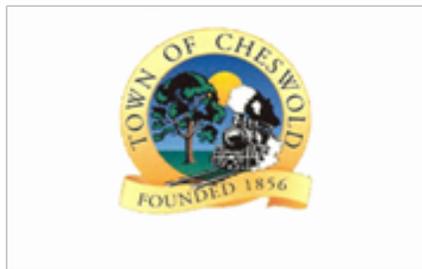


*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Tuesday – February 4, 2013**  
**7:30 p.m.**  
**Cheswold Fire Company**  
**2<sup>nd</sup> Floor Board Room**

The following persons were in attendance:

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

Excused: Secretary/Treasurer Theon Callender  
(Represented Town at Kent County Levy Court meeting)

Police Department: Chief Christopher Workman

Planning Commission: Chairperson Dennis Coker

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 January 29, 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 Donald Tinari, at 7:32 pm and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

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**Roll Call:**

The Mayor requested Vice Mayor Bob Sine 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.

*Note: As a result of her anticipated absence from the Council meeting, Secretary/Treasurer Callender provided a memorandum to the Mayor, Council, Police Chief and Planning Commission Chairperson, prior to the meeting. The memorandum is shown in italics under each appropriate item.*

**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 Vice Mayor Bob Sine and with a second from Councilperson Mildred Johnson. The votes on the motion were as follows:

Councilperson Mildred Johnson – Yes      Councilperson Sherry Lambertson – Yes  
Vice Mayor Bob 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:

January 7, 2014 – Town Council Monthly Meeting  
January 21, 2014 – Town Council Workshop Meeting – Cancelled due to Snow Storm

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 Mildred Johnson – Yes      Councilperson Sherry Lambertson – Yes  
Vice Mayor Bob 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.

- a. The Treasurer's Report, (**Comparison between Receipts and Disbursements**), for the Month of January, 2014 is as follows:

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**Treasurer's Report** "continued":

<b>TOWN of CHESWOLD</b>	<b>JANUARY. 2014</b>
<b>Cash Receipts</b>	<b>\$ 65,764.36</b>
<b>Cash Disbursements</b>	<b>\$ 46,193.83</b>
<b>Positive Monthly Cash Flow</b>	<b>\$ 19,570.53</b>

<b>ADMINISTRATION</b>	
Cash Receipts	\$ 60,825.61
Cash Disbursements	\$ 35,607.94
<b>Positive Monthly Cash Flow</b>	<b>\$ 25,217.67</b>

<b>POLICE DEPARTMENT</b>	
Cash Receipts	\$ 4,838.75
Cash Disbursements	\$10,444.53
<b>Negative Monthly Cash Flow</b>	<b>(\$ 5,605.78)</b>

<b>PUBLIC WORKS</b>	
Cash Receipts	\$ 100.00
Cash Disbursements	\$ 141.36
<b>Negative Monthly Cash Flow</b>	<b>(\$ 41.36)</b>

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

<b>As of:</b>	<b>JANUARY 31, 2014</b>
Capital Account	\$ 7,721.28
Cheswold Pride Day Account	\$ 4,559.39
DelDOT Projects Account	\$ 81.15
Eide Grant Fund Account	\$ 3,861.72
Fire Company Account	\$ 3,314.65
General Fund Account	\$58,677.97
Land Use Applicant's Account	\$ 6,650.38
Litigation Account	\$19,134.19
Municipal Street Aid Account	\$30,299.55
Police Department Account	\$22,679.32
Public Works Account	\$ 6,207.15
Salle Grant Fund Account	\$ 3,368.57

A motion to accept the Treasury Report as presented was made by Vice Mayor Bob Sine and Councilperson Mildred Johnson made a second to the motion. The votes on the motion were as follows:

Councilperson Mildred Johnson – Yes                      Councilperson Sherry Lambertson – Yes  
Vice Mayor Bob Sine – Yes

The motion carried with a unanimous vote.

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**c. Requisitions:**

<u>Req. #</u>	<u>From:</u>	<u>For:</u>	<u>Vendor:</u>	<u>Cost:</u>	<u>To be Paid By:</u>
2567	Police Dept.	Taser Instructor Class	State of DE	\$350.00	SLEAF Grant

A motion to approve the requisition for Chief Workman to attend a course for certification as a Taser Instructor was made by Vice Mayor Bob Sine and with a second from Councilperson Sherry Lambertson

Councilperson Mildred Johnson – Yes      Councilperson Sherry Lambertson – Yes  
Vice Mayor Bob Sine – Yes

The motion carried with a unanimous vote.

**d. Proposed Purchases:** Nothing to Report

**Tax Collector's Report:**

**a. Month of January, 2014**

**TAX REPORT: FISCAL YEAR 2013 - 2014**

Total Amount Billed: \$131,186.40

Payments as of:

07/31/2013	\$ 32,765.51
08/31/2013	\$ 33,651.08
09/30/2013	\$ 49,682.80
10/31/2013	\$ 1,559.67
11/30/2013	\$ 2,086.51
12/31/2013	\$ 969.63
<b>01/31/2014</b>	<b>\$ 3,325.98</b>
02/28/2014	
03/31/2014	
04/30/2014	
05/31/2014	
06/30/2014	

Total Payments as of 01/31/2014: \$124,040.18

Payments due for 2013 – 2014 Fiscal Year: \$ 7,694.62

***Note: Town Clerk Shadina Jones has done an excellent job in following up and through with collecting delinquent taxes. The balance due at this time last year was \$13,916.20. The delinquency amount due has been cut almost in half.***

Vice Mayor Bob Sine made a motion to accept the Tax Report as submitted. Councilperson Mildred Johnson made a second to the motion and the votes on the motion were as follows:

Councilperson Mildred Johnson – Yes      Councilperson Sherry Lambertson – Yes  
Vice Mayor Bob Sine – Yes

The motion carried with a unanimous vote.

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**Cheswold Fire Company Report:**

As Fireman Neese was not in attendance there was no official Fire Company Report. However, Mayor Tinari stated that it appears that rehabilitation to the Fire Hall appears to be on schedule.

**Police Department Report** – *Police Chief Christopher Workman*

**a. Training** - the 2014 training schedule for the Department has been created. A minimum of 16.0 hours training is necessary including firearms re-certification twice a year. Officers will be attending the following classes:

- Criminal Investigations
- Drug Investigations
- Youth Crimes
- Handling Confidential Informants
- Ethical Decision Making in Law Enforcement
- Re-certification in Taser and Tactical OC

The Chief will be attending the NJSACOP Command and Leadership course, courtesy of the New Castle County PD. The classes are held every Wednesday over a four, (4), month period. The cost for the course is \$1,000 which is being covered by the New Castle County Police Department and a grant to permit command officers of smaller agencies and towns to attend. Chief Workman will also participate in a Tactical OC Instructor Certification course which will certify him as an instructor for three, (3), years.

**b. DEA – National Take Back Day** - the Cheswold Police Department will be participating in the DEA National Take Back Day VII, on Saturday, April 26, 2014. Last year's Take Day was a success with the collection of 6 boxes weighing 107.7 lbs. of re-claimed drugs.

**c. Grants** - the following is the status report on current grants:

- a. **EDIE** – In addition to the funds already approved, and additional \$2,000 is being requested for overtime; buy money and motor vehicle rental money for drug investigations.
- b. **Violent Crime** – approval received for the purchase of storage lockers to secure equipment and personal items belonging to the officers.

**d. Traffic Summons** - Officers issued 226 traffic summons during the month of January.

**e. Sale of Crown Vic** - The State has sold the Crown Vic with the impaired transmission and forwarded the sale of the proceeds to the Town. The associated \$1,765.00 has been forwarded to Mr. Ben Schwartz, Esquire and requested to be deducted from the principal due on the Litigation Account. The Town Attorney, Mr. Fred Townsend has also been notified of the payment to Mr. Schwartz.

**g. Future Police Reports** – The Chief indicated that in future monthly reports, he plans to provide statistics on the responses done by the State Police when officers from Cheswold on are not on duty. In the month of January they only responded to 6 calls, 4 of which were alarms; 1 was a 911 hang-up and the other a domestic. Of the five calls four were insignificant.

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**h. New On-Call Schedule** – Officers are now on 24.0 hour call to Kent Com for non-emergency calls and officers will address the issue the next day. Any calls requiring immediate emergency response, when Cheswold officers are not on duty will continue to be handled by the State Police. But calls during off hours, such as picking up persons for warrants, Cheswold officers will respond even if off duty. Grant funds will pay for any necessary overtime. It is not expected that this change in policy will cost the Town a lot.

**i. Request to Implement Eligibility List** – The Chief requested agreement from the Council to begin taking applications for the position of Cheswold Police Officer. He advised that this would not be the hiring process, but just an opportunity for him to begin reviewing potential applicants prior to the immediate need to hire. It will provide sufficient time for him to do in-depth reviews and reduce the hiring timeline. It can potentially reduce the hiring period by two or three months. It will be posted on the Town website only and thus be no cost involved. The Council was in agreement.

**f. Monthly Incident Report – January, 2014**

911 Disconnects = 1	Found Property = 1	Repossessions = 0
Accidents = 1	Fugitives = 5	Resisting Arrest = 0
Alarms = 7	Harassment = 1	Robberies = 0
Alcohol Violations = 1	Lock Jock = 0	Sex Crimes = 0
Animal Comp = 1	Loud Party = 1	Stolen Vehicle = 0
Assaults = 1	Megan’s Law = 2	Suspicious Persons = 0
Assist Other Agencies = 11	Mental Patient = 0	Suspicious Vehicles = 0
Court Violations = 0	Missing Person = 0	Terroristic Threats = 1
Criminal Mischief = 0	Noise Complaint = 0	Thefts = 2
Disorderly = 0	Offensive Touching = 0	Traffic Hazards = 3
Domestics = 4	Property Checks = 6	Traffic Violations = 6
Drugs = 5	Public Assistance = 5	Trespass = 1
DUI = 0	Pursuit = 0	Vehicles – Disabled = 2

**Public Works Report** – *Secretary/Treasurer Theon Callender*

**a. Town Hall Parking Lot** - in the absence of Mrs. Callender, Mayor Tinari stated that the last he heard the project was still in development and that there had been no loss of parking spaces.

Commissioner Coker interjected and stated that the plan had been reviewed at the last Planning Commission meeting and it was agreed to issue a recommendation of approval to the Town Council.

Vice Mayor Sine also made everyone aware that Kent County had not given their approval via the memorandum received from Secretary/Treasurer Callender.

*Note: Mr. Wilkes is working on the parking lot lightning details and we’re yet pending a response from Kent County Conservation concerning the parking lot overall construction designs.*

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**Public Works Report** “continued” – Mayor Donald Tinari

**b. Business License Complaint** – This issue was not formally addressed during the meeting. However, the following is a synopsis of the situation forwarded to Council via a memorandum from Mrs. Callender.

*Note: A complaint had been received concerning a request from a Town resident for reimbursement for the cost of a Business License supposedly issued approximately four, (4), years ago. After investigation of the situation, Mrs. Callender could not find that a license had ever been paid for or issued and in any case the license expired after a year, so a reimbursement was not issued.*

**Planning Commission Report** – Chairperson Dennis Coker

**a. Family Dollar** – The Commission has completed a preliminary review of the plans for the site, but they are not expected back for the February meeting, but they are expected to present their final plans for review and recommendation at the March Planning Commission meeting.

**PENDING**

**b. Comprehensive Plan** – is due in 2015 and as it is a pretty lengthy process, the Chairperson is considering conducting some workshops in association with the Land Use Ordinance. The vision for the Town requires updating as a result of the changes that have been going on in the County and the areas around the Town. And residents should be given the opportunity to participate in what the vision for the Town will become. The workshops will probably be held after the weather changes.

**PENDING**

**c. Flood Plain Ordinance** – there is also a requirement from FEMA, (Federal Emergency Management Agency), that this document be updated. Mayor Tinari interjected that we have six months to update the Ordinance, and Mr. Coker stated that the changes that will have to be made are minute, as a result of the previous review completed on our Ordinance. The Mayor stated that he and Secretary/Treasurer Callender attended a meeting concerning the revision requirements with the State representative earlier during the month.

Councilperson Johnson asked the Commissioner for the location of the proposed workshops. He said that he would try to schedule at the Fire Company and probably in the 2<sup>nd</sup> floor Board Room. He additionally addressed the language used in the Comprehensive Plan needs to be more detailed and descriptive of exactly what is specifically desired for the character of the Town.

The Mayor stated that the Commission may be able to tie into the charrette that was suggested previously by the Dover/Kent County Metropolitan Planning Organization.

The Comprehensive Plan update will also provide the opportunity to do some corrections to the zoning assignments within the Town.

**PENDING**

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**Old Business**

**a. Community Development Block Grant – Chairperson Sherry Lambertson**

Councilperson Lambertson reported that after reviewing the potential applicants for the grant, and discussions with Mr. Albert Biddle, Kent County Grant Coordinator, it appears that there are no rehab projects that are applicable. However, the two, (2), demolition applicants may be candidates.

Ms. Lambertson expressed concern that the potential applicants and the Town may not be aware that liens will be placed on their homes in association with winning the grants and that eventually the funds will have to be repaid. She stated that she would pass that information on to Secretary/Treasurer Callender to clarify the situation.

The Mayor confirmed that it was his understanding that one of the ways to do that is liens would be placed on the property and he is not sure either of the owners understand that.

She also expressed some confusion as to who would be responsible for the demolition and the placement of the liens and suggested that perhaps Mrs. Callender will be able to clarify this situation also.

**PENDING**

**b. Water Project Status – Mayor Donald Tinari**

Mayor informed Council that the Department of Water informed him that a contract for \$30,000 can be obtained if we can get some estimations from our Engineering contractor stating the specifics of the project and that Mrs. Callender has submitted information to the Department of Agriculture and that all he knows of it at this time.

*Note: With the assistance of Ms. Lisa Fitzgerald, the application for the grant has been completed and submitted to her supervisor; Per Ms. Fitzgerald there may be some additional questions concerning Town finances and per Mr. Tom Wilkes, Town Engineer, we may have to complete a separate contract for engineering project work with his company. He is researching the requirements.*

**PENDING**

**New Business**

**a. Town Council 2014 Election – Mayor Donald Tinari**

The Mayor stated that he wasn't sure if the notice of the upcoming Town Council election has been posted as required and expressed concern that to his knowledge, no one as yet had signed up to run for Council. The following note is from the memorandum sent to the Mayor and Council by the Secretary/Treasurer prior to the meeting.

*Note: Notices have been posted in the usual places, plus on the Town website. Town Clerk Jones is making arrangements for voting machines. The terms of Mayor Donald Tinari, Secretary/Treasurer Theon Callender and Councilperson Mildred Johnson are expiring. In addition there is also a vacant seat from the resignation of a prior Councilperson. The sign-up date to run for election/re-election is Friday, February 14, 2014.*

*Subsequently that date was extended to Tuesday, February 18, 2014, due to the snow storm and federal holiday.*

**PENDING**

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**New Business** – *“continued”*:

**b. Remington, Vernick & Beach Contract** – *Mayor Donald Tinari*

Mayor Tinari asked the Council if they had reviewed the contract from Remington, Vernick & Beach for engineering services to be provided to the Town for the next four, (4), years and if so, were they ready to make a motion on approving the contract. He also stated that the most important aspect of the contract is that it can be cancelled without cause any time during the contract by both parties.

Without any questions or expressed concerns, Vice Mayor Bob Sine made a motion to approve the contract. His motion was followed by a second from Councilperson Sherry Lambertson and the votes on the motion were as follows:

Councilperson Mildred Johnson – Yes                      Councilperson Sherry Lambertson – Yes  
Vice Mayor Bob Sine – Yes

The motion carried with a unanimous vote.

**COMPLETE**

**c. Senior Sessions** – *Councilperson Mildred Johnson*

Mrs. Johnson reported that she discussed her plan and idea to hold sessions for senior citizens to meet and greet one another on a monthly basis, by meeting in one of the Churches to the Pastor’s wife and she was waiting for the Pastor to contact her. She also stated the Pastor’s wife was in agreement with the idea, but it may take approval from the Church Board of Trustees to use the Church.

**PENDING**

**d. Impact Fees** – *Mayor Donald Tinari*

The Mayor explained the need to have a documented ordinance implementing impact fees for new construction projects. He also presented the Council members with documents and a web address that provides additional information about impact fees. He requested the Council to review the information and be ready to discuss it at the Workshop meeting.

He additionally explained that impact fees are used in almost all states, but what is important to note is that they are only applicable to new residential developments and not commercial.

**PENDING**

**e. DelOne Business of the Month** – *Mayor Donald Tinari*

With the assistance of Chief Workman, the Mayor informed the Council of the selection of the Town of Cheswold as the Business of the Month by DelOne Credit Union. He also shared that the office employees were provided with pizza, potato chips, a gigantic cookie, soda and souvenirs in association with the selection.

**GO CHESWOLD!!!!**

**COMPLETE**

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**New Business** – “continued”:

**f. Saratoga Affidavit** – *Mayor Donald Tinari*

This issue was not formally addressed during the meeting. However, the following was forwarded to the Council via a memorandum from Mrs. Callender.

*Note: The affidavit to expire the sub-division plan for Saratoga was submitted and recorded in Kent County on Thursday, January 30, 2014. The land has been returned to one large lot and Kent County Tax Assessment records and Town tax records will reflect it as such in the next tax run. Notice was also forwarded to the State Board of Planning Coordination and our Planning Commission will also be notified.*

**COMPLETE**

**g. Smyrna Library and Tax District** – *Mayor Donald Tinari*

The Mayor explained to the Town that the Town of Smyrna desires to construct a regional library and as a result is petitioning Kent County Levy Court to create a new Tax District to fund the maintenance of their library. If granted, the creation of the Tax District would probably result in some type of tax increase for County taxes. As a result, Secretary/Treasurer Callender was excused from the Council meeting to attend the Levy Court meeting and to represent the Town of Cheswold.

**PENDING**

**h. Agenda for Town Council Workshop** – *Mayor and Town Council*

It was agreed to include all pending items and any new issues that may arise.

**Community Comments/Concerns** – Nothing to Report

**Council Member Comments** – Nothing to Report

**Mayor’s Comments** – The Mayor commended Maintenance Engineer Bobby Ridgeway on the great job he did in maintaining the roads during the recent snow storms.

**Motion to Adjourn** –

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

Councilperson Mildred Johnson – Yes                      Councilperson Sherry Lambertson – Yes  
Vice Mayor Bob Sine – Yes

The motion carried with a unanimous vote.

The meeting adjourned at: 8:36 pm.

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