LOCATION

Commissioners Meeting was held in the meeting room of the Community Services Building on September 11, 2012. Commission President Graves called the meeting to order at 7:30 pm. Commissioner Graves asked all to celebrate and be thankful for the first responders who protect us and that we have a military that defends our rights, as we owe them a debt of gratitude and this should be acknowledged publicly on this memorial occasion.

PRESENT

Attending the meeting were Commission President Gordon Graves, Commissioners Peter Dunbar and Carole Abruzzese, Town Clerk Cheryl Lewis, Police Chief Pat Maxwell, and Attorney Brynja Booth. Superintendent Scott DeLude was out of town. There were approximately ten (10) citizens in attendance.

APPROVAL OF MINUTES

The minutes of August 28, 2012 meeting were presented. Commissioner Abruzzese noted that the minutes referenced picnic tables as part of the Tilghman Street Dock/Bulkhead repairs and that benches had been determined to be the preference of the Commissioners. Commissioner Abruzzese made a motion to approve with this correction, Commissioner Dunbar seconded the motion, all in favor, motion carried. Commissioner Dunbar requested that future minutes summarize conversations from public workshops.

MAINTENANCE REPORT

Superintendent DeLude was out of town.

POLICE REPORT

Chief Maxwell presented the Police Report, which consisted of the following:

Calls for service:
1- PROPERTY HELD
5- OPEN DOORS
11- POLICE INFORMATIONS
1- NOISE COMPLAINT (FOX’S)
1- THEFT (SIGN - UNDER INVESTIGATION)

Labor Day weekend was busy with all the scheduled events in town. The Sign at the Oxford Market was stolen in the early hours of Sunday morning September 2nd. All allied agencies were notified, along with the sending of bulletins to all police agencies and notification to auction houses to be on the lookout for the sign.

Effective October 1, 2012, anyone owning a moped will be required to have insurance and title through the MVA. MVA will provide a sticker for the moped. No one under the age of 16 will be allowed to operate a moped and helmets and approved protective eyewear will be required. Additionally the use of
handheld phones while driving will soon become a primary offense, meaning that a driver may now be stopped for suspicion of texting, etc. Only cell use allowed will be hands-free uses. Maxwell would like both new laws added to the website.

OXFORD FIRE COMPANY
There was no one representing the fire company in attendance.

PUBLIC HEARINGS
Hearing on Ordinances 1207, 1208, 1209 and 1210 International Building Codes was opened by Commissioner Graves:

Attorney Booth summarized the four Ordinances adopting the International Building Codes, replacing the previously adopted ordinances for the same codes. The State of Maryland formally adopts new building codes every few years and requires local governments to do the same, allowing for minor exceptions, although specifying no exceptions are permitted in the Energy Conservation Code.

1207 – AN ORDINANCE OF THE TOWN OF OXFORD TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE, AS MODIFIED BY THE MARYLAND PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE OXFORD BUILDING CODE

1208 - AN ORDINANCE OF THE TOWN OF OXFORD TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS, AS MODIFIED +BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE OXFORD RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

1209 - AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED BY THIS ORDINANCE, AS THE OXFORD PROPERTY MAINTENANCE CODE

1210 - AN ORDINANCE OF THE TOWN OF OXFORD TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE OXFORD ENERGY CONSERVATION CODE

Tim Kearns inquired, concerning Ordinance 1209, would sprinklers be exempt. Attorney Booth replied as this was going to be a state requirement on October 1, sprinklers had not been exempted in the ordinance as presented.

Denny Still stated the biggest impact was from Ordinance 1210 – Energy Code, more specifically the new requirements for insulation, with R49 for ceilings as an example. With the space necessary to accommodate R49 requiring lumber in excess of 12”, requiring fabricated lumber. Still stated that the town had previously followed the county, taking exception to R-values. The increase in values will impact ceiling heights currently found in historic homes and will also make it difficult to put room over garages with the current 16’ to 18’ height restrictions. He is also concerned that the code does not differentiate between ceiling insulation and roof insulation with the required R49 value.

Tim Kearns added the additional expenses incurred during construction will have an impact on the nicer details an owner might have normally included.

Denny Still also said that it would not be possible to bring an existing wall up to code, as they might not accommodate R20 insulation.

Clerk Lewis stated that she had spoken with the Middle Dept Inspecting Agency and her
understanding is that the engineer/builder during design of structures can utilize the Federal Government's online calculator, ResCheck, to use offsets to meet the total values needed in the code when it was not possible to meet an individual requirement like the ceiling requirement. At plan approval, the inspector will be reviewing the design and any report from ResCheck that is submitted with the plans.

Attorney Booth stated the according to the Historic paragraph found in the code many existing homes in Oxford would be exempt from the Energy Code, but she doesn’t not feel that any part of the code can be exempted by Ordinance.

Commissioner Dunbar added that these types of concerns would be better addressed with the actual boards that prepare and approve the Building Codes; at the town level, there is very little that can be done. In reviewing a few lines within the code, Dunbar pointed out several exceptions just at first glance and does not feel that the code comes without some flexibility.

Chris Tomoko stated other historic towns in Maryland would also be impacted by this code, what other towns were doing regarding adoption of the Energy Code.

Attorney Booth offered to do some further research on the handling of the Energy Code by other jurisdiction especially as it concerns Historic properties.

Commissioner Abruzzese motioned to close the public hearing and adopt Ordinance 1207 - 2012 International Building Code, Commissioner Dunbar seconded the motion, all in favor, motion carried.

Commissioner Abruzzese motioned to adopt Ordinance 1208 - 2012 International Residential Building Code, Commissioner Dunbar seconded the motion, all in favor, motion carried.

Commissioner Dunbar motioned to adopt Ordinance 1209 - 2012 International Property Maintenance Code, Commissioner Abruzzese seconded the motion, all in favor, motion carried.

Commissioner Graves state Ordinance 1210 Energy Code would be tabled until the next town meeting, to allow the public additional time to review the code and the attorney time to do some further research.

Commissioner Graves opened the Public Hearing for the Submittal of an Application for USDA Funding for Sewer Upgrades. Attorney Booth stated that all though the Commissioners had discussed the application at numerous town meetings and allowed for citizen interaction, as a requirement of the Application, a formal advertised Public Hearing is required.

Ed Schlicter spoke as the Trappe District representative on the Talbot County Public Works Advisory Board, stating he already had a meeting scheduled with Superintendent Delude to speak before the board, but would like to point out that he felt as the Town moved forward there is a preference for an Enhanced Nutrient Reduction as opposed to Biological Nutrient Reduction.

Commissioner Graves stated that he felt most would like to do the Enhanced for the environmental reasons, but that economic factors would also play into the final decision. Commissioner Dunbar added that the grant as being submitted did not preclude or limit either option, nor did the amendment that is currently in front of the County for review.

Attorney Booth added the application seeks grant and loan funding for $7.7 million dollars for the project, with the hope that 40% would be in grant. Commissioner Dunbar made a motion to close the public hearing, Commissioner Abruzzese seconded the motion, all in favor, the motion carried.

Commissioner Dunbar made a motion to authorize President Graves to sign the application to be submitted to USDA, Commissioner Abruzzese seconded the motion, all in favor, the motion carried.
UNFINISHED BUSINESS

Commissioner Graves reminded all of the Talbot County – FEMA workshop to be held on October 16th at 7:30 pm in the meeting room. Representatives from the Maryland Department of the Environment (MDE) and Federal Emergency Management Agency (FEMA) will make a presentation and discuss the process and the program changes. Property owners will be able to view a flood map of their property on a computer as well as ask questions and comment on the new Flood Insurance Study and Digital Updated Flood Insurance Rate Maps (DFIRMs). The maps have been posted in the office for several months now. FEMA will be able to pull up individual homeowners maps and the meeting is expected to be interactive.

Commissioner Abruzzese asked what the status on proposed plantings in the public area located at Bank and Market Street. Originally, a citizen had contacted the town about assisting in planting something at this location. Lewis stated she would check with Scott regarding any progress.

Commissioner Graves let everyone know the clock has been ordered, is in cue to be produced and the final price will be as originally proposed and include shipping, noting we have received contact from a friend of Ron Fox’s son who has offered to assist with the necessary concrete for the project.

A public workshop concerning the MEWS is scheduled for tomorrow night, September 12 at 7:30 pm.

NEW BUSINESS

Commissioner Graves introduced a Resolution Granting Consent to Transfer Control of Cable TV Franchise to the new Owners “Cogeco Cable” – The current agreement which provides for cable television services within the town, extends to 2016 and is being transferred with the purchase of Atlantic Broadband by the Canadian “Cogeco Cable”, this is a request to formally acknowledge the change by resolution. Commissioner Dunbar asked for a little more clarification regarding the franchise. Lewis stated that the town, most likely many years ago, signed an agreement with a cable service provider to provide cable television to the town residences, which includes a small franchise fee back to the town. At the time, there was probably only the single provider available. Commissioner Graves stated he would like to entertain competition when the agreement comes up for renewal.

 Citizen questions included whether or not the broadband connection on Route 50 would ever reach the town and whether there would be any changes to the current Atlantic Broadband email addresses. There has been no information that would lead anyone to think the broadband connection is in the near future. Commissioner Lewis stated she would contact the cable representative concerning the name change and provide the information at the next meeting. Commissioner Abruzzese made a motion to approve the resolution, Commissioner Dunbar seconded the motion, all in favor, the motion was approved.

Commissioner Graves presented Ordinance 1211 a draft Ordinance to regulate Animal Control, which has been prepared for the Commissioners review and comment. After two close calls, the Commissioners have chosen to update the previous code. Attorney Booth stated it was an Ordinance of the Town of Oxford to Adopt the Talbot County Animal Control Ordinance, which is codified as Chapter 15 of the Talbot County Code, as further amended by this Ordinance, as the Oxford Animal Control Ordinance. Chief Maxwell asked for two modifications. He would like to increase the fees and he would like to include a mechanism that allows owners to exercise their dogs on the beaches, etc., but retain the ability to request that an animal be leashed when the environment calls for it.
Commissioner Dunbar stated he felt it was difficult to codify what the Chief is requesting, a would like to replace section 3a leash law, with the Talbot County definitions which gives the enforcement officers some flexibility. His main concern was, because of potential holes in the old ordinance, a person would not suffer the liability of an incident and does not feel a flat prohibition is the best way to go. He feels the county definition of “restraint: Secured by leash or under the control of a responsible person....” is suitable for enforcement.

Attorney Booth stated that the County Law does allow for enforcement of restraint for a dangerous animal etc., the question is whether the town would like to expand on that. The Talbot County fees can be adopted as they are, which is higher than the former town fees, and just remove section five.

Commissioner Dunbar made a motion to Introduce Ordinance 1211 with an amendment to remove section 3A and section 5 and utilize the Counties language instead. Commissioner Abruzzese seconded the motion, all in favor, motion was carried and a public hearing was scheduled for October 9th.

Commissioners agreed to schedule Halloween trick or treating on October 31st from 6 pm to 8 pm.

COMMISSIONERS COMMENTS

Commissioner Abruzzese brought up a planning request for a renovation of a historical home, already termed as dilapidated and considered for demolition, which she would like the Commissioners to discuss. It is a very small non-conforming lot, which presents the need for multiple variances, which have been forwarded by the Planning Commission to the Appeals Board. Commission Abruzzese stated that the request would go through the normal process and will stand or fall on its own; the variance she would like to comment on concerns the front stoop of the property, which is currently on town property. With the proposed variance, it will continue to sit on town property and extend an additional foot into the town’s property. She attended both the Planning and the Historic meetings concerning the property and stated there was a very strong feeling from Historic that it is important to retain the current streetscape by allowing the footprint to remain the same. The exact history of why the house was built on the property line and why the stoop extends on town property is hard to determine with the historic nature of the area. Clerk Lewis added she had recommended the owner turn the stoop so the entrance was from the side, allowing the door to remain on the front of the building while minimizing the encroachment as much as possible and the plans have embraced this change. Commissioner Abruzzese would like the Commissioners to consider granting permission from the town to allow the new stoop to remain and encroach an additional foot in order to leave the building sitting in its historic footprint and retaining the historic nature of this portion of town. Commissioner Abruzzese, in appreciation of the efforts the owners are making to save this property that was so close to be considered for demolition, made a motion to have the town allow the stoop to this home to exist on town property as described, Commissioner Dunbar seconded the motion, all in favor, motion carried.

Commissioner Dunbar mentioned he had an invitation to a FEMA training for elected officials to be held in Greensboro on October 25th and would like to know if we could expect a similar training in Talbot County. Clerk Lewis said she was not aware of any upcoming training at this time and that Greensboro had reached out to FEMA to request the training. Commissioners Dunbar and Abruzzese expressed an interest in attending. Lewis will forward the information to Greensboro.

Commissioner Graves commented that during Labor Day weekend we had several successful events in town, including an Oxford Library Book sale that was to be outside. With the excessive heat and humidity, the Community Center offered to allow the sale to take place inside the Center. The following day the weather did not favor the Piga-Figa-licious event and the Fire House open its doors to allow the
event to be held inside and it is this type of Community efforts to work together that make Oxford such a special place to live.

**PUBLIC COMMENT**

In reference to the public workshop on the MEWS to be held the next night, a citizen asked for clarification. Commission Graves state it will be an opportunity for citizens to discuss possible uses and scenarios for the building.

Jerry Friedel, local engineer, commented on upcoming FEMA map changes and said there may be some concern regarding the presentation of the new baseline datum for the flood elevations. In reality, the baseline is not actually changing, just the way it is referenced. Additionally, previous applications for LOMA - individual flood plain amendments, may need to be reapplied for after the changes. These may be good questions to ask during the FEMA meeting.

Being no further business Commissioner Abruzzese made a motion to close the meeting, Commissioner Dunbar seconded the motion, the regular meeting was closed, and Commissioners proceeded to review the bills.

Respectfully submitted,

Cheryl Lewis
Town Clerk