

COMMISSIONERS MEETING
September 11, 2007

LOCATION

Commissioners Meeting was held in the meeting room of the Community Services Building on September 11, 2007. The meeting was called to order by President Kearns at 7:30 p.m.

PRESENT

Commissioners present were Timothy Kearns, James Klair and Peter Dunbar. There were approximately seven (7) people in attendance.

MINUTES

The minutes of August 28, 2007 were approved as distributed.

MAINTENANCE REPORT

President Kearns read the Maintenance Report as prepared by Richard Cooper, Interim Superintendent of the Public Works Department.

1. Weekly water and wastewater test were taken and completed.
2. Pumping stations and wells were checked daily.
3. Performed general maintenance throughout town (filled pot holes and removed trash).
4. Recycle Center was checked and cleaned twice weekly.
5. Updated DMR's for wastewater and water.
6. Completed installation of the swale at the property of Ms. Budd on Tilghman St.
7. The dump truck was taken to Elliott's for repairs.
8. The new door at the main pumping station was painted.
9. Cleaned and opened curb on Norton Street.
10. Cleaned up and ordered parts to raise manhole covers on newly paved streets.
11. Watered trees and scrubs in Town Park and Recycle Center.
12. Water meter books were updated.
13. "No Parking" sign was installed at the corner of Tilghman Street.

State Highway Administration - Improvements along Morris Street

President Kearns announced that the crew that is working in town along Morris Street is drilling pilot holes to locate underground utilities. This is part of the streetscape project.

President Kearns stated that State Highway Administration, hydraulic engineers, are still having drainage issues along Morris Street. Susan Lippy, project manager for streetscape, is planning to meet with the Commissioners late September and present information to the public in October.

POLICE REPORT

Lt. Maxwell gave the Police Report in the absence of Chief Borga. The report consisted of the following:

- 10 - Police Informations
- 2 - Assist the Fire Department
- 2 - Assist other Police Agencies
- 1 - Disorderly person (gone on arrival)
- 2 - Papers Served

Lt. Maxwell announced that the investigation into the thefts of items taken from cars is moving forward.

Memorandum of Understanding

Commissioner Klair stated that a letter has been received from David Valliant, President of Oxford Cemetery Board, requesting that a memorandum of understanding be written in order for the Oxford Police Department to patrol the Oxford Cemetery. Attorney Thompson will write the memorandum of understanding.

Shading of Street Light

Commissioner Dunbar advised that he had looked at the street light at the intersection of Banks Street and Tilghman Street and is in agreement with Lt. Maxwell that the light should not be shaded as it is. All Commissioners were in agreement that the tape should be removed from the light. Lt. Maxwell will contact Delmarva Power and asked that the tape that has been placed on the light be removed.

FIRE DEPARTMENT REPORT

Karl Kirchhoff, Oxford Fire Department, gave the Fire Report for the period August 3, 2007 through August 30, 2007. The report consisted of a total of (13) thirteen calls and one hundred thirty seven (137) personnel hours.

Commissioner Klair congratulated the fire department for reaching their one million dollar goal for renovations to the fire house.

NEW BUSINESS

Relocation of Dumpster

President Kearns announced that a request was received from a resident living next to a restaurant to relocate the restaurant's dumpster. The dumpster has been relocated.

Engineering Services to Town

President Kearns discussed the possibility of the town retaining an engineering firm to handle issues that are continuously coming up. One issue is review of storm water management plans. At the present Talbot County is helping the town with this but they are backed up with work and not enough staff. This creates delays for people ready to begin building. Many times the town needs engineering completed for projects being planned, having the expertise of an engineering firm would be helpful and more cost effective.

Commissioner Klair agreed that delays would be prevented by the town having its own engineering firm.

Commissioner Dunbar suggested advertising for "Request for Qualifications" to see what an engineering firm could offer the town and what their fees would be. Commissioner Dunbar commented that he is concerned with cost.

Attorney Thompson explained that he has been working on a revision to the town's current building permit to include cost to the applicant for additional services needed to approve the permit. Attorney Thompson stated that he would encourage the Commissioners to go forward with having their own consulting engineer.

Oxford Fire Department

President Kearns stated that he has had a request from the Oxford Fire Company to issue their building permit without approval of their stormwater plan and Fire Marshall's approval. There is a short window of opportunity to get the foundation completed by the contractors the fire company want to use and the cost that has been quoted. Commissioner Klair stated that all issues could be corrected if only the foundation is in. Attorney Thompson remarked that no occupancy permit would be issued until everything meets the satisfaction of the Fire Marshall. Commissioner Klair made a motion to approve the building permit contingent on a occupancy permit not being issued until all approvals (stormwater and fire marshall) are received. Commissioner Dunbar seconded motion.

Aye - Timothy Kearns

Aye - James Klair

Aye - Peter Dunbar

Mooring Buoys

Commissioner Dunbar asked the status of the mooring buoys. Attorney Thompson stated that a letter has been mailed to the county manager. The letter recommends that Oxford be given jurisdiction in the Tred Avon for placement of mooring buoys. Attorney Thompson stated that he would like to be able to go to the State showing Town Creek and Tred Avon side with the recommendation from Talbot County that they would like to see Oxford have jurisdiction on the Tred Avon side as well as Town Creek. Attorney Thompson suggested that the Commissioners contact members of the County Council requesting that they support Oxford having jurisdiction on the Tred Avon side. The Commissioners requested that Attorney Thompson contact Tom Campbell and Larry Murray, Port Warden members, and draft a plan for mooring buoys.

Captain Tom Bixler questioned what will happen to the existing mooring buoys. Attorney Thompson stated that annual inspections could be required and their current location could be kept but inspections would have to take place.

Nonconforming Dock

A letter was received from Oxford Port Wardens questioning whether a collapsing dock and failed pilings at 107 First Street could be removed but rebuilt at a later date in the same configuration. The property is on the market and the owner would like to keep as many options open as possible to enhance the sale. The Port Wardens pointed out that Ordinance 0702 allows for collapsing nonconforming structures to be demolished and later replaced in the same location as long as a certified plat showing the existing footprint is filed with the Town Office. The Commissioners agreed that this could be applied to the dock, allowing it to be rebuilt in the same footprint as long as state permits and Critical Area approvals are obtained.

ATTORNEY

Shore Health System

Attorney Thompson presented the Commissioners with a draft letter to John Dillon, Chairman of the Board of Shore Health System and Joseph P. Ross, President and CEO, Shore Health System, regarding the Memorial Hospital's options to meet the continuing demands of modern medicine and patient care. The Commissioners agreed to review the draft, make changes and have the letter ready to send out by the next Commissioners Meeting.

Private and Public Nuisance

Attorney Thompson presented the Commissioners with information from Burley v. City of Annapolis, 182 Md. 307 (1943) which might be helpful in the future for defining a private nuisance and a public nuisance.

EXECUTIVE SESSION

The Commissioners voted to go into executive session to discuss 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 Timothy Kearns, Commissioner, James Klair, Commissioner, Peter Dunbar, Commissioner, David Thompson, Town Attorney and Lillian Lord, Town Clerk.

BILLS PAYABLE

The regular town meeting was reopened and the Commissioners went to Bills Payable.

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

Aye - Timothy Kearns

Aye - James Klair

Aye - Peter Dunbar

Respectfully submitted,

Lillian Lord
Town Clerk/Treasurer