

The regular meeting of Mayor and Council was held on the above date with Councilmen Jim Reynolds, Jason Faulkner, Robert McGhee, Bob Pierce, Robin Burgess and David Fisher present with Mayor Branner presiding. Town Manager Morris Deputy and Town Solicitor Scott Chambers were also present.

**1. Minutes Approval:** Moved by Mr. Reynolds and seconded by Ms. Burgess to approve the Minutes of December 2, 2013 as presented. Motion Carried Unanimously.

**2. Treasurer's Report:** Moved by Mr. Pierce and seconded by Ms. Burgess to approve the Treasurer's Report as presented. Motion Carried Unanimously.

**3. Bills Payable:** Moved by Mr. Reynolds and seconded by Ms. Burgess to approve the Bills Payable as presented and pay as funds become available. Motion Carried Unanimously.

**4. Police Report:** Chief Hank Tobin

The MPD responded to 946 calls for service for the month of December, 2013.

- 363 calls required documentation.
- 63 incidents required arrest action, totaling 167 charges placed.
- Calls for service: Zone 1 – 222; Zone 2 – 254; Zone 3 – 133; Zone 4 – 138 calls.
- 57 accidents: 40 property damage; 12 hit & run; 5 personal injuries.
- Several drug arrests.
- Burglaries: Glen Mare Drive and Maclaren Ct.
- Robberies: Ashland Street Park and Congressional Drive.
- One felony fraud at Kohl's.
- Call volume analysis: busiest days – Tuesday/162 and Monday/158.
- Top five calls for service: 232 vehicle stops; 54 property checks; 44 public relations; 43 follow-up investigations; 40 property damage accidents.

Moved by Ms. Burgess and seconded by Mr. McGhee to accept the Police Report as presented by Chief Tobin. Motion Carried Unanimously.

**5. Public Hearings:**

**5-A. Preliminary Major Subdivision Plan for a proposed 13,500 square-foot CVS Pharmacy in Willow Grove Mill, on a portion of the 15.47-acre commercial parcel, located at 674 Middletown-Odesa Road, on the corner of DE 299 and Gloucester Boulevard. Tax parcel 23-025.00-083.**

Colm DeAscanis presented the plan. Brian Nichols represented Fusco Management, property owner/developer.

- CVS will be located on a portion of Parcel A, the corner of Gloucester Blvd., across from Wawa.
- A connector road will be built to join W. Hampden Road and Rt. 299; a right-in/right-out on Gloucester Blvd. will be constructed.
- All utility infrastructure is in place.

- The stormwater management area will be constructed to handle proposed construction near the CVS.
- The CVS building is approximately 13,500 square feet.
- Road connections will be coordinated with DelDOT.
- KCI's comments will be addressed.
- Planning and Zoning recommended approval.

Mr. Reynolds asked if the developer was planning to install the final course of asphalt on Hampden Road along with the construction of the CVS. Mr. DeAscanis said his plan does not call for the complete road to be overlaid – the improvements would be limited to the area of construction. Mayor Branner said the Town will take over the maintenance of Hampden if it's completed. Mr. DeAscanis said it would be considered.

***Moved by Mr. Faulkner and seconded by Ms. Burgess to grant approval for the Preliminary Major Subdivision Plan for CVS Pharmacy in Willow Grove Mill. Motion Carried Unanimously.***

**5-B. Preliminary Major Land Development Plan – 495 E. Main Street – Silver Lake Residential Treatment Center - State of Delaware proposes a 13,212 square-foot additional building to the existing treatment center, and additional parking. Tax parcel 23-007.00-028.**

Jim Curran from Karins and Associates represented Dan Martelli, Pembrey Holdings, property owner.

- The property is located at the intersection of Silver Lake Road and Rt. 299.
- The existing facility has two buildings and 7 bedrooms.
- An additional 13,212 square feet is being proposed with an additional 8 bedrooms.
- 25 additional parking spaces are proposed.
- A dead-end connection is proposed for the future connection to the extension of Silver Lake Road.
- The stormwater pond in the front portion of the property will be modified; an additional stormwater management facility will be added near the basketball court.
- KCI's comments will be addressed.
- Planning and zoning recommended approval.

Mayor Branner said the pond is full all the time. A comment was made at Planning and Zoning that the pond would be reconstructed and become a dry pond. Mr. Curran said the pond was originally designed to be dry. It appears it was a sediment pond that was never changed and eventually filled with water. In order to make it function as a dry pond, it will have to be reconstructed as intended.

Mayor Branner commented that the Town has been working with Capano and Heisler to construct a connector road from Dove Run to Cleaver Farm Road and asked if discussions were ongoing with Capano and Heisler now. Dan Martelli said meetings have been held with DelDOT, Heisler and Capano regarding the connector road and how it will affect the property. The entrance to the facility will be relocated to the back of the property when the expansion of Silver Lake Road is completed. Capano and the State need a portion of the right hand corner of the property in order to construct the road to line up with the existing light at Silver Lake Road. A stub road will be constructed and tie in to the connector road, to become the new entrance to the facility. At that time, the existing entrance will be extinguished. Mr. Martelli said they will proceed with the plan as shown, maintaining the current entrance, with the knowledge that it will eventually be

extinguished and the Residential Treatment Center property will be tied in with the new road when it is built. He said he and Capano have come to an arrangement.

***Moved by Mr. Pierce and seconded by Mr. McGhee to approve the Preliminary Major Land Development Plan for 495 E. Main Street, Silver Lake Residential Treatment Center for a proposed 13,212 square-foot additional building to the existing treatment center. Motion Carried Unanimously.***

**6. Old Business:**

- Resident Jim Young reported the Red Kettle collection for the Salvation Army increased 20% above last year for a total of \$27,952. The total county decreased in collections, but the MOT area increased. Mr. Young thanked Mayor and Council and everyone who donated their time. He also mentioned that over 150 high school students from Middletown, Appoquinimink and St. Georges donated their service.

**7. New Business: None**

***Moved by Mr. Reynolds and seconded by Mr. Pierce to go into Executive Session to discuss the competency and ability of an individual employee. Motion Carried Unanimously.***

**8. Executive Session:**

***Moved by Mr. Pierce and seconded by Mr. Reynolds to exit the Executive Session and return to the public session in Council Chambers. Motion Carried Unanimously.***

**A. Discuss competency and ability of an individual employee, pursuant to 29 Del. Code §10004(b)(9).**

***It was moved by Mr. McGhee and seconded by Ms. Burgess to accept the request for promotion for the Accounts Receivable/Cashier Clerk and Town Manager, and the request from a police officer to be demoted from Master Corporal to Corporal as discussed in Executive Session. Motion Carried Unanimously.***

**9. Adjournment:**

**The meeting adjourned at 8:11 P.M.**