

The regular meeting of Mayor and Council was held on the above date with Councilmen Aaron Blythe, Drew Chas, Bruce Orr, Craig Sherman and David Thomas. Mayor Kenneth Branner presided. Town Manager Morris Deputy and Town Solicitor Scott Chambers were also present.

1. Call to Order

2. Pledge of Allegiance

3. Minutes Approval: Moved by Mr. Sherman and seconded by Mr. Blythe to approve the Minutes of March 2 and 9, 2026 as presented in printed form. Motion Carried Unanimously.

4. Treasurer’s Report: Moved by Mr. Chas and seconded by Mr. Orr to approve the Treasurer’s Report as presented in printed form. Motion Carried Unanimously.

5. Bills Payable: Moved by Mr. Chas and seconded by Mr. Blythe to approve the Bills Payable as presented in printed for and pay as funds become available. Motion Carried Unanimously.

6. Police Report: Captain Ron Davis

The MPD responded to 1,081 Calls for Service during the period of February 15 through March 15, 2026.

- 1 District: 1/22/26 – Food Lion: robbery; 2/25/26 – Finest Vape & Smoke and Smoke King: burglary; 2/28/26 – Target parking lot: burglary; 3/14/26 – Middletown Village: burglary
- 2 District: Nothing significant to report.
- 3 District: Nothing significant to report.
- 4 District: Nothing significant to report.
- Dispositions: Traffic Summonses: 243 (1 DUI); Criminal Arrests: 110 (Felony – 10, Misdemeanor – 64, Civil Penalty – 0, Violation – 27); Warnings: 87; Reports Written: 285; FSR/CPC – 261
- Community Services: Collaborative meetings: Appo Workforce Readiness Fair; SN4C; Nonprofit Checks; Business Checks; Recruitment; Miscellaneous: DE State Police Academy Graduation – 2 new recruits, Special Olympics fundraiser, presentation to MHS JROTC class, Amazon safety walk through tour
- TAC Unit: Levels Road – Speed: 3C/3W; E. Cochran St. - Speed/Stop Signs: 70C/21W; Ash Blvd./Foxtail Ln. – Speed/Stop Signs: 5C/4W; Levels Rd./Patriot Dr. – Illegal turns: 4C/1W; Merrimac Ave. – Stop Signs: 35C/6W; N. Ramunno/Doc Lev. Dr. – Stop Signs: 10C/2W
- Crash Investigations: Inattentive driving continues to be the main cause, followed by improper lane change, failing to yield ROW, improper backing and carelessness.

Moved by Mr. Thomas and seconded by Mr. Sherman to approve the Police Report as presented by Captain Davis. Motion Carried Unanimously.

Mayor Branner read a letter of commendation received for Officers Tyler Gonzalas and Anthony Lederer. Joann Roark and her husband expressed sincere gratitude for the officer’s professionalism and caring, when their vehicle failed to operate at the intersection of W. Main and Rt. 301. The officers placed the safety and well-being of the occupants, above managing the traffic situation; assistance with towing the vehicle was also provided.

7. Middletown Main Street Update: Kate Rokosz

- Middletown Main Street has now obtained accreditation status with Main Street America. Accreditation will provide more opportunity for additional grants and other benefits.
- Ms. Rokosz asked if Council would be receptive to MMS holding a summer concert series, consisting of about four concerts to be held on Friday evenings. The concerts would last about two hours and be held on the lawn in front of their office at 216 N. Broad Street. Mayor Branner suggested the proposed dates and additional information be presented to Council in May for consideration.

Moved by Mr. Thomas and seconded by Mr. Orr to accept the MMS report as presented by Kate Rokosz. Motion Carried Unanimously.

8. Public Hearings:

A Proclamation in Memoriam was presented to the family of Charles “Chip” Roberts honoring his life and service to the Town of Middletown. Chip served on the Planning and Zoning Commission for 36 years, in addition to dedicating a large portion of his life to local sports leagues, including coaching Little League and Pop Warner football. Chip passed away March 31, 2026.

8-A. Proclamation honoring the State Champion Middletown High School Football Team.

A Proclamation was presented to the Middletown High School Football Team and coaches honoring the 2025 Middletown High School Football State Champions. The team finished with a 10 and 3 record.

8-B. Motion to approve a Public Assembly Permit for a Car show at the Greenhill Car Wash, 890 Middletown Warwick Road on May 1, 2026, from 5 to 9 p.m.

Braeden Kelly requested approval for a Public Assembly Permit for a cruise night at 890 Middletown Warwick Road on May 1st from 5 to 9 p.m. Vendors will be on hand for food and refreshments. Unique and interesting cars are invited to participate.

Moved by Mr. Blythe and seconded by Mr. Chas to approve the Public Assembly Permit for a car show at Greenhill Car Wash, May 1st from 5 to 9 p.m. Motion Carried Unanimously.

8-C. Motion to approve a Public Assembly Permit and Parade Permit for the Peach Festival on Saturday, August 15, 2026, from 8:45 a.m. to 5 p.m.

On behalf of the Middletown Historical Society, Kristen Krenzer requested approval for a Public Assembly Permit and Parade Permit for the Peach Festival on Saturday, August 15 from 8:45 to 5 p.m. Everything will be the same as last year; the parade will start from Everett Meredith School at 8:45 a.m. The closure of Main Street from Broad to North Scott and N. Cass from West Main to Pennington Street is requested. They would like to use the Town Hall parking lot for food vendors.

Ms. Krenzer will coordinate with Dave Matsen.

Moved by Mr. Thomas and seconded by Mr. Orr to approve the Public Assembly Permit and Parade Permit for the Peach Festival on Saturday, August 15, 2026, from 8:45 to 5 p.m. Motion Carried Unanimously.

8-D. Motion to approve a request to decorate Main Street lamp posts from Friday, May 8 through Sunday, May 17 for Mental Health Awareness Week.

Vaidra Johnson, president of Alpha Tau Omega Chapter of Alpha Kappa Alpha Sorority, Inc., requested approval to hang ribbons and bows on the Main Street lamp posts for the fifth annual AATO week which highlights mental health awareness. The dates are from May 8th to May 17th.

The event will be added to the Town and Main Street web sites.

Moved by Mr. Thomas and seconded by Mr. Blythe to grant approval for the request to decorate Main Street Lamp posts from Friday, May 8 thru Sunday, May 17, 2026, for the Mental Health Awareness Week as requested by the sorority. Motion Carried Unanimously.

8-E. Motion to approve a Public Assembly Permit for Camp Day festivities the week of July 13 -19, 2026.

Rev. William Dickerson requested approval to hold the Camp Day Tent Revival from July 13 thru July 19, 2026 from 7 p.m. to 8:30 p.m. The Revival will be held at Dale Church parking lot. The Sunday service might be held inside the Louis L. Redding School or in the parking lot. The whole festival will be held from 1 p.m. to 8 p.m. in the Louis L. Redding school yard. Rev. Dickerson said he has been working with Councilman Blythe to hold the Softball Tournament at Silver Lake, from the 17th to the 19th; the tournament will be run by Larry Mannering. A 3-on-3 tournament will be held on the courts at the Redding School yard. He is working with the County to use their stage for their spiritual and gospel groups that will be performing throughout the day. Their committee has met with the MPD for the event. Rev. Dickerson invited Mayor and Council and the public to attend.

Mayor Branner indicated Councilman Blythe will be the contact for use of the trash receptacles and porta-potties as in the past.

Moved by Mr. Chas and seconded by Mr. Blythe to approve the Public Assembly Permit for Camp Day festivities the week of July 13 to the 19th, at Dale Church, Redding Middle School and Silver Lake Park as discussed. Motion Carried Unanimously.

8-F. Motion to approve a Public Assembly Permit for Worship at the Square events on Cochran Square the second Sunday of each month, starting on May 10, 2026.

Binu Thomas requested permission to use Cochran Square to hold a few public worship gatherings. The meetings will be held once a month, for about an hour, starting on May 10 until November, depending on the weather. The purpose is to worship for the betterment, protection and prosperity for the leaders and communities of the Middletown area. Their first Public Assembly Permit was received in the summer of 2024; the response from the community has been very positive. Permission is also requested to use the electric at the Square for a sound system.

Mr. Chas questioned the timeframe and noted the permit indicates the time is from 3:30 to 6 p.m.

Mr. Thomas said the service typically starts at 5 p.m., but they set-up around 4 p.m., and as it gets darker earlier towards the end of the year, they may start earlier.

Moved by Mr. Blythe and seconded by Mr. Chas to approve the Public Assembly Permit for worship at the Square, the second Sunday of each month, starting May 10th through November. Motion Carried Unanimously.

8-G. 410 Diamond State Blvd., Suite F – Conditional Use Permit request for a Krav Maga and Self-Defense martial arts school (7 Elements) to be located in an M-I zoned area. The school will offer martial arts instruction, self-defense training and conditioning programs for youth and adults. CU-03-26. Tax Parcel No. 23-008.00-115.

Yi Lynne Weber, owner of 7 Elements, requested approval to move the martial arts school to a larger facility at 410 Diamond State Blvd., located in the M-I zoning district.

Moved by Mr. Orr and seconded by Mr. Chas to approve the Conditional Use Permit request for the martial arts school to relocate to 410 Diamond State Blvd., Suite F. CU-03-26. Motion Carried Unanimously.

8-H. 703 Industrial Drive – Conditional Use Permit request for a daycare facility (Little Kids Swagg) in an M-I zoned area. CU-04-26. Tax Parcel No. 23-010.00-041.

Shakiah Davis, owner of Little Kids Swagg Learning Center, requested approval to open a daycare facility at 703 Industrial Drive. They currently have a location in Dover and Smyrna and would like to open a daycare in Middletown.

Mr. Chas asked if before and after care will be offered and if bus drop-off will be provided. Ms. Davis said they have to check with the school on bus drop-off; if not, they will provide their own transportation. Mr. Chas questioned if the parents drop off their children or walk them into the center. Ms. Davis said the parents have to come in and sign for their child.

A resident asked if any outside play area is proposed. Ms. Davis explained that outside play area is not required as long as adequate inside play area is provided. Their facility will meet the indoor play area required by the Office of Child Care. Mr. Orr asked if the 29' x 17' area marked in red on the plan will be deemed as the indoor play area. Ms. Davis replied that is the space proposed for the indoor play area.

Mr. Sherman questioned how many staff members will be available and where they will park. Ms. Davis indicated the number will be determined after the Office of Child Care looks at the facility, and determines how many children they can have; she estimates about 46 children. The number of staff will be 12 to 14. Parking is provided in front of the building and extends from the entrance to the exit.

Moved by Mr. Blythe and seconded by Mr. Thomas to approve a Conditional Use Permit for a daycare facility, Little Kids Swagg, at 703 Industrial Drive, CU-04-26. Motion Carried Unanimously.

8-I. 509 Janvier Drive – Conditional Use Permit request for a mobile pick-up and delivery laundry service (Mike's Wash & fold LLC) in an R-3 zoned area. No customers will be permitted at the address, laundry will be completed at the address and delivered to clients. CU-05-26. Tax Parcel No. 23-004.00-457.

Michael Schulte requested approval for a Conditional Use Permit to provide a mobile pick-up and delivery laundry service at 509 Janvier Drive. He will pick-up the laundry and process the order at his home, then deliver the order to the customer.

- No customers will come to the property.
- The existing residential laundry will be used.
- No changes have been made to the home and no commercial equipment will be used.
- The laundry room is 64 square-feet with an additional 40 square-feet for storage.
- No industrial chemicals will be used; all residential products will be used.

Mr. Chas asked if the laundry area was in the garage.

Mr. Schulte said the laundry area is in the house; the storage area is in the attached garage.

Mr. Blythe asked if any commercial vehicles would be used to transport the laundry.

Mr. Schulte said only his car will be used.

Moved by Mr. Orr and seconded by Mr. Sherman to grant approval for the Conditional Use Permit request for 509 Janvier Drive for a mobile pick-up and delivery laundry service for Mike's Wash & Fold. CU-06-26. Motion Carried Unanimously.

8-J. 108 Patriot Drive, Suite G – Conditional Use Permit request for a gymnastics business (Lee's Landing Gymnastics, LLC) in an M-I zoned area. Business offers recreational camps and clinics. CU-06-26. Tax Parcel No. 23-041.00-005.

Mr. Blythe questioned the size of the classes.

Alyssa Pester, owner of Lee's Landing, responded 10 to 15 kids per class; adult classes vary.

Moved by Mr. Blythe and seconded by Mr. Thomas to approve the Conditional Use Permit for 108 Patriot Drive, Suite G for Lee's Landing Gymnastics, in an M-I zoned area. CU-06-26. Motion Carried Unanimously.

8-K. 12 E. Sarazen Drive – Conditional Use Permit request for a speech language therapy practice (Limitless Speech and Language) in an R-1A zoned area. Business will be a teletherapy practice conducted solely online. CU-07-26. Tax Parcel No. 23-022.00-217.

Meredith Bailey-Orr requested approval for a speech and language, teletherapy private practice at 12 E. Sarazen Drive.

Mr. Blythe asked if the sessions are one-on-one.

Mrs. Orr explained she is full time with the Appoquinimink schools and on the clinical faculty at U of D. The sessions are one-on-one with the students.

Moved by Mr. Chas and seconded by Mr. Sherman to grant approval for Conditional Use Permit request CU-07-26 for 12 E. Sarazen Drive as presented. Motion Carried 4 to 0. Councilman Orr abstained.

8-L. 5044 Summit Bridge Road – Preliminary Major Land Development Plan for Middletown Mews, a proposed stacked townhouse community with 30 units arranged in three buildings with common access driveways. Each building will be three stories, with two units situated in each building section. Tax Parcel No. 23-075.00-093.

John Tracey, attorney; Gregg Lingo, developer; and engineer Mike Kaszyski presented the plan.

- Mr. Tracey stated a number of meetings have been held with both the Town departments and outside agencies to address concerns expressed at the first presentation of the project to Planning & Zoning and Mayor and Council.
- After meeting with some of the neighbors to explain the plan and answer some questions, some adjustments have been made.
- Mr. Tracey explained the parcel was part of the Armstrong farm subdivided in 2008 to create the parcel the family retained and the parcel that became Middletown Reserve and Wawa.
- The plan proposes a 30-unit stacked townhouse community with associated parking, stormwater management and open areas.
- The use is a permissible use within the R-3 zoning district that was applied to the property when annexed.
- The plan meets all aspects of the code.
- The front of the buildings will face the neighboring properties and Summit Bridge Road, the rear of the buildings and garages will be internal to the site.
- A single access is proposed from Summit Bridge Road; the community will be surrounded by an 8' PVC vinyl fence, most of which exists.
- The stormwater management system is proposed to be an infiltration basin with more of a rain garden feel as opposed to a wet pond.
- Each unit will have two parking spaces – one in the garage and one in a 21' long driveway. Eleven additional spaces are provided for guest parking.
- Decorative lighting with cut-off features will be used to ensure no light will spill onto adjacent property. The lights will be placed internal in the community, shielded from the view of the neighbors. Additional landscaping will be added along the shared property lines to further mitigate light spillage.
- The minutes from the meeting with DelDOT were provided. DelDOT confirmed that both the peak hour trips and the average daily trips do not require a traffic study or operational analysis and no area-wide study fee is required. The trips are about half of what would trigger an analysis.
- DelDOT concurred that full access can be accommodated. The developer will be required to construct both left and right-turn lanes. The length of the lanes and mill and overlay will be per DelDOT's construction requirements.
- A sidewalk will extend to the north to tie into an existing sidewalk to connect to the bus pad.
- Traffic generation was provided for a number of different users and all are above the proposed generation of this project.
- A noise study indicated no additional improvements would be needed other than extending the fence across the front property line.
- The State Fire Marshal approved the design of the property stating it provides the required circulation in and around the community. The plan was modified slightly to ensure the 15-foot perimeter access around the middle building abutting Ms. Armstrong's property. A 26-foot-wide drive aisle, as well as a 20' long, single car driveway is also provided.
- Sprinklers will be added to the proposed buildings.
- The plan is code compliant, meeting the Town's Zoning and Subdivision requirements.
- Mr. Tracey stated the plan is consistent with the Town's Subdivision Code, Section 5, Subsection F-2, which provides that Town Council shall approve the Preliminary Subdivision Plan if all requirements and procedures have been met.

Mr. Orr expressed concern for any vehicles parked in the driveway at Lots 11 and 13. He pointed out he lines on the plans for the fire truck appear to run over the parking areas.

Mike Kaszyski indicated the templates with the measurements for the Town's ladder truck were used. The outer lines represent the over-swing, not the wheel path – the wheels would stay within the drive aisle with a slight over-swing over some curb lines. He said the truck could turn a little earlier and it would make that turn.

Mayor Branner commented that if the truck starts turning earlier, it would then go over to the area where the 11 parking spaces are shown.

Mr. Kaszyski said it wouldn't.

Discussion continued with Council and residents both expressing their serious concerns with safety issues with the left-turns in and out of the development, the construction of two "suicide" lanes, the length of time sitting in the suicide lanes, amount of time to enter/exit the development throughout the day, in particular at rush-hour time, etc.

Mr. Tracey responded there are several movements of this nature along 896 at existing communities.

Mr. Tracey informed Council that his client has indicated they will remove the left out of the neighborhood if that would ease the concerns. The left-in would remain.

Mayor Branner said that would be the same as the entrance at Spring Mill and those residents have the same issue trying to exit their development.

Discussion on fire truck ability to access the neighborhood and back units:

Mayor Branner pointed out the ladder truck cannot physically make the turn to get to the back units. He explained, for a fire call, two pumper trucks arrive first and the ladder truck is the third piece to arrive, which means it will have to back up in order to supply the back corner – that is not feasible from a safety stand point. He said the design might meet code but fire truck accessibility is a safety issue.

Mr. Tracey said when Mr. Kaszyski met with the Fire Marshal, other than shifting the units on the left side to create the 15-feet between the fence and the buildings, the plan was compliant with the fire code.

Mayor Branner noted the Fire Chief, at the Planning and Zoning meeting, was concerned they would not be able to get around the entire unit because there was no access on the back of the units to go through.

Mr. Tracey said he understands that, but it is compliant with the fire code.

Mr. Blythe questioned, in light of the last snow storm, where the snow would be put when plowed.

Mr. Tracey said it will be privately owned and maintained – the snow could be put at the end of the streets, next to the dumpster pads, etc.

Mr. Blythe then questioned how the emergency vehicles would have complete access with snow dumped in the street. He pointed out the note on the plan indicates the streets will be turned over to the Town.

Mr. Chas asked if a playground is proposed.

Mr. Tracey said it's a small site, 30 units, and nothing is planned at this point.

Mr. Sherman asked if the driveways would be separated by a fence or divider.

Mr. Tracey said the driveways will be separated.

Council's concerns with parking:

- Units will only have a parking space in the garage and one in the driveway.
- At the Planning and Zoning meeting, Chief Bailey noted many of the trucks and other RV type vehicles will extend past the driveway.
- Overflow parking for guests is limited.
- Questioned how parking issues will be policed.

Responses from project representatives:

- The site provides 11 overflow spaces.
- The driveways are 20-feet and typically 18-feet is required.
- "No Parking" signs will be positioned at the fire lanes.
- Deed restrictions can be placed on the neighborhood; the HOA will police restrictions.
- Mr. Tracey indicated this is the Preliminary Plan; additional notes, etc., can be added to the Record Plan.

Mr. Blythe asked if the stormwater pond will be fenced to create a buffer between the townhouses. Mr. Tracey responded, the parcel currently has an 8' vinyl, three-sided fence around the property, that will be continued across the front as part of the noise buffer requirement, with the exception of the entrance area and the sidewalk going into the community.

Mr. Sherman asked about the tree-trimming and landscaping upkeep.

Mr. Tracey indicated tree-trimming would fall under the HOA maintenance; the landscaping plan will indicate the type of trees and maintenance schedule.

Neighbors Jim Ciamaricone, Laurie Shahan and Joann Armstrong expressed the following concerns:

- The fire engine will not fit in the 28' wide entrance or make the turn. He asked if the Fire Chief, Frank Bailey, approved the plans and proposed circulation for the fire trucks.
- There is no entrance through the back of the units.
- 30 units would equal to at least 60 vehicles for parking and entering/exiting; not accounting for teenage or other adult drivers living in the units, etc.

Laurie Shahan:

- Asked why a dumpster pad is provided.
 - It will be a privately maintained community and not Town maintained.
- Questioned the height and type of street lighting proposed.
 - The posts are 14'3" tall with cut-off features to prevent the light from spilling.
- She commented it's irresponsible and not appropriate to add additional cars from even 30 units to enter and exit on the road where there is already a merge lane for all the existing traffic in the area. The road is very unsafe.

Resident:

- Questioned the proposed sales price.
 - Market rate, possibly listed in the \$500,000 range.

Joann Armstrong:

- A merge lane is in front of her house. She pointed out the traffic in that merge lane has to move to the left to get into a southbound travel lane, while traffic wanting to turn into the development has to move to the right all at the same time, making for a lot of very unsafe maneuvers at the same time. Because of all the traffic going south, traffic backs up so badly, sometimes the only way to get out of the driveway is to ride the shoulder.

Mr. Tracey responded, after listening to some of the concerns, his client is willing to eliminate both left turns in and out of the property, even though the plan has been vetted by DelDOT and determined the entrance is appropriate. The property would have only a right-in/right-out.

Mayor Branner commented, then people going north could not get in.

Mr. Tracey responded that people have been complaining about safety and how long the person would have to wait to make the left turn in and the left out. Eliminating the left turns can be considered as the project moves on to the Record Plan.

Mayor Branner explained Council will be voting on the motion made to approve the Preliminary Plan presented tonight. Council will state their reason for their vote. Any changes the developer wants to make with the plan should be presented at the Record/Final Plan approval stage. Mayor Branner added, for the record, Planning and Zoning voted unanimously to deny the request for the plan to move forward.

Moved by Mr. Orr and seconded by Mr. Thomas to approve the Preliminary Major Land Development Plan for Middletown Mews, a proposed stacked townhouse community with 30 units arranged in three buildings with common access driveways, located at 5044 Summit Bridge Road as presented.

David Thomas: No. The first issue is the fire department's ladder truck not having access to the unit in the back. With a townhouse fire, three trucks will respond and take up the whole area. Even though sprinklers will be provided, sometimes they fail. I believe there is a traffic issue entering and exiting Summit Bridge Road, even with just rights-in and rights-out. Too much traffic.

Craig Sherman: No. I have severe fire safety access concerns with the plan, the same as referenced by Councilman Thomas, and the traffic safety concerns discussed.

Bruce Orr: No, based on the pathway shown for the fire vehicles and the concern with the dangerous access getting into and out of the community.

Drew Chas: No. My concerns are EMS and fire evacuation and response time. In the radius displayed, I believe there is chance to have another accident while something else might be going on. The direct access to the rear of the development is a huge concern and puts residents at risk.

Aaron Blythe: No. I have the same concerns about fire truck and EMS access. I'm also concerned about the volume of parking given the number of units and overflow parking, as well as all the traffic concerns with turning in and out on Summit Bridge Road.

MOTION DENIED UNANIMOUSLY 5 - 0. Councilman Royston was absent.

8-M. 528 W. Main Street – Concept Plan for a car wash addition to the existing Wawa #843 parcel. Site improvements include a 5,425+/-square-foot car wash, to include three (3) pay stations, vacuum stations and inter-parcel access. Tax Parcel No. 23-008.00-001.

Dan Tomczak, on behalf of Bohler Engineering, presented the Concept Plan proposing a 5,425+/-square-foot, single tunnel car wash, pay stations and vacuum stations.

- The Wawa is located at the intersection of Rt. 299 and W. Main Street.
- The car wash will have inter-parcel access.

Mr. Blythe asked if the car wash would be operated by Wawa.

Mr. Tomczak said it would.

Mr. Orr asked if the existing parking area exceeds the overall parking required. He questioned where the existing parking lot will stop in front of the car wash.

Mr. Tomczak said the parking exceeds the Town code as well as what is required for Wawa. They will be relocating some of the air pump stalls. Most of the area and parking is surrounded by green space.

Mayor Branner questioned if the parking will be extended into the green space.

Mr. Tomczak said yes, parking will be extended where the air pump stalls are located.

Mr. Orr questioned if the line for the car wash will be in the current green space area.

Mr. Tomczak replied that is correct.

Mayor Branner noted the plan is a Concept Plan and no vote is required.

9. Unfinished Business: None

10. New Business (Public Comment Section):

- Resident commented on the shooting at the park behind his house. He thanked the MPD and Capt. Davis for talking with him and assuring him that more security and police would be provided for the park area.
Mayor Branner confirmed the MPD will be increasing patrols in that area.
- David Gerdner, resident from the Preserve at Deep Creek, reported the community has been built out for over two years; the HOA has been in operation for four years. Westown Development LLC has not completed required items, and has not conveyed the common areas and amenities to the HOA. They have been non-responsive for at least a year on addressing issues. He said he believes the town has not accepted the infrastructure due to deficiencies.

The homeowners are experiencing damages such as burst water pipes, a leaking gas line, and a destroyed mailbox structure. He thanked the MPD and Public Works Department who repaired the mailbox structure so residents would have access to their mailboxes. The timber supports are split badly and the structure needs additional repair. The homeowner who accidentally destroyed it has insurance to cover the damages, but because the developer owns it, they can't get it fixed.

He respectfully asked the Town to take steps to enforce any Performance Bonds in place to ensure all deficiencies and repairs are corrected, the community is properly completed, and Westown Development fulfills their obligations.

- Mayor Branner responded:
 1. Performance Bond: The Town will check the status of the Performance Bonds. The bond covers the infrastructure including streets, water and sewer lines, and electric lines. The Town will meet with the HOA to discuss the status.
 2. Mailbox: A temporary fix was provided by the Town to ensure mail delivery; however, that is part of the developer's responsibility. In the meantime, the Maintenance Department will check on the safety of the support beams.
- Morris Deputy reported the developer has contacted the insurance company and the Town's inspection department to get the damaged structure repaired.
To his knowledge, streets and utilities have been accepted by the Town. The developer is still working on the stormwater ponds. The Town will maintain the infrastructure that has been accepted.

- 3. Mayor Branner suggested Mr. Gerdner email a list of other items of concern to his attention for review. Mayor Branner indicated he is more than willing to meet with the residents to discuss their concerns.
- Amy Willey suggested that complaints to the permits department on contractors who buy and flip houses are placed under more scrutiny; in particular, those who work without permits or who have been issued “Stop Work” orders should not be allowed to continue to work.

11. Executive Session

Moved by Mr. Orr and seconded by Mr. Chas to move into Executive Session to discuss personnel and legal issues, pursuant to 29 Del Code §10004(b)(9), the content of documents excluded from the definition of “public records” pursuant to 29 Del. Code §10004(b)(6), and discuss site acquisitions for any publicly funded capital improvements, or sales or leases of real property, pursuant to 29 Del. Code §10004(b)(2).

Moved by Mr. Blythe and seconded by Mr. Orr to exit the Executive Session and return to the regular meeting. Motion Carried Unanimously.

A. Discuss personnel matters in which the names, competency and ability of individual employees or students are discussed, pursuant to 29 Del. Code §10004(b)(9).

No votes were taken on this item.

B. Discussion of the content of documents, excluded from the definition of “public records” in §10002 of this title where discussion may disclose such documents, pursuant to §10004(b)(6) of 29 Del. Code.

Moved by Mr. Blythe and seconded by Mr. Orr to recommend an amended scope for the fire works contract to honor the country’s 250th year anniversary. Motion Carried Unanimously.

C. Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property, pursuant to 29 Del. Code §10004(b)(2).

Moved by Mr. Blythe and seconded by Mr. Orr to recommend the Town continue discussions with the tenant at St. Anne’s Golf Course concerning a new operator for the food and restaurant. Motion Carried Unanimously.

Moved by Mr. Chas and seconded by Mr. Blythe to adjourn. Motion Carried Unanimously.

The meeting ended at 10:33 p.m.