

COMMISSIONERS MEETING

December 22, 2009

LOCATION

Commissioners Meeting was held in the meeting room of the Community Services Building on December 22, 2009. President Dunbar called the meeting to order at 7:30 p.m.

PRESENT

Commissioners present were Peter Dunbar, Timothy Kearns and James Klair. Town Attorney David Thompson and a Star Democrat representative were in attendance. There were approximately thirty five (35) people in attendance.

DEATH OF TED STANLEY

President Dunbar announced that Ted Stanley passed away. Mr. Stanley was a former volunteer board member and was always interested in the community. Mr. Stanley will be missed by the whole community and many others.

FIRE ON HIGH STREET

President Dunbar announced that the fire company responded to a major house fire on High Street this morning. One adult and one child were flown to the burn center in Baltimore. Another adult was transported to Easton Memorial. Two weeks ago this same family lost their home located at Pier Street to a house fire.

APPROVAL OF MINUTES

The Minutes of December 8, 2009 were approved as distributed.

MAINTENANCE REPORT

Scott Delude, Public Works Superintendent, gave the Maintenance Report that consisted of the following:

1. A quote has been received for the telemetry system for the wells and water towers. The price is \$4,032.00 for the system and installation. This system can monitor the wells and towers at night and on weekends and alert personnel if a problem occurs. Scott would be able to make changes on off hours from a laptop at home which could save valuable time in an emergency (stopping, starting pumps, controlling flows, etc.). After the pump shut down on the weekend of November 5th, we need to think about a system that will monitor the wells and towers when no one is on duty. This system can be expanded in the future to cover the wastewater system.
2. There were no problems during the snow storm last weekend due to the preplanning in Public Works and coordination with the Police Department. Overtime hours came to seventy three (73) hours. Since the governor declared a state of emergency, Scott is filling out forms for the town to submit along with the county for reimbursement for time, equipment and materials.
3. Scott spoke with Infinity Recycling regarding the cardboard problem at the Recycling Center. Our options are to have pickup two times a week with an increase in cost, or to build larger bins that can hold more cardboard. Scott suggested finding out when the cardboard is building up and pick and choose the months that the town needs extra

pickups. Scott questioned whether the Commissioners would be interested in having extra pickups.

4. The new backhoe has been received and was an intricate part in the snow removal process. The old backhoe did not have the power/hydraulics to handle the weight of the snow.
5. One of the pumps at Bachelor Point has gone down. The pump has been sent to Hills Electric for a rebuild. There is still one pump in operation.

President Dunbar stated that the Commissioners would discuss the telemetry system during New Business.

All Commissioners thanked Scott for the excellent job in cleaning the streets during the snow, especially since many vehicles were parked on the streets. President Dunbar commented that according to reports this was the eighth or ninth heaviest snow since keeping records.

POLICE REPORT

Lt. Maxwell thanked David Wheeler Auto for donating the use of a four wheel vehicle to the Police Department during the recent snow. A thank you to David Wheeler will be sent from the Police Department and the Commissioners.

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

- 5 Police Information
- 1 Assist the Fire Department
- 2 Assist other Police Agencies
- 1 Theft (\$50.00)
- 4 Suspicious Vehicles
- 1 Criminal Arrest (warrant for theft)

Lt. Maxwell presented the Commissioners statistics for the year 2009 for their review.

OXFORD FIRE COMPANY

Steve Mroczek, Oxford Fire Company, gave the Fire Company report that consisted of the following:

- Automatic Alarm, Investigate Easton – 12/13/09
- Report of Smoke – Easton – 12/14/09
- Propane Leak – Oxford – 12/18/09
- House Fire – Oxford – 12/22/09
- Kitchen Fire – Trappe – 12/22/09

During the same period there was one ambulance call within the Oxford Fire Company's Fire District.

Mr. Mroczek announced that on December 15th five members of the Oxford Volunteer Fire Company successfully completed Fire Fighter II.

President Dunbar stated that thanks needs to be given to the Oxford Fire Company Ladies Auxiliary for their response in preparing sandwiches and breakfast for the firefighters during the house fire this morning.

ENVIRONMENTAL CONCERN – LIVING SHORELINE

Vice President Gene Slear of Environmental Concern and Wetland Restoration Manager Kody Cario described the proposed design for the Town Park Shoreline. Mr. Cario explained that the Living Shoreline recreates the natural function of a shoreline. The stone structure elevation is critical for successful maintenance productivity and at the same time you must grade back to go above plant area. There must be tidal flushing, water quality is improved along with habitat and wave energy is cut by 50%. Living shorelines can convert harmful materials and phosphorus to the point of not being harmful to the environment. The living shoreline provides a nursery area for fish, shellfish and other vertebrate. The Town Park shoreline's existing condition is a seawall with water coming over it causing deterioration. There is no environment for people to connect with the water. Plans for the shoreline include uses sills, incorporating a baptismal beach at the Methodist Church and has a beach area that is about 40 feet long and 20 feet deep. The sills are about 15 feet wide and 3½ ft. deep and would keep the sand from washing away. There will be a stepping stone path leading through the planted area into two breaks in the sills for swimming. Since October 2008, the Living Shoreline Act became effective, which defined living shorelines as the preferred method of shore protection. Property owners must use them unless they can demonstrate a living shoreline is not feasible. Mr. Cario commented that there will be a significant amount of material coming in for this project but the Town Park will be matted so that there will be no damage to the tree roots.

The audience questioned whether the property has been surveyed, in order to swim would one have to walk out beyond the sill structure, mosquitoes, maintenance of the area, would there be any changes after the project is completed and if so who would pay, damage from storms, does not have good area for terrapins and what happens to adjacent properties when work needs to be done.

In response to the above, the property has been surveyed, one would have to go beyond the sill structure for swimming, mosquitoes will not be any more of a problem than they are today since the water will be moving with tides, work is guaranteed and since potential tweaking may have to be done this will be looked at when doing a contract, after Isabel the living shorelines had less damage than hard structures, this is not meant to be an area for terrapins and since the Living Shoreline Act became effective property owners must use living shorelines unless they can demonstrate a living shoreline is not feasible.

President Dunbar commented that the purpose of this project is to demonstrate that this will work in a public area. The town originally received a grant from Chesapeake Bay Trust for a design. The design was completed by Angler. Once the design was completed there were several meetings held and the town received great feedback and changes were made to the design. The design presented tonight incorporates those changes. There is no final contract for the project but hopefully there will be one next month.

President Dunbar plans to have public input on a living shoreline project for the ferry dock area next month. The Chesapeake Bay Trust, National Oceanic & Atmospheric Administration and Maryland Department of the Environment approved a grant for construction of a bioretention swale and a 215 linear foot living shoreline at the oxford Ferry in the amount of \$69,436.

Commissioner Klair commented that the Town Park Living Shoreline is not a new concept. Environmental Concern attended a town meeting five to six years ago talking about erosion along Town Park.

Wendy Gibson and Dan Cole both commented that the Living Shoreline is a great project. The way the Town Park shoreline exists today is dangerous.

President Dunbar ended the discussion by announcing that the next step for the Town Park Living Shoreline includes a contract, maintenance and construction issues and a timeframe. If everything goes well, the project should take four to five weeks for completion.

PARKING ORDINANCE – 1004

Commissioner Klair stated that comments from the Town Commissioners and the Oxford Police Department were sent to Attorney Thompson and have been incorporated in Ordinance 1004. Planning Commission's concerns were addressed in an earlier draft. Commissioner Klair introduced Ordinance 1004 which is "AN ORDINANCE OF THE TOWN OF OXFORD TO ADD SECTION 8.00 A TO THE ZONING ORDINANCE OF THE TOWN OF OXFORD TO ESTABLISH REGULATIONS FOR ON-STREET PARKING WITHIN THE TOWN". Ordinance 1004 will be advertised and a date set for a Public Hearing at which time public comments will be heard. Copies of Ordinance 1004 will be available in the Town Office. The Commissioners agreed that writing this Ordinance was not taken lightly by the Commissioners, but after many attempts failed in solving the parking issue in one area, this has become a safety issue.

SHORT-TERM RENTAL ORDINANCE – 1005

A short discussion ensued between the Commissioners and the Town Attorney regarding charging of fees when a property owner or tenant makes an application for short-term rental. A motion was made by Commissioner Klair to introduce Ordinance 1005 with an amendment stating that the property owners or tenant proposing to make short-term rental use of their property shall complete an application form provided by the Town of Oxford, together with all information required on said form; and shall pay an application/license fee of \$250.00 or a renewal fee of \$100.00. Commissioner Kearns seconded motion. All Commissioners voted aye to this amendment. President Dunbar introduced Ordinance 1005 with an amendment to charge the fees for an application/license fee of \$250.00 or a renewal fee of \$100.00. Ordinance 1005 is an ordinance which is "AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF OXFORD, TO ESTABLISH MINIMUM STANDARDS FOR THE SHORT-TERM RENTAL OF RESIDENTIALLY OCCUPIED PROPERTY IN CERTAIN ZONING DISTRICTS". Ordinance 1005 will be advertised and a date set for a Public Hearing at which time public comments will be heard. Copies of Ordinance 1005 will be available in the Town Office.

PETITION

A petition for annexation referendum which normally would be turned in to the Town Office and a logged record showing that the petition was filed was presented to the Town Commissioners. The original signed petition was given to the Town Clerk and copies given to each Commissioner. The record shows that a petition for Referendum for Resolution 1001 which is "A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO ANNEX SUBMERGED LANDS LOCATED UNDER CERTAIN PUBLIC WATERS ADJACENT TO THE TOWN BOUNDARIES IN ORDER TO REGULATE PLACEMENT OF WHARVES, PIERS, MOORING PILES, MOORING BUOYS, FLOATING DOCKS AND ASSOCIATED OR RELATED STRUCTURES" has been filed.

NEW BUSINESS

President Dunbar questioned the purchase of a telemetric system for the wells. Scott explained that the system installed will cost approximately \$4000 and will allow monitoring on weekends and holidays from his home or another employee should Scott be out of town. This would allow stopping, starting pumps and controlling flows. The system can also be added to in the future to monitor the waste water system. Commissioner Kearns made a motion to amend the budget to purchase the telemetric system. Commissioner Klair seconded motion. Commissioners voted

on this 22nd day of December 2009 to purchase and install a telemetric system for the wells.

Aye – Peter Dunbar

Aye – Timothy Kearns

Aye - James Klair

Repairs to J Dock

Scott advised the Commissioners that he is still waiting for Apple Marine to get back to him regarding the cost of repairs to the J Dock located at the foot of Tilghman Street.

Water/Sewer Rates

Commissioner Klair advised that he read an article in the Star Democrat where the Town of Trappe is increasing their water/sewer rates. In comparing Trappe's new rates to Oxford, Oxford is approximately twenty per cent lower. Oxford's present rates include the loan pay back for the arsenic system.

ATTORNEY

Attorney Thompson advised that an executive session is needed to discuss a legal issue.

PUBLIC COMMENT

FIRE ON HIGH STREET

Commissioner Kearns announced that the Oxford United Methodist Church is accepting donations for the Haddaway family. Their home was destroyed by fire this morning and the three occupants were hospitalized.

PETITION

David Webster and Michael Rust questioned the way that the presentation of the petition for referendum on the annexation of submerged land was handled by the Commissioners. It was confirmed by President Dunbar that the petition has been received and has been recorded as being received.

EXECUTIVE SESSION

The Commissioners voted to go into executive session to discuss a legal issue. The executive session was held under Section 10.508 Open Meetings Act, Maryland Code (1992 Cum. Supl.) No. 2. Those in attendance were Peter Dunbar, Commissioner, Timothy Kearns, Commissioner, James Klair, Commissioner, Scott Delude, Public Works Superintendent, David Thompson, Town Attorney, Pat Maxwell, Lt. Oxford Police Department and Lillian Lord, Town Clerk.

BILLS PAYABLE

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

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

Aye – Peter Dunbar

Aye – Timothy Kearns

Aye – James G. Klair

Respectfully submitted,

Lillian Lord, Town Clerk