

# The Mayor and Commissioners of the Town of Elkton

## MINUTES

October 1, 2008

The Mayor and Commissioners of the Town of Elkton (the "Board") held their first regularly scheduled meeting in October on this date at 7:00 P.M. The following persons were present: Mayor Joseph Fisona; Commissioners Charles H. Givens, Sr., Mary Jo Jablonski; Earl M. Piner, Sr., and C. Gary Storke; Town Administrator Lewis H. George, Jr.; Finance Director Mr. Steven Repole; Human Resources Director Venus Kincaid; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr., Esq.

Mayor Fisona called the meeting to order, and led the Pledge of Allegiance.

**ACTION:** The minutes of the September 17, 2008 meeting were approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present with no corrections or amendments.

**ACTION:** The financial report and the bills submitted for payment were approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Givens and approved by all present.

### **KCI Technologies, Inc. Engineering Services Report - Month of September 2008**

Ms. Sabine Watson, P.E., appeared on behalf of KCI Technologies, Inc.

Ms. Watson, referring to the report previously submitted to the Board, presented the September 2008 Municipal Engineering Summary, updating the Board on KCI's review of subdivision/land development plans and other engineering activities which occurred during the month. A copy of the report was placed in the record of the minutes.

Mayor Fisona questioned the Lands of Concordia project. Ms. Watson stated the Lands of Concordia project involved a multi-story office building with retail on site. She said the project was located at Belle Hill and Warner Roads, adjacent to the KFC site.

Ms. Watson stated the Frenchtown Road Well was drilled and developed. She said the development of the well was confirmed by a one-hour, 770-gallon per minute pump test. She said operations were suspended pending submittal to and approval from the Maryland Department of the Environment ("MDE") of a Contingency Plan to address nearby residential wells during aquifer testing. Commissioner Jablonski questioned if any complaints were received during or after the confirmation test. Mr. George answered in the negative.

**Town Administrator's Report**

**Quit Claim Deed - The Courts - The Villages of Southfields Homeowners Association, Inc., and Luther-Montgomery LLC, to the Mayor and Commissioners**

Mr. George presented the Quit Claim Deed for The Courts - The Villages of Southfields, stating the deed was originally presented at the September 17, 2008 Board meeting.

Mr. George stated the deed involved 6.75 acres of open space, parking lots and drainage swales in The Courts subdivision. He said the Homeowners Association, which previously maintained the property, was defunct. He stated numerous homeowners had requested that the Town take responsibility of the maintenance of the roads and open space.

Commissioner Piner questioned if the maintenance of the areas named in the deed included the underground infrastructure. Mr. Wilson stated the Town currently maintained the underground infrastructure.

Commissioner Jablonski stated that she visited the area, and noticed individual parking spaces where numbered for corresponding residences, and ask if homes would be assigned parking spots. Mr. George said when the Homeowners Association had title to the parking lot, it was considered private property, and the Association had the right to allocate parking spaces to individual residences, however when the Town took title to the property, it would become public property, and no resident would have exclusive right to a particular parking space. Commissioner Givens expressed concerns that the parking situation could develop into an issue for the residents. Mr. George said the Town could initiate Special Purpose Parking, as in the Turnquist neighborhood, should it become necessary.

Commissioners Piner and Givens questioned if the residents would be notified when the Town assumed responsibility for the area. Mr. George answered in the affirmative.

Commissioner Storke expressed concerns regarding additional maintenance costs. Mr. George stated he observed areas of the parking lots that were in need of patching, and said the current budget did not include funds for a major project such as milling and paving the lots. Commissioner Storke questioned if Department of Public Works staff would perform repairs. Mr. George answered in the affirmative.

Commissioner Givens concurred with Commissioner Storke's statements regarding the financial impact of assuming maintenance responsibility for the property identified in the deed. He and Commissioner Piner reiterated their requests that the residents be notified of the transfer of ownership and resultant change in the parking space allocation.

Commissioner Jablonski said the Town was in the process of reviewing its Comprehensive Plan, and stated Homeowners Associations, and the regulation thereof, should be addressed in the Plan.

**ACTION:** The Quit Claim Deed regarding The Courts-The Villages of Southfields Homeowners Association, Inc., and Luther-Montgomery LLC, to the Mayor and Commissioners was accepted contingent upon notice being sent to residents regarding the Town's financial limitations to address major repairs on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

### **Artesian Water Company Assignment of Agreement Request**

Mr. George presented a request to assign the interconnection agreement between Artesian, Delaware and the Town of Elkton to Artesian, Maryland in order to comply with Maryland Public Service Commission regulations. He added Artesian, Maryland did not exist prior to the execution of the Town's agreement with Artesian to construct the interconnection.

**ACTION:** The request to assign the interconnection agreement between Artesian, Delaware and the Town of Elkton to Artesian, Maryland was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

### **Mayor Fisona's Report**

Mayor Fisona questioned the status of signal upgrades at Railroad Avenue and North Street. Mr. George stated the upgrades would be complete after Delmarva Power placed a meter at the new signal.

Mayor Fisona said he was informed that work on the State Highway Administration ("SHA") West Main Street Project would commence in Spring 2009.

### **Commissioner Givens' Report**

Commissioner Givens commended curb painting activities by the Department of Public Works ("DPW").

Commissioner Givens questioned the status of the Town's computer system backup. Mayor Fisona stated the computer system backup was provided by the server. Mr. Patrick Tuer suggested off site storage of data.

Commissioner Givens asked Mr. George to invite a representative of Comcast Cablevision to attend a meeting in order to provide information regarding the status of high definition broadcasting in the Elkton area.

Commissioner Givens questioned the status of creation of a Purchasing Agent for the Town. Mr. George stated Ms. Kamp was working on a procurement policy. Commissioner Givens requested an update at the October 15, 2008 meeting.

Commissioner Givens requested line item information from the budget in order to educate the Board about expenses on a continuing basis.

Commissioner Givens requested an update on the former RMR building. Mr. George stated the owner erected a fence around the property, and applied for a demolition permit to remove a portion of the building.

### **Commissioner Jablonski's Report**

Commissioner Jablonski stated she received several complaints regarding police response time. She said the Board should evaluate dispatch procedures with Chief Ryan.

Commissioner Jablonski thanked all the volunteers who assisted with the 2008 Fall Fest and Firefighters Challenge events. She said the events were the best to date.

### **Public Comment**

Ms. Becky McKinney concurred with Commissioner Jablonski's comments regarding evaluation of police dispatch.

Ms. McKinney reiterated Commissioner Jablonski's comments regarding Fall Fest and the Firefighters Challenge events.

Ms. Dionne Adkins expressed concerns regarding speeding on Whitehall Road between Delaware Avenue and Route 40. She suggested placement of stop signs at the intersection of Hearthstone and Whitehall Road, or speed humps, or a combination thereof.

Mr. Robert Litzenberg requested a monthly review of expenditures for the public to review. Mr. Repole stated a list of expenditures would be made available for public information.

### **Motion for a Closed Meeting**

Pursuant to State Government Article, § 10-508 (7) consult with counsel to obtain legal advice; Commissioner Jablonski made a motion for a Closed Meeting. The motion was seconded by Commissioner Piner and approved by all present.

There being no additional business to come before the Board, Mayor Fisona adjourned the meeting at 8:06 p.m.

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L. Michelle Henson,  
Administration Office Secretary

AN AUDIO AND VIDEO RECORDING OF THIS MEETING RETAINED AT THE  
ADMINISTRATION OFFICE

Note: The minutes of regularly scheduled public meetings conducted by the Mayor and Commissioners of the Town of Elkton, following their approval, are posted at [www.elkton.org](http://www.elkton.org). The minutes, in hard copy format, are retained indefinitely by the Town of Elkton, Administration Office, 100 Railroad Avenue, Elkton, Maryland 21921. The Maryland Public Information Act provides that the minutes of public meetings be made available to the public upon request. Please contact the Town of Elkton by telephone at (410) 398-0970, by facsimile at (410) 392-6633, or by email at [administration@elkton.org](mailto:administration@elkton.org) to request a copy of these minutes.