

COUNCIL MINUTES

NOVEMBER 1, 2010

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 Ms. Burgess and seconded by Mr. McGhee to approve the minutes as presented. Motion Carried Unanimously.

2. Treasurer's Report: Moved by Mr. Pierce 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 as presented and pay as funds become available.

4. Police Report: Chief Hank Tobin and Cpl. Christine Brenner

The MPD responded to 1,151 calls for service for the month of October.

- 313 calls were documented through an incident or accident report.
- 78 incidents required arrest action, totaling 174 criminal arrests.
- Accidents – 40: 28 property damage, 7 hit & runs and 5 personal injury.
- Top calls for service: 354 vehicle stops; 69 public relations and 71 alarms
- Burglaries – 11

Chief Tobin and Christine Brenner gave a presentation dedicated to the 3rd anniversary of the Middletown Police Department.

Three years ago on Halloween night the MPD officers started their services for the Town. To recap:

- The department was assembled in 90 days including hiring, training, purchasing vehicles, etc.
- 20 total officers were hired which included a canine officer and dog Nitro.
- The first seasonal program opened in 2008 with 6 seasonal officers – three became full time officers.
- March 23, 2007: Broke ground for new Police Station at 130 Hampden Road.
- July 2008: First graduating class from New Castle County Police Academy; Officer Hoffecker received Top Recruit Award from the Academy.
- February 2009: Grand Opening of Police Station.
- Summer 2009: 10 seasonal officers hired.
- Second group sent to New Castle County Police Academy; Middletown again received the Top Recruit Award from the Academy.
- August 2009: Mark Miller took over canine patrol and Nitro.
- June 2010: Officer Lambert became the second officer with a dog. Both dogs are drug and tracking trained.
- Summer 2010: 14 seasonal officers hired. Officers received college credit for their time working with the Town through the efforts of Christine Brenner.
- Christine Brenner established a two-week Youth Academy targeting kids with behavioral issues, etc. Seasonal and regular officers volunteered to work with the group.
- The Police Athletic League was formed by Officers Saunders, McKenzie and Davis; 178 kids participated last year.
- Two seasonal officers are currently in the Academy to replace two officers who left.
- Officer Scott Saunders has coordinated an Honor Guard program for the MPD.
- A Special Response Team has been developed which executes high risk warrants, drug warrants, etc. All the equipment for the team has been purchased through grant money.
- The MPD is currently going through the process for accreditation. All the aspects of how the Police Department is run, policies, procedures, directives, how prisoners are handled, use of force issues, pursuit driving, the construction of the facility, etc. is all factored into the process. Accreditation takes about a year; it's approval on a national level.
- Through the efforts of Lt. Mike Kelly over \$587,000 has been received from State and Federal grants. Officer Womer's position is 100% federally funded for three years.
- The MPD currently has 28 Police Officers on staff.
- The Staff and Officers of the Middletown Police Department expressed their appreciation for the support received from Mayor and Council, Town employees and residents of Middletown.

Bob Gouge, resident of Cricklewood, commended and congratulated Chief Tobin for his efforts to obtain accreditation for the MPD. He said having an accredited Police Department is very valuable. The process to obtain accreditation is very arduous.

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

5. PUBLIC HEARINGS

5-A. Parcel C, Levels Business Park – Preliminary Record Land Development Plan for proposed car wash in C-3 district on a portion of Parcel C, at the intersection of United Drive and U.S. Rt. 301. Tax parcel 23-065.00-003.

Rick Woodin, representing VCII Ventures, and John Richmond, equitable owner, stated Parcel C is located opposite the 301 Truck Plaza. Parcel C will be subdivided to create Parcel C-1 consisting of 2.6 acres for a state-of-the-art car wash. Proposed is a 4,500 sq. ft. building to house the car wash facility, two detail bays and an office. Self-wash services will be available as well as detailing services by on-site personnel. United Drive will be widened about 6 feet to allow for a left turn onto United Drive. A service road is proposed at the back of the property which will extend to the remaining lands of Parcel C. Stormwater management will consist of infiltration and quantity management. A recharge basin will parallel United Drive. The Town's stormwater management requirements will be adhered to. The building will be constructed with split-faced masonry block with a metal seam standing rib roof.

Mr. Reynolds questioned the plan showing a 5' sidewalk instead of 6'. Mr. Woodin said he would comply with the code and install 6' sidewalks.

Mayor Branner said Planning and Zoning recommended approval of the plan. The Town Manager commented that the stormwater management report and landscape plan shall be submitted prior to recordation.

Moved by Mr. Faulkner and seconded by Mr. Pierce to approve the Record Plan for Parcel C, Levels Business Park for a proposed car wash in C-3 district on a portion of Parcel C, at the intersection of United Drive and U.S. 301. Tax parcel 23-065.00-003. Motion Carried Unanimously.

5-B. HealthSouth Corporation Conceptual Plan – Rt. 299 and Gloucester Boulevard

Cindy Kelleher, Vice President of Corporate Development for HealthSouth presented the conceptual plan for a 34-bed rehabilitation hospital. HealthSouth is one of the largest providers of in-patient rehabilitation in the country with 97 free standing hospitals.

- A 64,810 sq. ft. building is proposed at build-out.
- The patients generally taken care of are those who have suffered from stroke, spinal cord, brain injury and other neurological conditions such as MS and Parkinson's disease.
- Physicians are on staff as well as 24-hour nursing.
- All rooms are private with private bath rooms.
- HealthSouth participates in Medicare and Medicaid.
- They meet all architectural guidelines proposed by the American Hospital Association.
- A one-story brick building with an ambulance entrance, gym and outdoor therapy courtyard is proposed.
- The first phase will contain 34 beds and has the potential to expand to 54 beds.
- The Certificate of Need process usually takes 120 to 180 days. The Letter of Intent has been filed; the application will be filed the first part of November. After the State reviews the application, a public hearing will be held and the final decision made.
- About 80 employees will be hired to start; 200 employees will be employed at build out.

Civil Engineer John Fellows from Duffield Associates said the parcel is located on the northeast corner of Willow Grove Mill, Section Two. Proposed access to the site is via a new access drive connecting the site to the existing traffic circle behind Wawa on Gloucester Boulevard. A combination of Best Management Practice and infiltration will be used to comply with stormwater management requirements. Mr. Fellows said most of the comments from the State Fire Marshal have been satisfied.

Mayor Branner said this is conceptual plan stage – the Town's process will continue to move forward while HealthSouth is proceeding with the Certificate of Need process.

David Rich asked if this facility was separate from Christiana Care. Mayor Branner said this is a separate, stand-alone rehabilitation hospital on the south side of Rt. 299 near Wawa – Christiana Care is proposed on Brick Mill Road/Rt. 299.

5-C. Adopt an Ordinance to Amend Chapter 45 in the Town of Middletown Code of Ordinances regarding business licenses, fines and fees.

Morris Deputy said this Ordinance adds a penalty to the existing Ordinance for businesses operating in Town without a business license.

Moved by Mr. Pierce and seconded by Mr. Faulkner to adopt an Ordinance to Amend Chapter 45 in the Town of Middletown Code of Ordinances regarding business licenses, fines and fees. Motion Carried Unanimously.

5-D. Ratify Construction Contract for the Rt. 301 Force Main Realignment Project

Morris Deputy said this contract is for the first phase of the sewer upgrades which redirects flow from the Lakeside Pump Station directly to our plant to free up capacity. The construction will be paid for with Bond proceeds.

Moved by Ms. Burgess and seconded by Mr. Reynolds to Ratify the Construction Contract for the Rt. 301 Force Main Realignment Project. Motion Carried Unanimously 5 – 0. Jason Faulkner abstained.

5-D. Ratify Maintenance Contract with Southern Corrosion

Morris Deputy said this is an eight-year maintenance inspection contract for the stand pipe on Lake Street.

Moved by Mr. Pierce and seconded by Mr. Dixon to Ratify the Maintenance Contract with Southern Corrosion for the stand pipe on Lake Street. Motion Carried Unanimously.

UNFINISHED BUSINESS: None

NEW BUSINESS

- Mr. Reynolds announced that the Town is offering snow removal to the elderly and handicapped again this year. Applications may be picked up at Public Works. Anyone who was on last year's list does not have to re-apply.
- Jim Young, Cricklewood, announced the start up of the Salvation Army Kettle Drive. Mr. Young thanked Mayor and Council and Town employees for their support and participation last year – 30% of the Town's employees participated. The drive runs from November 13th through Christmas Eve.
- Rob Bolton from Longmeadow asked when Christiana Care will be breaking ground. Mayor Branner said the hospital received its Certificate of Need. They've selected an architect and engineer and are in the process of designing Phase I which will include a full trauma center with 18 emergency care rooms. They anticipate opening by the end of 2012.

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