

COMMISSIONERS OF OXFORD
Regular Meeting Minutes
March 28, 2023

The Commissioners Meeting was held in the Oxford Commissioners meeting room on Tuesday, March 28, 2023. Commission President Jimmy Jaramillo called the meeting to order at 6:00 p.m.

PRESENT

Attending the meeting were Commission President James Jaramillo, Commissioner Brian Wells, Commissioner Tom Costigan, Town Manager Cheryl Lewis, and Town Attorney Lyndsey Ryan. Public Works WW Supervisor Matt Ozman and Planning Officer Maria Brophy attended virtually. Approximately 50 people were in attendance and another 20 virtually.

The meeting opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Wells motioned to approve the minutes of March 14, 2023 as distributed, Commissioner Costigan seconded the motion, all were in favor, and the motion carried.

Commissioner Costigan motioned to approve the Report of Disbursements for February 2023, Commissioner Wells seconded the motion, all were in favor, and the motion carried.

PUBLIC WORKS REPORT

Supervisor Ozman was attending virtually. The report was provided to the Commissioners previously and summarized in the meeting. Report is attached to these minutes.

POLICE REPORT

Commissioner Wells introduced the new Chief, Eric Kellner, with the reading of his bio: 1st Sergeant Kellner is the Executive Officer of the Patrol Division for the Easton Police Department, where he has been employed since 2001. While with the Easton Police Department, his assignments have included, among other things, patrol division, supervisor of bike patrol, Maryland Police Training Commission Instructor, Narcotics Unit, and Swat Team Leader. 1st Sergeant Kellner currently serves as the liaison to the Talbot 911 Center, supervises parking enforcement and school crossing guards, handles public assembly permits, oversees reports and officer scheduling, is the administrator of the speed camera program and speed signs, prepares updates to the Police Department Manual, and responds to patrol. In his off time, 1st Sergeant Kellner is an active lifetime member of a local fire department and has previously served as the Chief and President. In addition, he is a part-time employee of the Caroline County Emergency Services as an EMT which he has done for 19 years. His wife, Jennifer, is an Officer with the Easton Police Department. They have two children. 1st Sergeant Kellner is the assistant coach for his son's little league team. He and his family are looking forward to being part of the Oxford community. Kellner spoke to the citizens, assuring his understanding of his responsibility to continue the special policing services as provided by the former chief, acknowledging his desire to serve each and every citizen with community oriented policing. He expressed his excitement in bringing his family to Oxford to meet everyone on Oxford Day and looks forward to visiting the fire company and meeting those members. Eric will receive his oath of office on April 11, 2023.

PRESENTATION

Curt Reintsma representing the Friends of Oxford Conservation Park gave a presentation on the history, environmental importance, and current conditions at the County owned park, and informed those present of the efforts of the FOCP to develop a relationship with the county, to both advise and to offer assistance with maintaining the features of the park. Contact information for those interested in the FOCP was provided.

UNFINISHED BUSINESS

Lewis provided the sole response to the RFP for the Design Build Flood Remediation Project - South Morris & Tilghman Street areas, noting that there were about 15 requests for the RFP. The RFP requested a design/construction team for the project broken into three phases. George, Miles & Buhr (GMB) working with Barkers Landing provided a proposal for the first phase/design at a cost of \$62,240, with a commitment to move on to design and construction. Attorney Ryan concurred that the response met the criteria of the RFP. Lewis requested acceptance of GMB's proposal allowing the project to proceed. Commissioner Costigan motioned to accept the proposal for the Design Build Flood Remediation Project, Wells seconded the motion, all were in favor, and the motion carried.

In response to Commissioner Well's inquiry, Lewis stated the Strand Beach Improvements construction was scheduled for fall of 2023.

Commissioner Costigan asked for support for his request to create an Ad Hoc Committee to develop and recommend Best Hiring Practices. Commissioner Wells motioned to approve the request, Costigan seconded he motion, all were in favor. Costigan stated notice was posted on the website for interested citizens to email the office by March 31, 2023 and that there would be an organizational meeting on April 5th at 5:30 pm for those who had submitted an email of interest.

NEW BUSINESS

Lewis stated a request for quotes had been posted for the Oxford 2100 Visioning Project, explaining that this project was to develop a futuristic view of Oxford having successfully met the challenges of sea level rise. The initial work had been completed by Univ of Md students, and then reviewed by the Oxford Resilience Committee. The current effort requests engineering and design assistance to review the prior work and create a story book identifying the most feasible designs, present at a public meeting for citizen input, and develop a timeline that would prioritize the necessary infrastructure improvements to achieve the vision. The project is grant funded through DNR Coastal Services.

Lewis noted she had met with members of Oxford Parks and Rec and reviewed the final components planned for Central Park (former ballfield), adding that a second RFP would be placed in the near future for the identified improvements.

Attorney Ryan provided the Commissioners with Resolution 2301, which would place a Temporary Moratorium on Cannabis Manufacturing and Sales in Oxford, allowing time for the Planning Commission to address such uses in the Town's Zoning Codes. It was explained that with the legalization at the state level and the unknown final state language, it was in Oxford's best interest to be proactive and review current codes to determine how and where these uses will be incorporated into the town's zoning. Commissioner Wells made a motion to introduce Resolution 2301 - A RESOLUTION OF THE COMMISSIONERS OF OXFORD ESTABLISHING A TEMPORARY MORATORIUM OF APPLICATIONS, SITE PLANS, PERMITS FOR, CONSTRUCTION OF, PROCESSING OF, AND APPROVAL OF BUSINESSES ENGAGED IN THE MANUFACTURE OR SALE OF CANNABIS FOR RECREATIONAL OR MEDICINAL USE WITHIN THE TOWN FOR A PERIOD OF NINE (9) MONTHS IN ORDER TO ALLOW THE TOWN TO COMPLETE THE ADOPTION OF A REVISED COMPREHENSIVE PLAN AND SUCH OTHER LEGISLATION THAT WOULD IMPLEMENT CERTAIN RESTRICTIONS ON WHERE AND UNDER WHAT CIRCUMSTANCES SUCH BUSINESSES MAY LOCATE IN TOWN TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, Commissioner Costigan seconded the motion, all were in favor and the motion carried. A public hearing was scheduled for April 25, 2023.

Lewis stated she had been in conversation with Cameron Mctavish and the members of Talbot Thrive and they have requested town support for an application to MDOT Bikeways Grant Program. They are proposing a multiuse path from the Causeway Parking lot to Pier St and through the new Central Park. The existing path at Causeway Park would be improved to allow for pedestrian and bike use. The letter of intent is for consideration of funding

for the design of a passive trail for casual bikers, runners, and walkers. Following questions and concerns, it was noted that any proposed design would be presented to the Commissioners and would be approved through a public process, allowing for citizen input prior to a finished design. Commissioner Wells motioned to approve the request to send a letter of interest to MDOT, Commissioner Costigan seconded the motion, all were in favor, and the motion carried.

LETTERS AND REQUEST

The Oxford Day Committee had initially requested permission to use Central Park for their after party, but have since found a private location. The park would only be used if the new location failed.

Oxford Library requested permission for a Rain Date for their annual Book Sale of April 23rd. Commissioner Wells motioned to allow for the closing of Market Street on April 23rd if the Book Sale was rained out on April 22nd, Commissioner Costigan seconded the motion, all were in favor, and the motion carried.

ATTORNEY

Ryan stated that with regards to the RFQ for the Water System Improvements discussed at the prior meeting, she has requested price proposals from the two identified bidders and anticipates the Commissioners should be able to review and make a determination at the next meeting. Ryan requested a closed session for legal advice. Ryan stated she received the following request from Dr. Dorothy Fenwick to consider a charter amendment: Referencing Section C5-15, Vacancies, This language needs to be changed: Any vacancies on the Commissioner shall be filled by the favorable votes of a majority of the remaining members of the Commission, the results of any such vote shall be recorded in the minutes of the Commission. Suggested Language: Any vacancy on the Commission, whether by resignation, illness, or death, shall be filled through vote of the registered voters of the Town of Oxford. The date of the election shall be set by the Commission at the next regular scheduled meeting and shall be held within 30 days. The voting shall be conducted in the manner as prescribed in Sections C5-10, 12, 13, 14 under "Registration, Nominations and Elections" for Town elections. Ryan stated that there are two ways to make a Charter Amendment, either by referendum of the voters or by a resolution proposed by the Commissioners. Acknowledging Dr. Fenwick's presence at the meeting, President Jaramillo stated the request would be reviewed and the Commissioners would respond following review.

TOWN MANAGER

Lewis requested reappointment of Pam Baker and Pat Jessup on the Elections Board, Commissioner Wells motioned to approve the reappointment of the two members, Commissioner Costigan seconded the motion, all were in favor, and the motion carried. Lewis requested appointment of Phyllis Rambo to fill the third seat on the Election Board. President Jaramillo motioned to approve, Commissioner Wells seconded the motion, all were in favor, and the motion carried. Lewis requested a closed session for a personnel discussion.

ANNOUNCEMENTS

Lewis noted that tonight was Pizza Night at Pope's and that they would be having live music. Additionally the Scottish Highland Creamery would be holding their grand opening at their new location in the MEWS building this coming Friday. The office will be closed on April 7, 2023 for Good Friday, the Easter Bunny will be in the park on April 8, 2023 at 2 pm, and Oxford Day will be on April 22, 2023.

COMMISSIONER COMMENTS

Commissioner Wells recognized former Commissioner Fronk, who was in attendance, for his long time efforts in support of the rehabilitation of the historic MEWS building. Commissioner Costigan noted that the Easton Town Council passed an ordinance banning plastic bags to take place on April 2nd, as a courtesy to residents who shop in Easton. Costigan pointed out that a public meeting would be held at the Avalon at 5:30 pm on April 4, 2023 with the Easton and Talbot County Planning Commissions, where a developer would be requesting approval for the

development of Poplar Hill, a former waterfowl sanctuary, located on the Oxford Road near the Easton by pass. There is concern that this large development will have impacts on the Oxford Road.

Lewis reminded those present that the Oxford Planning Commission is currently working on the update to the Oxford Comprehensive Plan in posted work sessions, pointing out the work notes that were posted around the room, and stating that the first public meeting to receive input from citizens on what Oxford's potential growth area should look like would be held in May, with information to be posted on the town website closer to the date.

PUBLIC COMMENT

Art Murr inquired as to what the options were for Cannabis and was told you can regulate the location, but cannot specifically ban the sale or manufacturing. Barbara Ranson requested information be posted on the website with regards to the Comprehensive Plan and asked would there be any surveys conducted. She was told there was already a page specifically set up with the information the Planning Commission is working with, which would be updated as they moved forward, and which contained several surveys that have been completed over the last ten years, which the Planning Commission would be referencing. Ranson stated that the Commissioners should not continue to reinstate board members as it excludes other people that want to participate. John Pepe agreed with concerns over the Poplar Hill Development and suggested residents participate. Judy Bixler noted the Blessing of the Ferry would take place on April 21, 2023 and all were invited. Jane McCarthy questioned police visibility going forward and Kellner provided some thoughts on how he would be approaching her concerns. Jan Greenhawk inquired as to how many people were interviewed for the position. Dan Kordell asked about an email he had submitted prior to the meeting, which is attached to these minutes. Questions were asked as to whether mutual agencies were compensated when responding to a call in Oxford. Phillip Logan read two letters, attached to these minutes. Warren Davis submitted written comment, attached to these minutes.

Commissioner Wells motioned to adjourn into closed session, Costigan seconded the motion, all were in favor, and the meeting was adjourned into closed session at 7:24 pm.

Following the closed session, Commissioner Costigan motioned to approve the Ethics Commission request for legal counsel, Commissioner Jaramillo seconded the motion, all were in favor, and the motion carried. There being no further business, Commissioner Costigan made a motion to adjourn the meeting, Commissioner Wells seconded the motion, all were in favor, and the meeting was adjourned at 8:31 pm.

Respectfully submitted,

Cheryl Lewis, Town Manager

March 14, 2023

Commissioner James Jaramillo, President
Commissioner Brian Wells
Commissioner Thomas Costigan

Dear Oxford Commissioners,

At the February 28th meeting, the Oxford Commissioners met and listened to an hour of concerns from a standing room only meeting of town citizens. Last week the home page of the town website was updated to include some responses to issues raised at the meeting, including:

- Links to the Annual Audits/Financial Reports;
- Description of the Town Boat Slip Policy;
- Discussion of policy regarding town-owned housing;
- A description of the Town's hiring practices, including efforts starting in February of 2022 to hire police officers; and
- Ended with this, "With regards to questions about personnel issues, interviews, discussions, reprimands, and personal information provided by applicants and employees, this information is privileged and confidential and will not be shared to protect the individual employees who apply, serve, or who have served this town."

While some of this information is partially responsive and appreciated, the concern that drew the standing room crowd to the OCC was not addressed - the facts and circumstances surrounding the resignation/retirement/firing of Chief Pat Maxwell.

Here is what we would like and expect to see:

"Retirement" of Chief Maxwell. The Commissioners declined to provide any information regarding Pat's "retirement" under the rationale that they are "protect[ing] the individual employees who apply, serve, or have served this town." Ironically, in this case the rationale, when coupled with the Commissioners' conditioning Pat's "retirement" benefits on his signing a non-disclosure agreement (NDA), achieves the exact opposite result. A 34+ year highly respected public safety employee of Oxford is left with the presumption, which he is unable to respond to, that he engaged in conduct so egregious that it warranted his immediate and unplanned "retirement." In order to overcome this impasse, we strongly urge the Commissioners to meet with Pat and his counsel and negotiate a termination of the NDA so that both he and the Commissioners would be free to discuss the circumstances that led to his "retirement." The NDA termination should not in any way impact the economic terms of Pat's "retirement" and

both parties would agree to forego any right to seek further redress with respect to this matter. Pat should have the right to accept or reject this proposal.

Search for New Police Chief. We have been able to find the advertisement for police officers on the town website which, as you indicated, was published in February of 2022. It is our assumption that the posting for the position of police officer was in direct response to the retirement of Officer Jim Thomas (who retired in the fall of 2021). We have not been able to find any similar posting for the position of police chief. The Commissioners should direct the Town Manager to fully disclose all actions taken to hire a new police chief. In addition, the Commissioners should consider appointing a number of citizens of Oxford to participate and advise the Commissioners in filling this position.

Compensation of Key Town Employees. In response to requests for access to the Oxford financial audits, copies of recent audited Financial Reports have been posted to the town website. However, these reports fail to reveal the compensation paid to Oxford's most highly paid employees. The public disclosure of compensation to Maryland State employees is mandated by law. In the interest of transparency, we believe the same should apply to municipal employees of the Town of Oxford. The Commissioners should direct the Town Manager to disclose the names and compensation of each Town employee earning over \$50,000, including records of the hiring process (advertising, etc.) followed for each.

There were a number of other issues raised during the February 28 meeting, including questions regarding the ethics of certain personnel decisions. These will be addressed to the Ethics Committee as a separate matter.

The undersigned have reviewed this letter and agree that it reflects their views regarding the matters discussed at the Commissioners' meeting of February 28th. We request that the Commissioners read this letter into the record and respond to this letter during the meeting scheduled for March 14th.

Respectfully submitted,

Dick Deerin	Warren Davis
Dorothy Fenwick	Madge Henning
Mark Lacey	John Pittman
Henry Hale	Simon Arnstein
Joan Levy	Sharon Kenny
Joe Kenny	Cammy Passarella
Tony Passarella	Suzie Hurley
John Hurley	Jan Greenhawk
Jimmy Greenhawk	Kimberly Baldwin
Daniel Baldwin	Terry Lee
Rebecca Gaffney	George Gaffney
Barbara Hartshorn	Leslie Howells

William Kooper
Jack Sullivan
John Sutton
Wendy Gibson
Stephen Weissenberger
Larry Myers
Freiderikos Franke
Suzanne Fischer
Maxine Millar
Jane Selden
Jane McCarthy
Chris Fogarty
Emily Knud Hansen
Jan Greer
Susan Kordel
Ray Sattler
Carol Kachadoorian
Melody Davis
Kristen Hagn
Jodie Hamburg
Jean Konopacz
Amber Petry
Elaine Rensberger
Richard Schramm
Liz Hasbrouck
John Fairhall

Courtney Lambeth
Sue McWilliams
Dodi Sutton
Jan Nelson
Brooke Myers
Catherine Bitter
Thomas Caravytha
Joseph Fischer
David Ghysels
Stephen Selden
Susan Devlin
Nancy Forarty
Chris Kalinsky
Daniel Kordel
Davenport West
Linda Sattler
Tom Downs
Elizabeth Gordon
James Hagn
Mike Hamburg
Robert Konopacz
Mark Petry
Scott Rensberger
Zoe Perkins
Emily Griswold



Barbara Paca, Ph.D., O.B.E.
101 and 103 Mill Street, Oxford 21654
barbara@preservationgreenllc.com

24 March, 2023

Ms. Cheryl Lewis and the Commissioners of Oxford
Oxford Town Office, Oxford, Maryland 21654 (410) 226-5122
townoffice@goeaston.net

Dear Ms. Lewis and Esteemed Commissioners of Oxford,

I would like to formally request that the swearing in of the new Police Chief be delayed, and that another search be started with proper advertising and one in which the citizens of Oxford are properly notified.

Such a gesture would thereby allow those of us who are fortunate enough to call Oxford “home” the opportunity to play a more significant role in making such a critical decision such as this one, which directly affects our daily lives and sense of well being.

In my opinion, the lack of adequate advertising for the positions of both Police Chief and Town Planner have left me feeling excluded/bewildered—as has been the experience for many others. Furthermore, the process exercised suggests a systemic bias in hiring practice which to me is not in alignment with the standard and customary practices of transparency in Maryland. Finally, in viewing the salaries awarded there appears to be a great disparity in financial remuneration, professional qualifications, and time on the job.

It has come to my attention that in your grant applications focusing on sustainability and environmental stabilization, you mention our small business which is based in Oxford. This came as a surprise to me because we have always been excluded from the process when we have offered to you our assistance to serve on a *pro bono* basis.

I write to you as member of the Oxford community, property owner, and small business person, and sincerely hope that you will consider this respectful submission.
Thank you for your consideration of this formal request.

Sincerely,
Dr. Barbara Paca, O.B.E.



Friday, 24th March 2023

The Commissioners of Oxford/Town Clerk, Cheryl Lewis
Oxford Town Office, Oxford, Maryland 21654 (410) 226-5122
townoffice@goeaston.net

Dear Commissioners of Oxford/Town Clerk - Cheryl Lewis,

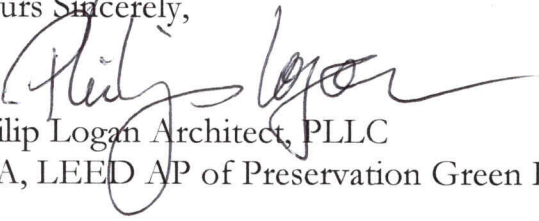
This is to request clarification regarding the process of engaging professional services for persons working on behalf of the Town of Oxford.

I would appreciate an accounting from you regarding how salaries are calculated based on professional qualifications, experience, and how this information is shared with members of the community on a public platform.

It is with regret that I learned of the abrupt dismissal of one of Oxford's most dedicated public servants and would like to know more about the hiring process. I was surprised that the position has already been filled without any consultation with the Town and strongly request that this replacement be put on hold pending verification that all due process was met in the advertising, selection, and vetting process.

Please confirm receipt of this letter so it can be added to the Town record.

Yours Sincerely,


Philip Logan Architect, PLLC
AIA, LEED AP of Preservation Green LLC

From: [Melody Watson](#)
To: [Cheryl Lewis](#)
Subject: Comments / Questions about Oxford Audited Financials 2022 for Town Meeting on 3/14
Date: Monday, March 13, 2023 4:29:17 PM
Attachments: [FY22-Oxford-FS.pdf](#)
[OXFORD 2012-Res-Town-Manager-Clerk-Treasurer.pdf](#)

Thank you for the opportunity to comment and ask questions in advance of the Town Meeting on 3/14.

My question is related to the Independent Auditor's report on Internal Controls, which starts at page 52 of the attached, Finding Number 2022-001

The auditors noted the need for segregation of duties as the current system creates conflicts within duties assigned to a single individual and produces a high level of internal control risk. The auditors recommended responsibilities for authorization, recording, and maintaining custody of assets be assigned to different employees. The auditors acknowledged that this may not always be possible, especially in a small office, so they recommended implementation of certain transaction review controls.

The response from the Town is it would not be cost effective to add additional personnel to ensure complete segregation of duties in the Finance department, however, within the 2-person finance department, the Town has effectively designed and implemented mitigating controls to reduce the risk.

Question:

1) What is the structure within the 2-person Finance department, and who is responsible for doing what?

- Who can create purchase orders,?
- Who reviews purchase orders/expenditures?
- Who approves purchase orders/expenditures?
- Who has access to the bank accounts?
- Who reconciles the bank accounts?

2) Are there payment authority levels (in other words, is all authority granted to the Town Manager/Treasurer, or are there \$\$ thresholds that would necessitate the Town Commissioner's review and approval of certain transactions?

3) Resolution No 2012, Section C3-2 (see attached), indicates, " The office of Town Manager / Clerk-Treasurer, combining the two positions, may be utilized if the Commission determines it is appropriate and a suitable person is available." What activities does the combined Town Manager / Town Clerk perform?

4) Has the Town thought about hiring a Controller, or a Finance person and de-coupling some Finance functions from the Town Manager? I recognize funds might be tight for that, and hence the rationale for combining the Town Manager / Treasurer position and in that case, could the Town design other compensating controls to address the segregation of duties concerns?

In my opinion, the combination of the Town Manager and Treasurer function is not ideal. To be clear I don't believe there is any impropriety going on, but the lack of strong segregation of duties creates a perception/optics challenge for the Town. Both my husband, Ken Davis and I have a combined 20+ years experience in the accounting/auditing world, and we would be happy to troubleshoot ideas for compensating controls that could be put in place to further mitigate the audit finding.

Thank you for your consideration,
Melody Davis