

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – June 2, 2014
6:00 p.m.
Cheswold Fire Company

The following persons were in attendance:

Mayor Don Tinari
Vice Mayor Bob Sine
Secretary/Treasurer Theon Callender
Councilperson Sherry Lambertson

Police Department: Chief Christopher Workman

Planning Commission: 0

Town Employees: 0

of Cheswold Fire Company Present: 0

of Cheswold Residents Present: 0

of Visitors: 0

Notice:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 12, 2013, on the Town of Cheswold website at: <http://www.cheswold.delaware.gov>. Copies of the agenda were posted outside the Cheswold Town Hall; in the local Post Office; at the Fox Pointe Management Office and on the Official Web Site for the Town of Cheswold, at <http://www.cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on May 28, 2014. In addition, copies of the agenda were available for pick-up at the Town Hall.

Meeting:

The meeting was called to order by Mayor Tinari, at 6:03 pm and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

Roll Call:

The Mayor requested Secretary Callender to conduct a roll call of Council members and attendance was confirmed as noted above. A quorum of members was presented to the Mayor and the meeting continued.

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Agenda Review:

Mayor Tinari requested the Council review the accuracy of the agenda and for a motion to accept as presented or to make changes and amendment requests as needed.

A motion to accept the agenda as presented was made by Councilperson Lambertson, seconded by Vice Mayor Sine. A roll call vote on the motion was as follows:

Councilperson Theon Callender – Yes Councilperson Sherry Lambertson – Yes
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

Review of Previous Month's Minutes:

Mayor Tinari requested the Council to review the accuracy of the previous month's meeting and for a motion to accept them as presented or to make changes and amendment requests as needed.

The minutes to be reviewed were as follows:

May 6, 2014 – Town Council Monthly Meeting
May 8, 2014 – Special Town Council Meeting
May 12, 2014 – Special Town Council Meeting
May 20, 2014 – Town Council Workshop Meeting

A motion to accept the minutes as presented was made by Vice Mayor Bob Sine and with a second to the motion from Councilperson Sherry Lambertson, the votes were as follows:

Councilperson Theon Callender – Yes Councilperson Sherry Lambertson – Yes
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

Treasurer's Report:

The Mayor noted that he had read and reviewed the Treasury Reports and requested Council to review and make any necessary statements or to make a motion to approve.

1. a. The Treasurer's Report for the Month of May, 2014 are as follows:

TOWN of CHESWOLD	May. 2014
Cash Receipts	\$ 30,783.68
Cash Disbursements	\$ 47,653.31
Negative Monthly Cash Flow	(\$ 16,869.63)

ADMINISTRATION	
Cash Receipts	\$ 30,521.36
Cash Disbursements	\$ 31,627.94
Positive Monthly Cash Flow	(\$ 1,106.58)

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Treasurer's Report "continued":

POLICE DEPARTMENT	
Cash Receipts	\$ 162.32
Cash Disbursements	\$10,861.99
Negative Monthly Cash Flow	(\$10,699.67)
PUBLIC WORKS	
Cash Receipts	\$ 100.00
Cash Disbursements	\$5,163.38
Negative Monthly Cash Flow	(\$5,063.38)

2. The Treasurer's Report, **(Account Balances)**, for the Month of May, 2014 is as follows:

As of:	May 31, 2014
Capital Account	\$ 7,723.82
Cheswold Pride Day Account	\$ 4,535.40
DelDOT Projects Account	\$ 0.00
Eide Grant Fund Account	\$ 4,730.79
Fire Company Account	\$ 3,315.74
General Fund Account	\$ 9,536.04
Land Use Applicant's Account	\$ 15,519.12
Litigation Account	\$10,630.68
Municipal Street Aid Account	\$27,157.63
Police Department Account	\$ 4,430.68
Public Works Account	\$ 1,749.60
Salle Grant Fund Account	\$ 3,235.88

DelDOT no longer forwards advance payments to the Town, but makes payments when bills are submitted. As a result, the DelDOT Projects Account was closed. This does not adversely affect the Town. A motion to accept the Treasury Report as presented was made by Councilperson Lambertson and Vice Mayor Sine made a second to the motion. The votes on the motion were as follows:

Councilperson Theon Callender – Yes Councilperson Sherry Lambertson – Yes
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

Current Financial Status – Mrs. Callender informed the Council that she anticipates a shortage of funds in the General Fund by the end of the month and as required by Ordinance, Council approval is required to transfer funds from the Capital Account to General Funds. She additionally explained that during the course of the year, she has been re-paying funds to the Capital Account to reimburse for funds previously used to maintain the Town. As a result, a motion was made by Councilperson Callender and revised by Vice Mayor Sine to authorize the transfer of funds from the Capital Account to the General Fund as they are needed. The votes on the motion were as follows:

Councilperson Theon Callender – Yes Councilperson Sherry Lambertson – Yes
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

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Requisitions

Mrs. Callender presented the following requisition from the Police Department for approval:

<u>Req. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid By:</u>
2588	Police	Earthspirits.Net Inc.	Bikes & Uniforms	\$1953.83	Violent Crimes Grant

A motion was made by Councilperson Callender, seconded by Vice Mayor Sine to authorize the approval of the requisition. A roll call vote on the motion was as follows:

Councilperson Theon Callender – Yes Councilperson Sherry Lambertson – Yes
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

Tax Collector’s Report:

a. **Month of May, 2014**

TAX REPORT: FISCAL YEAR 2013 – 2014

Total Amount Billed: \$131,734.80

Payments as of:

07/31/2013	\$ 32,765.51
08/31/2013	\$ 33,651.08
09/30/2013	\$ 49,682.80
10/31/2013	\$ 1,559.67
11/30/2013	\$ 2,086.51
12/31/2013	\$ 969.63
01/31/2014	\$ 3,325.98
02/28/2014	\$15,200.48
03/31/2014	\$ 7,086.66
04/30/2014	\$ 1,214.67
05/31/2014	\$ 333.50
06/30/2014	

Total Payments as of 03/31/2014: \$147,875.49

Payments due for 2013 – 2014 Fiscal Year: \$ 0.00

Payments Received in Excess of Amount Due for Fiscal Year 2013 - 2014: \$16,140.69

Police Department Report – *Chief Christopher Workman*

- **Budget 2014-2015** – The Chief provided the Council with the proposed budget for the Department which was previously given to Secretary/Treasurer Callender and included in the Town budget.
- **Proposed Pay Scale** - A five year proposed pay scale for the Department was also presented for review and discussion. There was a question as to whether the intent of the pay scale was to commit the Town to the amounts shown. The Chief clarified that the scale is to be used for a guide and that all raises and starting salaries must be individually approved by the Council. The scale also provides the opportunity for the Chief to provide salary information to potential new officers.

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Police Department Report "continued": – *Chief Christopher Workman*

• **GRANTS**

- **COPS** – The 2014 – 2015 COPS Grant has been completed and submitted. By applying as a distressed Town, the opportunity to obtain reimbursement for taxes, health, and workers compensation may be granted, instead of the Town having to pay the normal 25% of those costs. If the application is approved, notification should be received some time in September. And there may be an opportunity to acquire two, (2), new officers instead of one under the same terms.
- **Violent Crimes Grant** - the patrol bicycles have been delivered along with the associated uniforms except for a few missing items.
- **Proposed Police Building Addition** - All of the plans and building requirements have been submitted to Nobel's Pond (Regal Builders) who are currently finalizing bids and getting costs for moving and relocating the building.

- **TRAFFIC SUMMONS** - Officers issued 177 traffic summons's during the month of May.

• **MONTHLY ACTIVITY REPORT –**

- Officers answered 80 calls for service in May.
 - Delaware State Police = 9
 - Alarms = 3
 - Domestic = 3
 - 911 Hang Up = 1
 - Property Check = 1
 - Missing Person = 1

• **NOTABLE INCIDENTS -**

- **Burglary – 5/30/14- Barnsley Court:** Two, (2), black males gained access to the residence through a rear window and were in the process of checking the residence, when the occupants awoke. One of the occupants used a hand gun to fire at the suspects, causing them to flee the residence. Responding DSP Officers checked the area and the suspects had left the area. Currently, the Cheswold PD, with the assistance of the DSP Evidence Unit, are processing evidence from the scene. Leads are being following and headway is being made.
- **Burglary/Criminal Mischief – 6/1/2014:** Officers were dispatched to a vacant residence on Boggs Run to investigate a burglary report. Officers found that the interior of the residence has been destroyed and other items were found in the residence. Officers are processing evidence located in the residence.

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Monthly Incident Report – May, 2014

911 Disconnects = 2	Harassment = 1	Robberies = 0
Accidents-H/R = 0	Lock Jock = 1	Sex Crimes = 0
Accidents-PD = 2	Loud Party = 0	Solicitation = 0
Alarms = 6	Megan’s Law = 0	Stolen Vehicle = 0
Alcohol Violations = 0	Mental Patient = 0	Suspicious Person/s = 1
Animal Comp = 0	Missing Person = 2	Suspicious Vehicle/s = 1
Assaults = 2	Noise Complaint = 1	Terroristic Threat/s = 0
Assist Other Agencies = 17	Offensive Touching = 1	Thefts = 3
Burglary = 1	Open Door/Window = 2	Traffic Hazards = 0
Criminal Impersonation = 1	PFA Violation = 0	Traffic Violations = 10
Criminal Mischief = 1	Property Checks = 5	Trespass = 0
Disorderly = 0	Public Assistance = 3	Unassigned = 0
Domestics = 5	Pursuit = 1	Vehicle/s - Abandoned = 1
Drugs = 0	Relay = 0	Vehicle/s - Disabled = 0
DUI = 0	Repossessions = 0	Vehicle/s - Recovered = 0
Fight = 3	Resisting Arrest = 0	Welfare Check = 1
Fugitives = 6		

Cheswold Fire Company Report – Nothing to Report (Fireman Neese was not in attendance)

Public Works Report – *Secretary/Treasurer Theon Callender*

- **Town Hall Parking Lot** – The plans were re-submitted to Kent County Conservation as a result of the proposed placement of a new Police Department building and a response is pending.
- **Annexation Updates** - Continuing to anticipate applications from the Graham and Trout properties. Nobles Pond is reviewing what will be required by them to complete application.

Planning Commission Report - Nothing to Report (Chairperson Coker was not in attendance)

Old Business – Nothing to Report

New Business

Budget Review & Approval – *Secretary/Treasurer Theon Callender*

The budget was presented to the Council for review and approval. It included the budget as submitted by Chief Workman for the Police Department and indicated that as things currently stand the Town will operate with a budget deficit of \$135,799.00 for fiscal year 2014-2015, Ms. Callender explained that the anticipated \$50,000 in transfer and impact fees were not received and that the Town increased the salary, tax, health, pension and workers compensation budget by adding two, (2), new employees that are essential to improve the efficiency and effectiveness of running the Town.

There was a question from the Mayor as to how we plan to operate in the upcoming fiscal year and Ms. Callender explained it will be done the same as this current year – by juggling funds; using grants when appropriate and available and by pre-paying bills when appropriate. The Mayor requested additional time to review the budget before voting on approval. The Council agreed.

It will be reviewed for approval at the June 17 Town Council Workshop.

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New Business – “continued”

Floodplain Ordinance Review and Approval – *Mayor Donald Tinari*

Mayor Tinari submitted a copy of the 2008 flood plain ordinance. He stated that if an updated flood ordinance is not submitted by July 7, 2014, flood insurance will not be available Town property owners. However, it is reported that only two, (2), property owners in Cheswold actually have flood insurance as Cheswold is classified as a low flood risk and is assigned as a Zone A flood zone.

Mayor Tinari also submitted a copy of the updated ordinance and requested that Council review it and provide him with any questions and/or concerns. He asked to discuss the document at the workshop meeting on June 17 and the Council agreed. The document will be presented to the Planning Commission at their June 12 meeting and if all agree and approve, the Council will sign off on the document at the June 17 Council Workshop.

Agenda for Monthly Town Council Meeting - Monday, June 17, 2014; Cheswold Town Hall; 691 Main St.

- Budget Review and Approval 2014 – 2015
- Revised Floodplain Ordinance Review and Approval
- Annexation Process Review

Council Member Comments

Secretary/Treasurer Theon Callender – Proposed Legislation: explained that Speaker of the House and State Representative Peter S. Schwarzkopf has introduced a bill to take away the rights of municipalities to impose fees without first obtaining approval from the State Legislature. (House Bill 33)

Vice Mayor Sine stated that our charter went through State Legislature at its creation and right to impose fees were approved at that time. The League of Local Government is addressing the concerns.

Vice Mayor Sine – Nothing to Report

Councilperson Sherry Lambertson – Nothing to Report

Mayor’s Comments - Nothing to Report

Motion to Adjourn –

A motion was made by Councilperson Callender, seconded by Vice Mayor Sine to adjourn at 7:12 p.m. and the votes on the motion were as follows:

Councilperson Theon Callender – Yes Councilperson Sherry Lambertson – Yes
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

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