

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Tuesday – January 7, 2014
7:30 p.m.
Cheswold Fire Hall

The following persons were in attendance:

Mayor Donald Tinari
Councilperson Theon Callender
Councilperson Mildred Johnson
Councilperson Sherry Lambertson
Vice Mayor Bob Sine

Police Department: Officer Susan Kline

Planning Commission: 0

Town Employees: 0

of Cheswold Fire Company Present = 1

of Cheswold Residents Present = 1 (Mr. Rodney Callender)

of Visitors = 0

Notice:

Notice of this meeting has been made in accordance with the Delaware Open Meetings Act, by properly posting it on December 12, 2013, on the Town of Cheswold website at: 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 www.cheswold.delaware.gov; and was filed with the Clerk of the Town of Cheswold on January 3, 2014. In addition, copies of the agenda were available for pick-up in the Town Hall.

MEETING:

The meeting was called to order by Mayor Donald Tinari, at 7:30 pm and was immediately followed by the Pledge of Allegiance and Moment of Silence.

ROLL CALL:

The Mayor, requested the Secretary/Treasurer 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.

**Monthly Town Council Meeting
Tuesday, January 7, 2014**

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.

Vice Mayor Sine inquired as to whether the requisition to approve a tractor kit had been previously presented and Secretary/Treasurer responded no.

A motion to accept the agenda as presented was made by Vice Mayor Bob Sine and with a second from Councilperson Mildred Johnson, the votes on the motion were as follows:

Councilperson Theon Callender – Yes	Councilperson Mildred Johnson – Yes
Councilperson Sherry Lambertson – Yes	Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

Review of Previous Month's Minutes:

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.

Prior to the Council review, Secretary/Treasurer Callender thanked the Council for their patience, indulgence and support while waiting for minutes and reports to be provided as shed recovered from eye surgery.

The minutes to be reviewed were as follows:

November 19, 2013 – Monthly Town Council Workshop Meeting
December 2, 2013 – Town Council Monthly Meeting
December 2, 201e – Public Hearing of:
 (1) *Community Development Block Grant*
 (2) *Land Use Ordinance Revisions*
December 17, 2013 – Town Council Workshop Meeting

Vice Mayor Sine made a motion to approve all the minutes as presented and with a motion from Councilperson Mildred Johnson the votes on the motion were as follows:

Councilperson Theon Callender – Yes	Councilperson Mildred Johnson – Yes
Councilperson Sherry Lambertson – Yes	Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

Treasurer's Report:

- a. The Treasury Report, (Comparisons between Receipts and Disbursements), for the Month of November and December, 2013 - Nothing to Report until next Council meeting.

<u>TOWN of CHESWOLD:</u>	<u>November</u>	<u>December</u>
CASH RECEIPTS:	\$ 26,380.24	\$14,767.66
CASH DISBURSEMENTS:	\$ 20,475.85	\$38,376.20
MONTHLY CASH FLOW:	\$ 5,904.39	(\$23,608.54)

**Monthly Town Council Meeting
Tuesday, January 7, 2014**

Treasurer's Report "cont'd":

<u>ADMINISTRATION:</u>	<u>November</u>	<u>December</u>
Cash Receipts:	\$ 33,675.69	\$16,417.56
Cash Disbursements:	\$ 23,030.91	\$44,494.12
Monthly Cash Flow:	\$ 10,644.78	(\$28,076.56)

<u>POLICE DEPARTMENT:</u>		
Cash Receipts:	\$ 5,027.00	\$ 188.80
Cash Disbursements:	\$ 2,214.12	\$ 5,778.72
Monthly Cash Flow:	\$ 2,812.88	(\$ 5,589.92)

<u>PUBLIC WORKS:</u>		
Cash Receipts:	\$ 2,286.45	\$ 1,461.10
Cash Disbursements:	\$ 340.94	\$ 339.20
Positive Monthly Cash Flow:	\$ 1,927.51	\$ 1,121.90

ACCOUNT BALANCES as of: NOVEMBER 30, 2013 & DECEMBER 31, 2013

	<u>November</u>	<u>December</u>
GENERAL FUND:	\$ 46,170.27	\$ 33,460.30
MUNICIPAL STREET AID	\$ 31,940.00	\$ 31,232.96
SALLIE FUND:	\$ 3,563.57	\$ 3,563.57
EIDE FUND:	\$ 3,861.72	\$ 3,861.72
CAPITAL SCHOOL DISTRICT:	CLOSED	CLOSED
FIRE DEPARTMENT:	\$ 3,314.09	\$ 3,314.37
FULTON ST. 09-P-PROG-36	\$ 71.51	\$ 71.51
APPLICANT'S (LAND USE):	\$ 2,024.74	\$ 2,024.91
IMPACT (CAPITAL) ACCOUNT:	\$ 7,719.97	\$ 7,720.62
POLICE DEPARTMENT:	\$ 33,723.69	\$ 28,285.10
PUBLIC WORKS DEPARTMENT:	\$ 4,926.61	\$ 6,248.51
LITIGATION:	\$ 15,632.57	\$ 20,883.35
PRIDE DAY:	\$ 4,559.39	\$ 4,535.38

Mayor Tinari asked Secretary/Treasurer Callender if funds from the General Fund were transferred to the Litigation Account and she responded yes.

A motion to approve the Treasury Report as presented was made by Vice Mayor Sine and Councilperson Sherry Lambertson made a second to the motion. The votes on the motion were as follows:

Councilperson Theon Callender – Yes
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**Monthly Town Council Meeting
Tuesday, January 7, 2014**

Treasurer's Report "cont'd":

b. Requisitions – the following requisition was presented for approval:

<u>REQ. #</u>	<u>DEPT.</u>	<u>VENDOR</u>	<u>EXPENSE TYPE</u>	<u>AMOUNT</u>	<u>TO BE PAID BY:</u>
2564	PD	Staples	Ink Cartridges	\$620.15	Police Department
2565	PD	TeamLogo	Sweatshirts	\$376.58	Police Department
3324	PW	Atlantic Tractor	Tractor Door Kit	\$445.23	

The requisitions were approved for purchase by an unanimous vote of the Council.

c. Proposed Purchases – Nothing to Report

Tax Collector's Report:

a. Month of November and December, 2013:

Secretary/Treasurer Callender pointed to the Council that she failed to add the monthly income tax total to the yearly total on the December report. She promised to make the correction and forward corrected copies to them. *(Subsequently this was completed on Thursday, January 9, 2014)*

She also requested the Council to permit the removal of the Capital Software and Difference columns from the Tax Report. She explained that it takes considerable time to acquire and determine the Capital Software totals and all it identifies that the postings made to the report are not necessarily equal to when the tax income is actually deposited into the account. And that some of the discrepancies are a result of lack of efficiency in obtaining reports from the system.

Mayor Tinari asked if the new accounting system would eliminate the need for the Capital Software program and Mrs. Callender answered yes. She also stated that the new system is on schedule to implement on time and there is a possibility that it may implement ahead of schedule. She then presented the Tax Report for November and December, 2013:

TAX REPORT: FISCAL YEAR 2013 - 2014

Total Amount Billed: **\$ 131,186.40**

Payments as of:

07/31/2013	\$ 32,765.51
08/31/2013:	\$ 33,650.08
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:	
02/28/2014:	
03/31/2014	
04/30/2014	
05//31/2014	
06/30/2014	

Total Payments Received as of **11/30/2013:** **\$119,744.57**

Payments Due: \$ 11,990.23

Total Payments Received as of **12/31/2013:** **\$120,714.20**

Payments Due: \$ 11,020.60

**Monthly Town Council Meeting
Tuesday, January 7, 2014**

Tax Collector's Report *"cont'd":*

Councilperson Sherry Lambertson made a motion to approve the Tax Report as submitted for November and December, 2013 and to remove the Capital Software and Difference columns from the Tax Report. Vice Mayor Sine made a second to the motion and the votes on the motion were as follows:

Councilperson Theon Callender – Yes	Councilperson Mildred Johnson – Yes
Councilperson Sherry Lambertson – Yes	Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

Police Department Report – *Officer Susan Kline*

As a result of Chief Christopher Workman being excused for emergency personal business, Secretary/Treasurer Theon Callender made a motion to table the Police Department Report until the January Town Council Workshop meeting, to be held on Tuesday, January 21, 2014. A second was provided by Vice Mayor Sine and the votes on the motion were as follows:

Councilperson Theon Callender – Yes	Councilperson Mildred Johnson – Yes
Councilperson Sherry Lambertson – Yes	Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

Cheswold Fire Company Report – *Officer Fred Neese*

Fireman Neese provided the following report:

- Appreciation to the Town of Cheswold from the Fire Company for their cooperation with the renovation construction of the Cheswold Fire Hall.
- Requested the Town to remind residents, in the Cheswold Chatter, to be cognizant of cold weather conditions and to layer up when dressing for outdoors. He also asked that it be stressed to be especially carefully if using space heaters.
- Advised that the new health program is requiring volunteer fire companies to provide health insurance for volunteer firefighters and the ruling will seriously affect the abilities of volunteer fire companies to operate financially and will also have detrimental effects on all long term funding projects.

Fireman Neese requested the Town to contact U.S. and State Senators and Representatives to request support to reverse the ruling.*

- The Fire Hall is under re-construction as scheduled.
- One of the fire engines of the Company requires repair could possibly be a \$15,000 expense.
- On Monday night, January 5, 2014, the Company was able to save half of a trailer involved in a fire.

**Subsequent to the meeting, the News Journal reported on January 10, 2014, that "The state's 60 volunteer fire companies will not have to offer health insurance to their firefighters, emergency medical technicians and other volunteers in order to comply with requirements of the Affordable Care Act (also known as Obamacare), according to a Treasury Department official.*

In a letter released Friday by U.S. Sen. Chris Coons, Alastair Fitzpayne of the Treasury Department said the exemption would be clarified when the final regulations are issued "very shortly."

Monthly Town Council Meeting
Tuesday, January 7, 2014

Public Works Report – *Secretary/Treasurer Theon Callender*

- a. **Town Hall Parking Lot** – Town Engineer Wilkes will present the Preliminary Plans to the Planning Commission for review, comment and potential recommendation, at the Planning Commission meeting on Thursday, January 9, 2014 at 7:00 p.m.; in the Cheswold Fire Company, 2nd floor Board Room. Mr. Wilkes has also revised the plan to accommodate the DNREC comments and requirements without reducing the number of parking spaces and has re-submitted the plan to DNREC for agreement and approval.

PENDING

Planning Commission Report – *Chairperson Dennis Coker*

The Planning Commission will be reviewing the following at their January 9, 2014 meeting:

- a. **Town of Cheswold Town Hall** – Parking Lot Paving Preliminary Plans
- b. **Family Dollar** – Building Construction Preliminary Plans
- c. **Saratoga Affidavit** – Expiration of Sub-division Recorded Plans
- d. **Land Use Ordinance Revisions** – Re-zoning Process

PENDING

Old Business:

- a. **Community Development Block Grant (CDBG)** – *Councilperson Sherry Lambertson*

Councilperson Lambertson stated that she may have misjudged her involvement in the CDBG Project, as she doesn't feel that she is familiar enough with the project to go forward with it. She also stated that to her it appears that the Town does not possess enough qualified applicants to apply for the rehab grant due to pending property tax payments.

Secretary/Treasurer Callender explained that there are several categories of submissions, such as rehab, demolitions, street and sidewalk repair, etc., and from her memory, there are at least two applicants that should be qualified to apply for demolition; two applicant's that are qualified to apply for rehab and two other applicant's that may be able to resolve their property tax situation and apply for rehab. She additionally suggested that Councilperson Lambertson could determine the Town applicant's status from Mr. Albert Biddle of Kent County Planning. Mrs. Lambertson stated that she didn't have his contact information and Vice Mayor Sine provided it to her.

There was in-depth discussion on the possible ways and means to potentially obtain four qualified rehab applicants as required by the CDBG process.

Councilperson Lambertson committed to saying on the project and contacting Project Manager Biddle for assistance and perhaps also contacting the two Cheswold Churches for community assistance.

PENDING

- b. **Water to Old Town Project Status** – *Secretary/Treasurer Theon Callender*

Secretary/Treasurer Callender reported that the SEARCH Grant required to cover the preliminary engineering costs for the water was completed by Ms. Lisa Fitzgerald of the USDA and that a narrative is required from the Town which Mrs. Callender will provide. She will send copies to the Council by the end of the week. Mrs. Callender also expressed deep and sincere appreciation to Ms. Fitzgerald for her assistance with completing the grant.

PENDING

**Monthly Town Council Meeting
Tuesday, January 7, 2014**

New Business:

a. Agenda for Town Council Workshop – Mayor and Town Council

- (1) All pending items from this meeting and new issues.
- (2) Police Department Report – *Chief Christopher Workman*
- (3) Town Council 2014 Election – *Secretary/Treasurer Theon Callender*
- (4) Remington, Vernick & Beach Contract – *Secretary/Treasurer Theon Callender*
- (5) Senior Sessions – *Councilperson Mildred Johnson*
- (6) Impact Fees – *Mayor Donald Tinari*
- (7) DelOne – Business of the Month – *Secretary/Treasurer Theon Callender*
- (8) Water for Old Town Project – *Secretary/Treasurer Theon Callender*
- (9) Community Development Block Grant – *Councilperson Sherry Lambertson*
- (10) Fire Department and New Health Care – *Secretary/Treasurer Theon Callender*
- (11) Saratoga Affidavit – *Secretary/Treasurer Theon Callender*
- (12) Smyrna Library and Tax District – *Mayor Donald Tinari*

Community/Comments & Concerns:

Nothing to Report

Council Member Comments:

a. Secretary/Treasurer Theon Callender – Nothing to Report

b. Councilperson Mildred Johnson – expressed concern for the lack of facilities, opportunities and activities for young people and seniors. She said that such a lack results in young people getting into trouble, but that her major and personal concern is providing activities for senior and that she had discussed the situation with Mrs. Callender previously. She stated that seniors should have someplace to congregate and interact with one another.

Secretary/Treasurer Callender stated that she previously explained to Councilperson Johnson that if this is a project that she feels strongly about then Mrs. Johnson should champion and perhaps contact one or both of the Cheswold churches and request to use their facilities and their assistance with implementing such a project. Mrs. Jonson committed to doing so.

PENDING

c. Councilperson Sherry Lambertson – Nothing to Report

d. Vice Mayor Bob Sine - Nothing to Report

Mayor's Comments:

Mayor Tinari said he hoped everyone enjoyed their holidays and wished the best for the New Year.

Adjournment:

Councilperson Callender made a motion to adjourn and with a second from Vice Mayor Sine, the votes on the motion to adjourn were as follows:

Councilperson Theon Callender – Yes
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

The meeting adjourned at 8:28 pm.