests	0	0
Assault	0	1	Other Arrests	0	0
Domestic	1	1	Juvenile Referrals	1	1
Accident Report	1	1	<b>Total Arrests</b>	<b>1</b>	<b>1</b>
Other	4	6			
<b>CALLS FOR SERVICE</b>	<b>RP</b>	<b>YTD</b>	<b>COMMUNITY POLICING</b>	<b>RP</b>	<b>YTD</b>
Alarm	0	9	Property Checks	52	352
Animal Complaints	3	12	Special Events	2	6
Check Welfare	1	1	Foot Patrol	8	30
Disable Vehicle	1	1	Bike Patrol	3	3
Suspicious Condition	1	1			
911 – Hang-up	1	1	<b>ASSISTS</b>	<b>RP</b>	<b>YTD</b>
Trespassing	1	1	Other PD	2	2
Liquor Law Violation	0	1	Fire/EMS	4	5
Noise Complaint	0	1	Other Agency	0	0
Parking Violation	1	3			
Suspicious Person	1	2	<b>ENFORCEMENT</b>	<b>RP</b>	<b>YTD</b>
Suspicious Vehicle	1	4	Parking Citations	0	0
Verbal Dispute	0	1	Traffic Stops	13	28
Found Property	1	3	Traffic Citations	1	1
Motor Vehicle Collision	1	1	Traffic Warnings	13	28
Traffic Complaint	0	1	PC Searches	0	0
			Criminal Citations	0	0
			Civil Citations	0	0
<b>TRAFFIC VIOLATIONS</b>	<b>RP</b>	<b>YTD</b>	<b>TRAFFIC VIOLATIONS</b>	<b>RP</b>	<b>YTD</b>
Speeding	9	20	Cell Phone Violation	1	1
Stop Sign	0	2	Other Violation	3	3
Driving w/o License	2	2			
Equipment Violation	0	1			