

## COMMISSIONERS MEETING

April 14, 2009

### LOCATION

Commissioners Meeting was held in the meeting room of the Community Services Building on April 14, 2009. President Klair called the meeting to order at 7:30 p.m.

### PRESENT

Commissioners present were James Klair, Peter Dunbar and Timothy Kearns. Town Attorney Brynja Booth was in attendance. A Star Democrat representative was in attendance. There were approximately twenty five (25) people in attendance.

### APPROVAL OF MINUTES

The minutes of March 24, 2009 were approved as distributed.

### REPORTS

Maintenance, Police and Fire Company reports were waived.

### DELMARVA POWER - TREE TRIMMING

Public Works Superintendent, Scott DeLude, announced that Delmarva Power will be doing extensive tree trimming throughout town in the next several weeks. It has been seven (7) years since the trees have been trimmed around the power lines and the town is due for trimming. Many citizens voiced concern over the drastic trimming that has been done by the power company in the past. President Klair announced that the Commissioners are delegating authority to Scott to keep an eye on the trimming.

### PEDESTRIAN WALKWAY

Commissioner Dunbar announced that the Pedestrian Walkway, formerly Cross Street, is still in the review process before the Critical Area Commission. More information was needed for Critical Area Commission which is being provided by Scott and Lill.

### EXECUTIVE SESSION

President Klair announced that the Commissioners met with Attorney Brynja Booth on Monday evening, April 13, 2009, in executive session to obtain legal advice regarding Talbot County Resolution 160 which included an option in Talbot County Comprehensive Plan to allow a force main from Oxford to Easton to ship Oxford's wastewater to Easton.

### RESOLUTION 160

The Commissioners attended Talbot County Council meeting on April 14, 2009 to give testimony on Resolution 160. The County Council voted down Resolution 160 which would have included the option for Oxford to ship wastewater to Easton. President Klair stated that the Commissioners will begin looking at other options to remove nitrogen, phosphorus and to do upgrades to the Waste Water Treatment Plant.

### LIVING SHORELINE

Commissioner Dunbar introduced Lee Goodwin of Angler Environmental. Angler Environmental was awarded the bid for the design of the Living Shoreline along

Town Park. Dave Wilson of R C & D is also working with Angler. Commissioner Dunbar stated that the Chesapeake Bay Trust put a proposal together that showed Town Park as being severe enough to receive a grant for design, no grant has been received at this time for implementation.

Mr. Goodwin announced that the meeting tonight is a follow up of the November 20, 2008 meeting where citizen input was taken and design changes have been made.

Mr. Goodwin explained that the old concrete breakwater is deteriorating and the wall is showing signs of erosion. There is concern that the wall is going to collapse. The design must meet regulations. The design showed a breakwall offshore that would be seen by those closer than about 75 feet inland from the shore. When walking along Morris Street the living shoreline will not be visible. The view will appear as it does today. The south side of the park will have a groin extending out and next to this groin would be a sandy beach area. The north side will also have a groin. There would be native grasses in this area such as salt-meadow hay and cordgrass. There will be a walking trail in this area. The property on the north/northwest will be a marsh area and the property on the south/southwest will be a beach area.

The audience questioned whether there is plans to include other properties. Commissioner Dunbar stated that for now the town is just looking at the Town Park, (300'), other shorelines in this area would be up to the individuals. Commissioner Dunbar commented that this project hopefully will encourage people to look at other options such as living shorelines to protect their shoreline.

President Klair stated that the idea of a living shoreline goes back at least eight (8) years. Two vendors came to town meetings and gave presentations on the use of living shorelines several years ago.

A question was asked if the living shoreline will bring mosquitoes? Mr. Goodwin stated that there will be tidal movement in this area that will not allow for mosquitoes.

The question was raised , what if people walked on the planted area? Mr. Wilson stated that it would not hurt the grasses once they have become established, but from all the projects that he has been involved with people do not walk in the grass area since it is a marsh type setting.

It was asked why couldn't the Town Park living shoreline be done like Jennifer and Ted Stanley's that was created on Town Creek. Response to this, by Mr. Wilson was that Town Creek does not have the wave action that the Town Park encounters.

A comment was made by a citizen that doing a living shoreline off of the Town Park is going to be a major change to the Park.

Mr. Wilson stated that permits are needed from Corp. of Engineers, MDE wetland license, Critical Areas, local and county permits for buffer management.

The question was asked if the living shoreline would have any negative effects on adjacent properties and would any jetties that exist be removed. Mr. Goodwin stated that it would be good to clean up the area and there will not be any negative effects.

Mr. Wilson agreed to get a list of completed projects in order for anyone interested to visit. He commented that a close project is at the foot of Cambridge Bridge along the shoreline of Sailwinds Park. The list will be put on the Town's website.

Mr. Wilson explained that the area will be established in two years.

Questions were asked regarding the shoreline filling in. Mr. Goodwin and Mr. Wilson stated that this should not happen because of the wave action.

Mr. Goodwin said the project could be started in 2010 if grant money becomes available. There is positive effects on wildlife with a living shoreline. Mr. Wilson

stated that the town can restrict the time of the year that work is to be done.

Mr. Wilson stated that the project will cost approximately \$100,000. Mr. Goodwin commented that rip rap would only cost 1/3 of that but rip rap is not being permitted.

The discussion ended with President Klair stating that the Commissioners would like to have reactions/comments to the concept plan. Commissioner Dunbar requested that comments be turned in to the Town Office in the next couple of weeks.

Commissioner Dunbar stated that he did not want the town to fund the project, there is an opportunity to get grants for this type of project. Commissioner Dunbar commented that we need a final design and look for grant money.

#### NEW BUSINESS

##### MML Golf Tournament

Maryland Municipal League has requested that the town sponsor a hole during the golf tournament that is held in Ocean City during the MML Convention. All commissioners decided that due to budget constraints they would not sponsor a hole.

#### UNFINISHED BUSINESS

##### BOAT MOORINGS

President Klair announced that the Commissioners received a letter from John and Carol Southall objecting to boat moorings along the Strand. President Klair stated that the Commissioners will be going into Executive Session to obtain legal advice regarding boat moorings.

#### EXECUTIVE SESSION

The Commissioners voted to go into executive session to obtain legal advice and personnel issues. The executive session was held under Section 10.508 Open Meetings Act, Maryland Code (1992 cum. Supl.) No. 2. Those in attendance were James Klair, Commissioner, Peter Dunbar, Commissioner, Timothy Kearns, Commissioner, Scott DeLude, Public Works Superintendent, Brynja Booth, Town Attorney, James Borga, Chief of Police and Lillian Lord, Town Clerk.

#### WORK SESSION

A work session was held with the Commissioners and the department heads on the draft budget for 2010. Commissioners will review draft budget and future work sessions will be held.

#### BILLS PAYABLE

The regular meeting was reopened. The Commissioners went to Bills Payable.

Commissioner Dunbar made a motion to adjourn the meeting. Commissioner Kearns seconded motion.

Aye - James G. Klair

Aye - Peter Dunbar

Aye - Timothy B. Kearns

Respectfully submitted,

Lillian Lord  
Town Clerk