

The regular meeting of Mayor and Council was held on the above date with Council members Reynolds, Faulkner, McGhee, Pierce, Burgess and Dixon present with Mayor Branner presiding. Town Manager Morris Deputy and Town Solicitor Scott Chambers were also in attendance.

1. **Minutes Approval:** Moved by Mr. Pierce and seconded by Ms. Burgess to approve the Minutes of April 5, 2010 as presented. Motion Carried Unanimously.
2. **Treasurer's Report:** Moved by Mr. Dixon and seconded by Mr. McGhee 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 and pay as funds become available. Motion Carried Unanimously.
4. **Police Report:** Chief Hank Tobin and Pat Mullin

The MPD responded to 1,002 calls for the month of April.

- 252 calls were documented with an incident or accident report.
- 66 incidents required arrest action; 182 arrests were made.
- Calls for service by zone:
Zone 1 - 259; Zone 2 - 355; Zone 3 - 135, and Zone 4 - 141.
- 36 accidents reported: 25 property damage; 6 property damage/hit & runs; 4 personal injury and 1 personal injury/hit & run.
- Theft of the Town sign on Rt. 71 is being investigated.
- Drug arrests: 25 incidents were investigated totaling 57 criminal arrests; \$3,725 and an automobile were seized.
- Burglary investigations: 2
- Robberies: 2
- Graffiti: incidents on the west side of Town are under investigation.
- Busiest days of the week for April: Fridays averaging 160 calls and Thursdays averaging 145; peak hours were 9 p.m. and 8 p.m.
- Top calls for service: 305 vehicle stops and traffic enforcement; 64 false alarms – the majority of alarms were registered.
- St. Anne's Church and Sharondale: reoccurring problems with dirt bikes and four-wheelers. Patrols have been increased; CSX and DelDOT have been contacted.

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

5. **Grants:** Lou Vitola

Validation Report: Appoquinimink Early Childhood Center PTA – 2009 grant for two pool memberships. They reported their event was a success and the memberships were given to Middletown residents. The Committee recommended Mayor and Council approve the report.

Grant Requests:

1. Appoquinimink Early Childhood Center PTA – 2010 Youth Health and Fitness fundraiser: A grant request for four (4) pool memberships. The group is a non-profit and is not a sub-unit of the school

funded by the state. They meet the Town's criteria and the Committee recommended Mayor and Council approve their request.

2. Greater Middletown Jaycees for youth leadership group in Middletown: A grant request for police coverage for the July 3rd parade which will cost about \$1,080. Their need is based on a review of their financials. The Committee recommended Mayor and Council approve the grant.

Moved by Mr. Faulkner and seconded by Mr. Pierce to approve the validation report as submitted, the grant request from the Appoquinimink Early Childhood Center PTA for four pool memberships and the grant request from the Middletown Jaycees for police coverage during their parade on July 3rd as recommended by the Grant Committee. Motion Carried Unanimously.

6. Public Hearings:

6-A. Adopt an Ordinance to Annex State of Delaware property, DelDOT Maintenance Yard, located at 5369 Summit Bridge Road (tax parcels 14-006-00.008 and 14-006-00.009)

Mayor Branner said the Department of Transportation would like to annex the maintenance yard located on Rt. 71 across from Cricklewood into the Town limits to afford them the ability to tie into water and sewer if the need should arise for future expansion.

Jim Young, Cricklewood resident, asked what benefit the Town would receive from the annexation. Mayor Branner said if they expand the Town would supply future utilities.

Moved by Mr. Faulkner and seconded by Mr. Reynolds to adopt an Ordinance to annex State of Delaware property, DelDOT Maintenance Yard, located at 5369 Summit Bridge Road. Motion Carried Unanimously.

6-B. Adopt an Ordinance to Annex State of Delaware property, DelDOT Maintenance Yard and Park and Ride, located at Del. 1 and Rt. 299

Moved by Mr. Faulkner and seconded by Ms. Burgess to adopt an Ordinance to annex State of Delaware property, DelDOT Maintenance Yard and Park and Ride located at Delaware Rt. 1 and Rt. 299. Motion Carried Unanimously.

6-C. Motion to ratify a public utility master franchise with the Delaware Department of Transportation

Morris Deputy said the State of Delaware requires all towns to ratify the agreement to install utilities and obtain permits in DelDOT's right of way. It's a 50 year agreement that will automatically renew for 50 years.

Moved by Mr. Reynolds and seconded by Mr. Pierce to ratify a public utility master franchise with the Delaware Department of Transportation. Motion Carried Unanimously.

6-D. Middletown Athletic Club – Request to host Relay for Life 5K at Silver Lake Park on June 5, 2010

Jason Faulkner said the Middletown Athletic Club sponsored the 5K run in support of Relay for Life. It starts in the park and ends on the track during the Relay. The course is the same as it was last year.

Moved by Ms. Burgess and seconded by Mr. McGhee to approve the Middletown Athletic Club's request to host the Relay for Life 5K at Silver Lake Park on June 5, 2010.

6-E. Introduce an Ordinance to amend Chapter 119, Article II, in the Town of Middletown Code regarding grass cutting and cleanup of residential properties

The Ordinance will be acted on in June.

6-F. Introduce an Ordinance to amend Chapter 120 in the Town of Middletown Code regarding rental properties

The Ordinance will be acted on in June.

UNFINISHED BUSINESS: None

NEW BUSINESS

- Mr. Reynolds announced that Levels Road Park will be closed all day on Saturday, May 8, 2010. DelDOT will be making the tie-in from Levels Road and requested the closure of the park. Levels Road will also be closed. The park will re-open at dawn on Sunday morning.
- Helena Marrero, 70 Franklin Drive, Greenlawn: expressed concerns about the berm between 60 and 70 Franklin Drive; requested the sidewalk be extended to the library, and requested the electric outlets in front of the residents' homes be lowered. Morris Deputy said it's private property and Pettinaro has not given the Town permission to go on the property. Mayor Branner said Pettinaro told the Town about 3 months ago that they would work on the problems. The Town can't legally fix the problems because the property is owned by Pettinaro; the Town's solicitor will contact Pettinaro's office and hopefully have a response by the June meeting.
- Rosie Nichols, Middletown Village, suggested the Town consider forming a Human Relations Commission.
- Bill Hickman, St. Anne's Church, reported a problem with motorcycles and four-wheelers on their property and requested the Town's assistance for intervention. The problem has gotten worse on the south side since CSX removed all the underbrush from their right of way. Mayor Branner said the problem surfaces every year and suggested Mr. Hickman meet with Chief Tobin to discuss the situation and possible remedies. The church is private property and St. Anne's Church Road is a State road. Several years ago the Town offered to install a park and a trail back through the property, which might have helped prevent the situation and make it easier to enforce.
- Tony Malgero (sp?) from Sharondale expressed his concerns regarding the damage done to St. Anne's property by ATV's. He reported that ATV's and other types of unregistered vehicles are on the streets in Sharondale frequently.

Moved by Mr. Reynolds and seconded by Ms. Burgess to enter into Executive Session to discuss legal and personnel matters. Motion Carried Unanimously.