

COMMISSIONERS MEETING

November 23, 2010

LOCATION

Commissioners Meeting was held in the meeting room of the Community Services Building on November 23, 2010. President Kearns called the meeting to order at 7:30 p.m.

PRESENT

Commissioners present were Timothy Kearns and Peter Dunbar. Town Attorney Brynja Booth was in attendance. There were five (5) people in attendance.

APPROVAL OF MINUTES

The minutes of November 9, 2010 were approved as distributed.

MAINTENANCE REPORT

Scott Delude was on vacation, therefore there was no maintenance report given.

POLICE REPORT

Chief Maxwell gave the Police Report that consisted of the following:

- Ten Police Information
- Two Assist the Fire Department
- Two Assist Other Police Agencies

Chief Maxwell announced that the new officer, Michael Vichich, will be sworn in on December 14, 2010. Michael comes to Oxford from the Sykesville Police Department where he served as a reserve police officer. Michael was awarded reserve officer of the year for 2009. Michael will graduate from the P.G. Municipal Police Academy on December 10, 2010.

PUBLIC HEARING – Ordinance 1009 – International Residential Code

At this time President Kearns opened the Public Hearing for Ordinance 1009 which is "AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2009 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE OXFORD RESIDENTIAL BUILDING CODE FOR ONE- AND TWO-FAMILY DWELLINGS, AND REPEALING PRIOR BUILDING CODE ORDINANCES IN CONFLICT HEREWITH". Attorney Booth stated that after reviewing the ordinance there were some non substantive amendments to the ordinance. They are: Page 2, added wording, *Whereas, the State of Maryland has adopted the Maryland Building Performance Standards (set forth in COMAR 05.02.07), which include the 2009 Edition of the International Residential Code for One- and Two-Family Dwellings; and* – Page 2 A, added wording, *as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07)* – Page 3 added wording, *Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the "Town of Oxford"*. Page 6, deleted *d and e*, Page 6 reworded Section R313.2, *One- and two-family dwellings automatic fire systems. Automatic residential fire sprinkler systems shall not be required to be installed*

in one- and two-family dwellings. Notwithstanding, the foregoing, such systems may be installed at the option of the Property owner. Section R313.2.1. Design and installation. Where applicable, automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D. Page 6, wording added – The following Codes are hereby adopted as part of the Residential Code of the Town of Oxford: a. National Electrical Code (NFPA 70), 2008 Edition. b. The Maryland “State Plumbing Code: set forth in COMAR 09.20.01.01. There was no discussion on Ordinance 1009, therefore the Public Hearing was closed. Commissioner Dunbar made a motion to adopt Ordinance 1009 with amendments presented by Attorney Booth. Commissioner Kearns seconded motion. Commissioners voted on this 23rd day of November 2010.

Aye – Timothy Kearns

Aye – Peter Dunbar

Ordinance 1009 passed this 23rd day of November 2010.

PUBLIC HEARING – ORDINANCE 1010 – International Building Code

At this time President Kearns opened the Public Hearing for Ordinance 1010 which is “AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2009 EDITION OF THE INTERNATIONAL BUILDING CODE, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE BUILDING CODE OF THE TOWN OF OXFORD, AND REPEALING ALL PRIOR BUILDING CODE ORDINANCES IN CONFLICT HEREWITH”. Attorney Booth presented the Commissioners with the following non substantive amendments to the Ordinance. Page 2, wording added, *WHEREAS, the State of Maryland has adopted the Maryland Building Performance Standards (set forth in COMAR 05.02.07, et. Seq.) which include the 2009 Edition of the International Building Code; and* Page 2 A. wording added – *as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07),* Page 3, Section 1010.1 wording added, *Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Oxford”.* Page 3, Section 105.1.1. wording added, *except to the extent that full code compliance shall compromise the historic integrity of a structure within the Oxford Historic District,* Page 4 – Deleted Section 107.1.1. wording – *The application for the building permit shall be accompanied by plans and specifications as follows;* Page 4 – Delete No. 1, a and b, No. 2 a and b, Page 4 – Add wording – *For new and the application for the building permit shall be accompanied by:* Page 8, Add wording – *Section 1612.2. Definitions. Amend the subsection as follows: Section 1612.2 Definitions. The following words and terms shall, for the purposes of this section, have the meanings shown herein. SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, addition or improvement of building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. The term does not, however, include either: 1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are minimum necessary to assure safe living conditions. 2. Any alteration of a historic structure within the Oxford Historic District provided that the alteration will not preclude the structure’s continued designation as a historic structure.* Section 1612.3. Delete wording – *in an engineering report entitled _____ dated _____, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and flood Boundary and Floodway MAP (FBFM) and add wording – as reflected in the Flood Insurance Rate Map for the Town of Oxford, Community-Panel Number 240068 0001 A, effective date: September 28, 1984, and Flood Insurance Rate Map for Talbot County, Panel 44 of 54, Community-Panel Number 240066 0044 B, Map Revised: June 16, 1992,* Page 9, Section 3306.10 delete – *Department* and add wording – *Town’s code official or designee.* Page 9, Add Chapter 34. – *Chapter 34. Existing Building and Structures. Section 3409.2 Flood Hazard areas. Amend the subsection as follows: Section 3409.2 Flood Hazard areas. Within flood*

hazard areas established in accordance with Section 1612.3, where the work proposed constitutes a “substantial improvement” as defined in Section 1612.2, the building shall be brought into compliance with Section 1612. Exception: Historic buildings that are: 1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places, or are located in the Oxford Historic District; 2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or district preliminarily determined to qualify as an historic district; or 3. Chapters omitted. The following chapters are hereby omitted from this Ordinance: Chapter 27 Electrical, Chapter 28 Mechanical Systems, Chapter 29 Plumbing Systems – The following Codes are hereby adopted as part of the Building Code of the Town of Oxford: a. National Electric Code (NFPA 70), 2008 Edition, b. The Maryland State Plumbing Code” set forth in COMAR 09.20.01.01. There was no discussion on Ordinance 1010. President Kearns closed the Public Hearing. Commissioner Dunbar made a motion to adopt Ordinance 1010 with amendments. President Kearns seconded motion. Commissioners voted on this 23rd day of November 2010.

Aye – Timothy Kearns

Aye – Peter Dunbar

Ordinance 1010 passed this 23rd day of November 2010.

PUBLIC HEARING – Ordinance 1011 – International Energy Conservation Code

At this time President Kearns opened the Public Hearing for Ordinance 1011 which is “AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AS AMENDED BY THIS ORDINANCE, AS THE OXFORD ENERGY CONSERVATION CODE, AND REPEALING PRIOR ENERGY CONSERVATION CODE ORDINANCES.” Attorney Booth presented the Commissioners with a corrected page 1, title of ordinance – correction reads – *AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AS AMENDED BY THIS ORDINANCE, AS THE OXFORD ENERGY CONSERVATION CODE, AND REPEALING PRIOR ENERGY CONSERVATION CODE ORDINANCES.* There was no discussion on Ordinance 1011. President Kearns closed the Public Hearing. Commissioner Dunbar made a motion to adopt Ordinance 1011 with amendments. President Kearns seconded motion. Commissioners voted on this 23rd day of November 2010.

Aye – Timothy Kearns

Aye – Peter Dunbar

Ordinance 1011 passed this 23rd day of November 2010.

UNFINISHED BUSINESS

Commissioner Dunbar presented a contract agreement between Environmental Concern and the Town of Oxford for the Morris Street Park Living Shoreline. Included in the contract is maintenance of plantings for one-year following final acceptance. Commissioner Dunbar stated that Environmental Concern did an excellent job in keeping the Town Park open to the public during construction of the living shoreline. Commissioners Dunbar and Kearns commented that comments from visitors and residents regarding the living shoreline have been positive. Commissioner Dunbar stated that hopefully the living shoreline proposed for the Ferry Dock area will begin in the near future. President Kearns signed the contract for the work at the Town Park.

STREET LIGHTS

Commissioner Dunbar announced that he has received some comments regarding the street lighting. Complaints have been that the lights are not as bright and dislike of the

color of the lighting. It was decided that this would be discussed at the next town meeting.

Chief Maxwell requested that a street light be placed on Bonfield Avenue between Richardson Street and East Division Street.

INTERSECTIONS

President Kearns requested that the Police Department look at the intersections throughout town to make sure that plants have not grown making them unsafe for a driver to see an oncoming car or child on a bicycle.

PUBLIC COMMENT

Gordon Graves, South Street, commented that he thought the new street light bulbs are giving a better light on the street.

Bruce Long, South Morris Street, requested that a shade be placed on the street light in front of his home.

EXECUTIVE SESSION

The Commissioners voted to go into executive session at the request of Attorney Booth to obtain legal advice. Those in attendance were Timothy Kearns, Commissioner, Peter Dunbar, Commissioner, Brynja Booth, Town Attorney and Lillian Lord, Town Clerk.

BILLS PAYABLE

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

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

Aye – Timothy Kearns

Aye – Peter Dunbar

Respectfully submitted

Lillian Lord
Town Clerk