

COMMISSIONERS OF OXFORD
Regular Meeting Minutes
August 8, 2023

The Commissioners Meeting was held in the Oxford Commissioners meeting room on Tuesday, August 8, 2023. Commission President Tom Costigan called the meeting to order at 6:00 p.m.

PRESENT

Attending the meeting were Commission President Tom Costigan, Commissioner Susan Delean-Botkin, Commissioner Katrina Greer, Public Works Supervisor Matt Ozman, Chief Eric Kellner, Town Manager Cheryl Lewis, and Attorney Lyndsey Ryan, and attending virtually Maria Brophy, Planning Officer. Approximately 45 people were in attendance and another 15 virtually.

The meeting opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Delean-Botkin motioned to approve the minutes of July 25, 2023 as distributed, Commissioner Greer seconded the motion, all were in favor, and the motion carried.

President Costigan stated that following a closed session held to discuss Personnel Matters and receive Legal Advice on July 25, 2023, the Commissioners of Oxford upon re-entering the regular meeting, voted to approve several nominations to the Historic District Commission, which include Jim Wilcox as a voting member, Margaret Morris as an alternate member, and Justin Werner as a voting member for a seat that will open in October.

President Costigan stated that the Commissioners of Oxford held a Special Meeting on July 31, 2023 at 5 pm for the purposes of holding a Closed Session for Personnel Matters.

PUBLIC WORKS REPORT

Supervisor Matt Ozman provide his report. Public works has serviced all the lawn mowers. Public works repainted yellow curbs on West Pier St. and Town hall. There was one after hours call out for a down tree limb after a recent storm, public works employee was able to trim it and push off the roadway. Bartlett tree service has been in to look at questionable trees on town property. Update on the wastewater HMI was a success after last meeting. This has made for smooth transitions in allowing the wastewater plant to automatically adjust its DO blower speeds according to setpoints that have been set by operators. Robert Norbury, as part of his Eagle Scout Badge, has now completed the painting on the all the dug outs and buildings at the new Dugout Park; roof materials have been delivered and roofing will be installed later this week. Public works has been working on tree trimming in parks and around stop signs. We have also moved stop signs out from behind overgrown brush to make more visible to motorist. Please be cautious when planting trees and bushes around these signs. The Vermeer vactron is now back in service after a brief breakdown due to a faulty hydraulic control solenoid and moisture in the hydraulic system. The prior nights storm and the day's storm clean up was discussed. Public Works was commended for their efforts. Commissioner Greer requested that Public Works look at grinding the sidewalk in front of the Methodist Church and having the church share the cost.

POLICE REPORT

Chief Kellner provided the report of calls, attached here, and a progress report for the department. Pfc Bobbick has completed his 80 hours mandated Field Training and is now working full time. Kellner noted that the department had responded to the Willows Ave area for a fox bite, the fox was gone upon arrival, and the public should be on alert. Following concerns expressed in regards to people stopping at the West Pier stop sign, PD has placed the flashing sign in the location, PW has trimmed back bushes and relocated the stop sign, and Docs owner has placed signage in his location making customers aware of the need to follow traffic signage. There are still

some openings for the Citizen Police Academy, applications can be picked up at the town office. With three officers, the department has expanded their hours and are making use of the townhouse. Coffee with a Cop was held on July 27, 2023. The Chief and his wife were guest at the Ladies Breakfast on August 5, 2023. The department is working with PW in preparing for the Oxford Regatta, and will try crossing guards in front of town park during peak hours. The Chief noted that he attended the Police Accountability Boards Quarterly Meeting and gave a brief description of the board. The department assisted PW during the storm last night and this morning looking for and reporting damage.

FIRE COMPANY

Tim Kearns gave an update from the Fire Company, stating the Fire Co Breakfast was coming up, 8 am to 11 am. There were 13 calls, 8 fire related, 1 in town, and 5 medical calls. There were 4 calls in the last 24 hours, most out of the area for storm damage and high water. Commissioner Delean-Botkin inquired into the number of emergency responders. Kearns said there were about 20 responding members currently, but not all are always available, and the department could use more members. Fire Fighter 1 classes will begin this fall, they are held in Centreville, and require 120 hours of training.

UNFINISHED BUSINESS

Commissioner Costigan stated with regards to the Morris Street/Sidewalk/Crosswalk issue, that looking into grinding had already been discussed and we will see what comes of that. We do not have sufficient quotes for the construction of ADA aprons and are still waiting on contractor input. After further discussion of the needs, the conversation was paused awaiting more information.

With regards to Resolution 2307 adopting the Oxford Sewer Tier Map, Lewis said she was still awaiting a final response from the Maryland Department of Planning on the tier map, stating that a positive response is required prior to adoption by the Commissioners. She did say that the town and state do now agree on the current town boundary, after some clarification was provided. MDP has also provided their thoughts on the proposed Tier Map, suggesting the town's growth area may be too restrictive and the town may want to identify other areas for future growth to align with the County Plans. Lewis responded to the state explaining the Planning Commissioners and involved citizens had reached the current proposed mapping, and with the current development pressures in the county, they were not comfortable having expanded growth areas other than what has been submitted. Lewis acknowledged the states concerns about the future, but also noted that the Comprehensive Plan is to be reviewed every 10 years and if the citizens felt different in 10 years, the Tier Map could be adjusted. A final response has been requested from MDP, as per the MDP regulations it is necessary to receive either a comment letter or no comment.

Commissioner Greer read a statement regarding the town's transfer of \$3,000,000 into CDs on April 25, 2023, one \$1,000,000 CD at 4% and four \$500,000 CDs at 1.5%. Stating that despite objections from the public about the paltry interest rate and despite her suggestion of using the states Local Government Investment Pool with a rate of 4.96% in April, the money was invested at BayVanguard. If the Commission had invested in the MLGIP we would now be \$28,000 richer. In June the Commissioners signed a resolution authorizing the use of the MLGIP, but the account has not been opened up. The CDs are coming due in September and we the Commissioners need to fulfill our fiduciary duty to safely and wisely invest the towns money. This fund is backed by the state, is presently at 5.29% interest, and what's more all funds are available the same day, in other words it's a no brainer. At the next meeting we should have the paperwork completed and have a resolution prepared to move the money when the CDs become mature in September, and I know my Commissioners will join me.

Commissioner Delean-Botkin stated she had questions regarding this and asked for more information. Lewis stated the MLGIP account had in fact been opened and that they had just requested one additional bit of information. Lewis stated the town would need to verify that the funds can be removed on the same day and as it appears to be ACH transfers, she expects that it would be fairly quick. She said this is important because the

funds are needed to cover the cost of the upcoming construction projects. She also cautioned the Commissioners, as she said she had done in past meetings, that if the town was to withdraw a large portion of the money from BayVanguard, there could be other risks that the citizens need to be aware of, stating that the town is one of the larger investors in this small branch. Greer stated the bank has the checking account and money market account and the town was losing a lot of money and they have a fiduciary responsibility. Lewis stated the 1.5% CDs were more flexible, but pulling the 4% CD before it matures may not be a good idea. Greer disagreed with Lewis's recollection of the terms on the CDs. Lewis stated she would provide the terms and any penalties at the next meeting. Lewis reiterated her caution in removing \$3,000,000 from BayVanguard Bank, thereby jeopardizing the viability of the Oxford branch, as it is a desire of some to have a bank in town. Greer stated that was not the Commissioner's business mandate, there were a lot of businesses in town, and quite a few did not use BayVanguard Bank, and we cannot be showing favoritism to one business over another, but the Commission will take a look and it is up to the Commission to decide. A citizen commented that there were downgrades to some banks today that represent a shock to the market place, and the Commissioners need to be conscious of that in their conversations with the bank, as it may appear they are reacting to that, rather than business practices. Greer stated MLGIP is backed by the state.

Commissioner Delean-Botkin inquired as to Greer's prior conversation regarding email accounts being set up for individual Commissioners. Greer stated she was still testing the permissions on the dummy accounts she had set up to assure they did not violate the Open Meetings Act. Delean-Botkin stated she also felt liability for individual Commissioners and the town itself needed to be taken into consideration. Greer stated if it did not work, Lewis can set up some town Gmail accounts for the Commissioners.

LETTERS AND REQUEST

A letter from the OCC was read, thanking the Commissioners for the town's annual contribution. Correspondence from John Pepe was read reminding the Commissioners of the previously approved Crabb Skiff races to be held on August 26, 2023 at the Strand.

ATTORNEY

Attorney Ryan reminded the Commissioners of the prior discussion regarding the need to consider additional amendments following up to the Charter Amendment passed on July 18, 2023 for Commissioner vacancies and inquired as to whether the Commissioners would like to go ahead and schedule a workshop and is there anything they are requesting that she provide. Delean-Botkin stated she would like to have information regarding procedures in other jurisdictions. Greer said she would think about it and send some options, but definitely would like a work session on the 22nd. A workshop was scheduled for 5 pm August 22, 2023, prior to the regular 6 pm meeting.

Ryan stated with regards to the Charter Amendment increasing the election hours approved in 2022, there was a request to increase the number of Election Supervisors serving during an election. She provided Resolution 2309 increasing the number of Election Supervisors from 3 to 6 and also adjusting the term start date to be two years from the date appointed, as opposed to two years from April 1st, in order to assure there was always an active board in the event of special elections, etc. Commissioner Greer motioned to introduce Resolution 2309 A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO AMEND SECTION C5-2 OF THE OXFORD TOWN CHARTER TO INCREASE THE NUMBER OF MEMBERS SERVING ON THE BOARD OF SUPERVISORS OF ELECTIONS, Commissioner Delean-Botkin seconded the motion, all were in favor, and the motion carried. A public hearing was scheduled to be held during the regular scheduled meeting at 6 pm on September 12, 2023.

TOWN MANAGER

Lewis, referencing the Historic Board member appointments stated earlier in the meeting, noted that the Commissioners had been provided with other recommendations from staff with regards to openings on the Board

of Appeals and was requesting consideration of three nominations: moving David Poe from the alternate to a voting member, appointment of Phil Dietz as a voting member, and appointment of Peter Clancy as the alternate member. Commissioner Delean-Botkin motioned to approve the nominated members, Commissioner Greer seconded the motion, all were in favor, and the motion carried.

Following up on the previous discussion regarding a consideration of entering into a franchise agreement with Easton Velocity for the extension of fiber for internet purposes once they had completed their grant obligations and were able to offer services to the residents, Lewis provided a draft agreement from Easton Velocity to the Commissioners for review, stating the attorney was provided a copy prior to the meeting. She stated the agreement will read for 'cable' but will allow the fiber to be brought in, Easton Velocity covers the majority of cost, the intent is to bury as much as possible underground, there is a clause allowing for charges for extension longer than 125', it will be up to each individual resident as to whether they wish to participate in the service, noting that residents are generally notified by door hanger to contact EV if they are interested. She stated the agreement does include a 5% resident fee, that is provided to the town as found on most cable franchise agreements. It is a pass-through fee as a tax revenue with a maximum of 5%, and which the town can choose to reduce, noting the current agreement with Breezeline is for 5%. Lewis outlined the current Easton Velocity internet rates. The time frame for service is still 2 to 3 years, but proactive engagement will help to expedite service to the town. Easton Velocity must still meet their current obligations to underserved residents before expanding to those who have access to other providers. Easton Velocity will be invited to a Commissioner meeting.

Lewis requested a close session to discuss Personnel Matters and for Legal Advice on active legal cases.

ANNOUNCEMENTS

August 10, 2023 5:30 pm at the OCC – Town Talk on Current Resilience Efforts and Grant Projects

Due to the prior evenings storm, Brush Pickup will be available throughout the week.

Art Murr and Phyliss Rambo were invited to comment on the OCC landscaping plan. With permit in hand, the OCC will be removing invasive species and less healthy trees, and incorporating a full new planting plan for the property, with pro-bono assistance from Bartlett Trees and funding from generous donors.

It was noted that the state is currently soliciting survey responses with respect to the much discussed third "Bay Crossing" option and residents are encouraged to go online at to the Maryland Department of Transportation's site: <https://www.baycrossingstudy.com/> for more information and to complete the latest survey.

COMMISSIONER COMMENTS

Commissioner Delean-Botkin said she was happy to see so many people participating, noting the many people out helping in the community, and luckily no one was hurt considering the severity of the storm.

President Costigan said that during the prior storm, two weeks ago, he in fact was the victim of a large fallen tree and upon calling 410-226-5650 was transferred after three rings to the Talbot Center, where a very professional person walked him through questions to determine his safety and needs. Within a few minutes Lt Philips was backing his truck down his street, where he left cones to be set up before responding to a greater emergency. As soon as the rain stopped, Mike Carroll of Public Works arrived with a backhoe to remove the tree, noting the Police non-emergency 410-226-5650 works as it should and the response by staff is commendable.

PUBLIC COMMENT

President Costigan read a letter from Nancy Fogarty requesting information regarding the new position and hiring of a secretary in the town office, attached to these minutes, which as a PIA was passed to the attorney. Costigan commented that there is no new secretary being hired, and there was no consideration of hiring a new secretary

or any other administrative staff. There are three people in the town office and there has been no consideration of changing it.

Leslie Howell requested consideration of improvements to the pump stations on Bonfield and Bank Street, similar to the improvements at the Causeway Pump Station on the main road. Lewis noted that as residents are required to do mitigation for construction, etc., and cannot meet the mitigation on their property, the opportunity to place these trees on town property exists. Several trees have been placed at the Bank Street station this way and the town will continue to use this mitigation around the pump stations. Lewis noted that the large project at the Causeway was done as part of the Wastewater Treatment Project following the construction and was covered with grant funding.

Bill Dial stated in regards to the earlier discussion of investing funds currently held at BayVanguard, that he was aware several years ago that there were discussions with Bank of Easton and the keeping of a portion of the town reserve funds with Easton Bank to provide for the maintaining of a branch in Oxford, and the only thing that kept the bank open was the good faith between the town and the bank. In the process of negotiating the best use of our funds, please let's not do away with our local bank, which is not just for the convenience of the businesses, but the citizens as well, as the alternative is to have to go to Easton for any banking needs.

Art Murr asked if Easton Velocity could be invited to talk to the citizens regarding their plans and their service, as he is interested in cable as well as internet.

Jane McCarthy expressed concerns that she was not sufficiently notified of the most recent mosquito spraying. Lewis stated that although she had missed one date, she had posted they were expecting them to spray on August 7th, she was not sure they intended to spray due to the storm and she did not get a response to her question to the driver. Going forward the town will attempt to place notices on Facebook and also on the town calendar when feasible, noting that the notices come in at random times day and night and often the actual spraying fluctuates based on weather conditions.

Emily Knud Hanson inquired as to the times lawn mowing is permitted in town, including the arrival of the trucks prior to mowing. Lewis stated regulations were reviewed in depth several years ago, and mowing cannot start prior to 7 am, but there was no way to regulate people arriving in town. She would bring the full noise information to the next meeting for further discussion.

With no further business, Commissioner Delean-Botkin motioned to close the regular meeting, Commissioner Greer seconded the motion, all were in favor and the motion closed at 7:12 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: 7/24/23 – 8/8/23

REPORTS	RP	YTD	ARRESTS	RP	YTD
Theft	0	5	Drug Arrests	0	0
Animal Complaint	1	3	DUI Arrests	0	0
Harassment	0	3	On-View Arrests	0	0
Fraud / ID Theft	1	2	Warrant Arrests	0	1
Assault	0	1	Criminal Summons	0	1
Domestic	1	2	Juvenile Referrals	0	1
Accident Report	1	3	Other Arrests	0	0
Suspicious Conditions	0	4	Total Arrests	0	3
Found/Lost Property	0	17			
Other	0	4			
Total Reports	3	44			
CALLS FOR SERVICE	RP	YTD	COMMUNITY POLICING	RP	YTD
Alarm	0	15	Property Checks	104	763
Animal Complaints	2	22	Special Events	1	14
Check Welfare	1	3	Foot Patrol	2	51
Suspicious Condition	1	9	Bike Patrol	1	21
911 – Hang-up	0	1			
Trespassing	3	7	ASSISTS	RP	YTD
Liquor Law Violation	0	1	Other PD	0	5
Noise Complaint	0	1	Fire/EMS	2	19
Parking Violation	3	5	Other Agency	0	0
Suspicious Person	1	6			
Suspicious Vehicle	0	5	ENFORCEMENT	RP	YTD
Verbal Dispute	0	3	Parking Citations	2	20
Found Property	0	17	Traffic Stops	7	109
Motor Vehicle Collision	1	6	Traffic Citations	0	3
Traffic Complaint	2	11	Traffic Warnings	7	108
Harassment	0	3	PC Searches	0	0
Rogue and Vagabond	0	4	Criminal Citations	0	0
Misc. Calls	8	38	Civil Citations	0	0
Total Calls	22	177			
TRAFFIC VIOLATIONS	RP	YTD	TRAFFIC VIOLATIONS	RP	YTD
Speeding	6	81	Cell Phone Violation	0	4
Stop Sign	1	14	Other Violation	0	8
Driving w/o License	0	2	Equipment Violation	0	4

August 6, 2023

Cheryl Lewis, Town Manager
Tom Costigan, Oxford Commissioner
Katrina Greer, Oxford Commissioner
Susan Delean-Botkin, Oxford Commissioner
Lindsay Ryan, Esq.

Dear Ms. Lewis, Ms. Ryan, and Oxford Commissioners,

Given the new position and hiring of a Town Secretary, this is a formal request for

- a copy of the job description
- the number of candidates that were considered for this position.
- confirmation the hired individual is not a qualified relative or does not have a personal relationship with Ms. Lewis or any other town employee.

In addition, I request a copy of the job descriptions of the Town Manager, Assistant Clerk, and Planner so that I can better understand the responsibilities of each and their assumed support by the newly formed position of Secretary.

I kindly request that my letter be read aloud at the next Commissioner's meeting on August 9th and be included in the meeting minutes. This request is being made via the Public Information Act of Maryland.

Sincerely,

Nancy Fogarty

A black rectangular redaction mark covering the signature area.