

COMMISSIONERS OF OXFORD
Regular Meeting Minutes
March 26, 2024

WORKSHOP

Prior to the meeting a Workshop was held at 5 pm for the purposes of reviewing the draft FY 2024 General and Enterprise Budget and Tax Rate.

The Commissioners Regular Meeting was held in the Oxford Commissioners meeting room on Tuesday, March 26, 2024 at 6 pm.

Commission President Costigan shared sentiments regarding the Baltimore Francis Scott Key Bridge tragedy and asked all to keep the victims and families in their thoughts and prayers.

PRESENT

Attending the meeting were Commission President Tom Costigan, Commissioner Susan Delean-Botkin, Commissioner Katrina Greer, Interim Chief Lt. Chris Phillips, Wastewater Supervisor Matt Ozman, Town Manager Cheryl Lewis, and Attorney Lyndsey Ryan. Approximately 50 people were in attendance and approximately 25 virtually. The meeting opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Delean-Botkin motioned to approve the minutes of March 12, 2024 as distributed, Commissioner Greer seconded the motion, all were in favor, and the motion carried.

PUBLIC WORKS REPORT

Wastewater Supervisor Matt Ozman presented the Public Works report. Public works has repaired parts of the dog park fence including gate fixtures and other pieces of fence that have pulled away from the pole. They are also working on seeding bare spots with grass and repaired the water pump by dog park. The mulching of the park flower beds is complete, and the swing set in town park will be completed this week. Public works has had multiple employees on duty during the past high tides and heavy rains. There was only one after hours call-in for the wastewater plant due to a no pump running alarm for the ENR pump station. A quick repair, replacing a small blown 20-amp fuse, and all pumps were back in service in less than 30 minutes. This is the season we start to find algae growth inside the wastewater treatment plant. They have started the yearly treatment for this type of algae growth inside the wave ox tank itself, which is a very delicate series of treatments that need to happen over the course of about 30 days to get this to retract. A low dose of hypochlorite and WAS sludge pumps are used to gently dispose and kill off the alga. As a reminder, hydrant flushing will start in April if the weather cooperates. Hills Electric has completed electrical cabinet upgrades to the Bachelors point pump station. PW will paint the stop bars at the Tilghman stop sign when weather permits. Matt also noted that higher than normal tides are anticipated over the next 24 hours. Commission President Costigan noted that PW had upgraded the electric components in Town Park.

POLICE REPORT

Interim Chief Lt. Phillips presented police statistics for the prior period, attached here. He noted a new category on the report, Must Appear, which denotes tickets issued requiring court appearance, situations like driving without a license or on a revoked license, etc. He attended a Law Enforcement Steering Committee with community partners on March 19, 2024.

FIRE COMPANY

Tim Kearns provided the report with 8 total calls over the prior period, one automatic alarm in town, one automatic alarm out of town, one gas leak in Easton, three structural fires out of the Oxford area, and 2

EMS calls in town. The Auxiliary Bake Sale will be this Saturday, there will be a Card Party requiring reservations on April 5, 2024 and the Breakfast will be on April 13, 2024, 8 am to 11 am.

OATH OF OFFICE

Commission President Costigan issued the Oath of Office to Jan Nelson who serves on the Parks and Recreation Committee.

Costigan introduced the Town's new Planning and Zoning Coordinator, Marilyn Williams.

PUBLIC HEARING

Attorney Ryan summarized Ordinance 2403 Amending the Floodplain Management Ordinance, basically removing the current exemption which allows for certain equipment to be placed below the elevation of the lowest floor. She noted that not removing the exemption would change the town's CRS status from 7 to 9, as discussed in previous meetings. Williams, the new Planner and a Certified Floodplain Manager, noted that the exemption currently being discussed has already been removed from FEMA and from Maryland regulations for sometime now, and when the town was next audited by FEMA it would require removal. With no public comments, the public hearing was closed.

UNFINISHED BUSINESS

Commissioner Delean-Botkin motioned to approved ORDINANCE 2403: AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND THE FLOODPLAIN MANAGEMENT ORDINANCE TO REMOVE SECTION 4.4 (E) ESTABLISHING AN EXEMPTION FOR SERVICE EQUIPMENT BELOW THE ELEVATION OF THE LOWEST FLOOR, Commissioner Greer seconded the motion, all were in favor, and the motion carried.

MDOT Bikeways Grant – Talbot Thrive “Oyster Trail” design contract with Lane Engineering was provided to the Commissioners. Lewis noted that the grant of \$ 23,962 would require an in-kind match of \$6,038, which is to be provided by Talbot Thrive and can include town staff services. The Lane Engineering contract is in response to the MDOT Grant requirements as negotiated by Talbot Thrive and at this time, they are seeking Commissioner approval to move forward as the town will be the grant recipient and will manage the project expenses. Commissioner Greer motioned to approve signing the contract, Commissioner Delean-Botkin seconded the motion, all were in favor, and the motion carried. Lewis additionally request Commissioner approval to also submit for potential construction funding as the MDOT grant period opens in April with a submittal date in May, with Talbot Thrive providing a majority of the effort for the application. Commissioner Greer motioned to move forward with an application for construction funding for construction of the Talbot Thrive Oyster Trail, Commissioner Delean-Botkin seconded the motion, all were in favor, and the motion carried.

NEW BUSINESS

Brent Jett, the Coastal Resilience Group Leader and Jason Lytle, the town's engineer, both of George Miles and Buhr Engineering, the firm awarded the Design/Build contract to address identified stormwater issues, provided the Commissioners with a PowerPoint presentation on stormwater/tidal water management in the face of increasing higher tides and heavier precipitation and recommended infrastructure improvements (PowerPoint is posted on the town website and verbal component can be found within the meeting recording.) Along with area specifics regarding elevations and tide levels, he noted the current anomaly of the low tides actually running higher than the projected high tides and extreme rains over the last three months, stating that it provides a glimpse of what the town can expect for a normal day in 2050. Following information regarding current and near future conditions, the concept of providing under street pumps in the area of the existing tide gates, with improvements to the tide gates, to move flood waters to the river or creek was presented and discussed. Commissioners and residents were provided an opportunity to ask questions. As the next step, the engineers will provide

estimated costs for the proposed locations of Mills Street and Pier Street, along with considerations for Bank Street and Caroline Street.

Town Manager Lewis stated that one bid was received in response to the Central Park/Dugout Memorial Park RFP from Unity Landscape Design/Build Inc. for \$211,896. She stated that she would like to speak with the bidder and come back with a reduced scope for the Commissioner to consider at a future meeting.

With regards to a Town Manger Hiring process, Commissioner Greer proposed, following the prior meetings presentation by hiring professionals, that in order to rally the town behind a vision of the future, the town should consider a process that will ensure a rich applicant pool, and motioned to have an RFP prepared seeking a government search firm. President Costigan stated that he felt that the citizen prepared Hiring Guidelines, the result of a citizen process that began in March of 2023, with the citizen group working through spring and summer in public meetings to create the guidelines, which were subsequently approved unanimously by the Commissioners in October 2023, already addressed hiring in the opening statement, which stated the policy was established to ensure the town can attract the best qualified individuals for all positions. He stated per the guidelines the position should be posted on the town website, social media, Indeed, and the MML website, which can be done as soon as Monday, April 1, 2024. Additionally, he recommended that an RFP be issued for a search firm, which would give the town the ability, should the Commissioners need to avail themselves of this option. At the end of April, the candidates could be evaluated allowing the town to move forward with the selection process, with the hope of having a new hire by mid-May allowing time for training. Commissioner Delean-Botkin stated as someone with experience in utilizing a search firm for government employment, and after researching other eastern shore communities who have used a firm for similar positions, she found some were satisfied with the process, while others who ended up hiring locally were not, she was not sure it was the right direction. She stated that in the many letters received, she came to two conclusions. First it was suggested the new town manager should heal the rift in the town, stating that this was not the town managers job, it was up to the town to heal itself, and she thanked Suzie Hurley and Debra Pulzone for inviting all who were interested to a public meditation this past weekend to start this process. The second concern was transparency, and she did not feel that using a recruiting firm would be any more transparent than the Commissioners conducting a search themselves, considering that they are now keenly aware of the transparency issue. Commissioner Greer reiterated that she felt the best way to assure transparency and a very rich applicant pool is to engage a firm, develop a profile with the community, and advertise more broadly, as you don't know where you applicants might be coming from, and should not limit yourself to just Maryland in order to follow in the footsteps of what we have accomplished, as we are a small town but have a fairly sophisticated operation of grants and infrastructure needs. Costigan felt that following the guidelines already are in place, while also issuing an RFP to have the ability to hire a search firm, was the appropriate direction. If after 30 days the town is not successful, the town can utilize the search firm. He feels that our recent hires demonstrate that the system does work and that the town has the ability to attract viable applicants with our process. Following further discussion, it was determined that the town would have a simultaneous approach, proceed with the current Hiring Guidelines process, while also preparing and placing an RFP out for proposals from professional hiring firms, should a firm become necessary. Commissioner Delean-Botkin motioned to move forward with both plans, Commissioner Costigan seconded the motion, all were in favor, and the motion carried.

LETTERS AND REQUEST

Oxford Library requested to close a portion of Market Street for their annual Oxford Day Booksale as they have in the past, which was granted. Scott Prisco of Popes Tavern requested to close a portion of South Morris Street in the evening on Oxford Day to have an outside band event. They will work with the police department to assist Doc's patrons in getting to Second Street during the time frame. Lt. Phillips stated the department would be available to manager the street closing. The town will require fencing/wrist

bands to segregate those approved to be served alcohol, completion of an event permit (to be provided), and an insurance rider. Preliminary approval was granted based on Popes meeting these requirements.

ATTORNEY

Ryan stated that in the matter of Rebecca Keegan, following an appeal of a Port Warden's decision, which was upheld by the Town Commissioners several years ago, the applicant took the case to Circuit Court where it was upheld, and then to the Court of Appeals where it was upheld, after which they went to the Supreme Court. Today she received notice that the Supreme Court has turned down the request. The second case, in which Rebecca Keegan has named the town and numerous property owners in the cove, was upheld in Circuit Court, but is now being appealed to the Court of Appeals.

TOWN MANAGER

Lewis requested appointment of Phyliss Rambo, Leanne Meisinger, Jodie Ware and Dodi Sutton to the Election Board for the upcoming Election. Commissioner motioned to approve the appointment, Commissioner seconded the motion, all were in favor, and the motion carried. Lewis stated notices and forms for the upcoming June 18, 2024 Election would be posted and available on April 1, 2024.

Lewis stated the town was accepting applications for the R Gordon Graves Scholarship, explaining that the program provides for at least two scholarships of at least \$500 in the town budget. Last year two students were provided \$1000 scholarships. She also noted that currently the program does have donated funding of \$8600 which remains for this purpose only, and she has shared the information with Phyliss Rambo so she can follow it going forward. The application due date for this year is June 1st.

With regards to the Water Meter RFP, meetings will be set up with the vendors of the two selected products, who will provide presentations. These will be set up as public meetings, either in person or virtual, yet to be determined. Lewis will provide the commissioners with dates once set.

Lewis stated they were currently interviewing for both the Public Works opening and the Chief of Police. She requested a closed session for the purposes of discussing personnel matters and receiving legal advice.

ANNOUNCEMENTS

The next regular Commissioner's Meeting will be on April 9, 2024; there will be a Public Hearing for Ordinance 2404 Amending the FY 2024 General and Enterprise Budget; and April 27, 2024 will be Oxford Day. This coming Saturday is the annual Easter Egg Hunt in Town Park.

COMMISSIONER COMMENTS

None presented.

PUBLIC COMMENT

Curt Reintsma requested clarification on the Town Manager hiring process as he felt it was important that there be sufficient time for the current manager to work with the new hire for transitioning purposes. Bob Hyberg asked if a cap had been set for utilizing a recruiting firm. Art Murr also expressed concerns regarding the cost that comes with recruiting from out of the area, moving expenses, housing expenses, etc. Dave Ober felt that the dual approach, in first attempting to get someone with local government experience, was important because he felt hiring from within Maryland was valuable in bringing in someone with knowledge in this environment. Will Cawley inquired as to whether the electrician that the town received the original estimate for the town park work was licensed and what the parameters were. Lewis stated she requested a licensed electrician provide a quote for what he felt was necessary with a response of \$7000 for the work. She also inquired as to the ability of the town shop to complete the work on town property and was assured that they were able to do the work, adding that the work was

coordinated with the electrical inspector before, during and after the effort, and the work will be certified by the inspector.

With no further business, Commissioner Delean-Botkin made a motion to enter closed session at 8:39 to discuss a personnel matter and obtain legal advice, which was seconded by Commissioner Greer and unanimously carried. Ms. Lewis advised that an interview panel of three individuals conducted the first round of interviews for the vacant Police Chief position. The interview panel consisted of Ms. Lewis, Deputy Chief Eric Kellner, and Talbot County Sheriff Joe Gamble. She advised that the two qualified individuals that applied, submitted the Town's hiring application, and completed the process, were interviewed by the panel. Ms. Lewis shared the panel's recommendation that the Commissioners interview both candidates, which the Commissioners agreed to.

Lewis advised that she and Mr. Ozman reviewed the applications submitted and scheduled interviews for the vacant Public Works position with the 3 qualified applicants.

Lastly, the Commissioners discussed contracts between the Town and independent contractors. Ms. Ryan advised that the contracts are between the Town and the independent contractor and that if citizens have questions or concerns about a particular project or contractor, they should contact the Town Office or the Commissioners and not the contractor.

At 8:51, Commissioner Delean-Botkin made a motion to close the closed session, which was seconded by Commissioner Greer and unanimously carried. Given that this portion of the meeting was inadvertently broadcast to the public, these minutes are no longer closed and are included in the regular minutes of the March 26th meeting.

Respectfully submitted, Cheryl Lewis, Town Manager

Commissioner Meetings are now live streaming and are archived on townhallstreams.com.