

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Tuesday – March 4, 2013
7:30 p.m.
Cheswold Fire Company
2nd Floor Board Room

The following persons were in attendance:

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

Police Department: Chief Christopher Workman

Planning Commission: Chairperson Dennis Coker

Town Employees: 0

of Cheswold Fire Company Present: 0

of Cheswold Residents Present: 2

Mr. Rodney Callender
Mrs. Lorraine Sine

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 February 27, 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 7:35 pm and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

TOWN of CHESWOLD
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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.

Note: As a result of the illness of Secretary/Treasurer Callender, Vice Mayor Bob Sine requested that all the items on the agenda for which she was responsible, be addressed first, allowing her to leave if she continues to feel unwell. There were no objections to the suggestion.

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 Sherry Lambertson, the votes on the motion were as follows:

Councilperson Theon Callender – Yes	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:

February 8, 2014 – Town Council Monthly Meeting
February 18, 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 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.

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

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Treasurer's Report "continued":

TOWN of CHESWOLD	FEBRUARY, 2014
Cash Receipts	\$ 31,255.46
Cash Disbursements	\$ 33,885.34
Negative Monthly Cash Flow	(\$ 2,629.88)

ADMINISTRATION	
Cash Receipts	\$ 31,217.95
Cash Disbursements	\$ 30,489.18
Positive Monthly Cash Flow	\$ 728.77

POLICE DEPARTMENT	
Cash Receipts	\$ 25.00
Cash Disbursements	\$ 3,089.23
Negative Monthly Cash Flow	(\$ 3,064.23)

PUBLIC WORKS	
Cash Receipts	\$ 12.51
Cash Disbursements	\$ 306.93
Negative Monthly Cash Flow	(\$ 294.42)

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

As of:	FEBRUARY 28, 2014
Capital Account	\$ 7,721.87
Cheswold Pride Day Account	\$ 4,535.40
DelDOT Projects Account	\$ 71.15
Eide Grant Fund Account	\$ 3,861.72
Fire Company Account	\$ 3,314.91
General Fund Account	\$59,406.74
Land Use Applicant's Account	\$ 6,650.38
Litigation Account	\$19,134.97
Municipal Street Aid Account	\$30,220.11
Police Department Account	\$19,615.09
Public Works Account	\$ 5,912.73
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 Theon Callender – Yes Councilperson Mildred Johnson – Yes
Councilperson Sherry Lambertson – Yes Vice Mayor Bob Sine – Yes

The motion carried with a unanimous vote.

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Treasurer's Report "continued":

c. Requisitions: Nothing to Report

d. Proposed Purchases: Nothing to Report

Tax Collector's Report:

a. Month of February, 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
01/31/2014	\$ 3,325.98
02/28/2014	\$15,200.48
03/31/2014	
04/30/2014	
05/31/2014	
06/30/2014	

Total Payments as of 02/28/2014: \$139,240.66

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

Payments Received in Excess of Amount Due for Fiscal Year 2013 - 2014: \$7,505.86

Secretary/Treasurer Callender explained that the collection of \$139,240.66 represents the total amount of tax dollars received for Fiscal Year 2013 – 2014, to-date and thus surpasses the actual total amount of taxes billed for the Fiscal Year of \$131,734.80. The total amount collected does represent the total due on all delinquent taxes, but it does represent a significant impact on the total past due amounts.

Mrs. Callender also appreciated the efforts and attention directed to collecting taxes currently being paid by Town Clerk Shadina Jones, in the absence of an employee with the responsibility for tax collection. She has single handily increased the amount of delinquent tax payments over any amount that has been collected in the past. Vice Mayor Bob Sine requested Mrs. Callender to notify Ms. Jones of the appreciation of the Council.

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

Councilperson Theon Callender – Yes
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes
Vice Mayor Bob Sine – Yes

The motion carried with a unanimous vote.

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Public Works Report – *Secretary/Treasurer Theon Callender*

a. Town Hall Parking Lot – Nothing to Report
PENDING

b. Michael's of NY Pizza – Mr. Toledo, property owner, has indicated he desires and plans to return the pizza shop to an apartment. Doing so will bring this grandfathered C -1 property into alignment with the Land Use Ordinance and Comprehensive Plan which both call for the property to be zoned as R-1.
PENDING

c. 5099 North Dupont Highway – a tow truck company has made an inquiry about moving onto property which is currently zoned C-2, (Highway Commercial). There should not be a zoning conflict if such a business applies for a business license.
COMPLETE

Old Business – *Secretary/Treasurer Theon Callender*

a. Community Development Block Grant – Nothing to Report
Note: Grant period has closed and one potential candidate withdrew request which automatically eliminated the other candidate.
CLOSED

b. Water Project Status – All documents have been submitted and additional questions answered. Response is pending.
PENDING

c. 2014 Town Council Election – have been officially cancelled with the Board of Elections and by posting the cancellation at the usual posting places including the town web site. The election was cancelled because there were insufficient candidates applying to run for the four, (4), open positions. As a result, Mayor Donald F. Tinari and Secretary/Treasury Callender will continue to be members of the Town Council. At the Re-Organization Meeting to be held on Monday, April 7, 2014, at 6:00 p.m., the Council will decide who shall hold the positions of Mayor, Vice Mayor and Secretary/Treasurer.
COMPLETE

New Business – *Secretary/Treasurer Theon Callender*

- a. Introduction of Proposed Ordinances** – Mrs. Callender in conjunction with Chief Workman presented two, (2), proposed Ordinances. One is to re-direct and add surcharge fees to new construction building permits, based on residential, commercial and/or industrial structures. The Ordinances are as follows:
- Ord. 02-20-14-015 Building Permit Surcharge for Police Department
 - Ord. 02-20-14-016 Building Permit Surcharge for Town of Cheswold Administration

Note: Subsequent to the meeting, Mrs. Callender combined the Ordinances into one – Ord. 02+20-14-015 Building Permit Surcharge for Town of Cheswold Administration and Police Department

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New Business – Secretary/Treasurer Theon Callender “continued”

- b. Impact Fees** – Secretary/Treasurer Callender informed the Mayor and Council that due to the anticipated annexation of the Graham and Trout properties, followed by the Wal-mart properties, that significant investigation into the what, when, where and how much of impact fees will be required.

She additionally stated that the Graham property will have little to no impact on the resources of the Town, she recommends that neither an impact fee or an annexation agreement fee be expected or charged.

The Trout and Wal-mart properties are different situations and will have to be conducted as such.

Trout Property probable considerations:

- Road maintenance
- Lightning maintenance
- Strip mall – store types to be determined
- Approximately 150 – 200 town houses
- Impact on Police Department
- Impact on Town Administration
- New Town Maintenance truck and plow
- New Street Sweeper

Wal-mart probable considerations:

- New police officers, (approximately 5 @ \$50,000 per year)
- New police vehicles (approximately 5 @ \$30,000 per year)
- Must transition to 24/7 service as quickly as possible
- Need a new building to support added police department services
- Negotiation of annexation agreement fee over a period of 5 – 7 years

There is a 9:00 am conference call with Wal-mart on Thursday, March 6, 2014. The attendees will be Chief Christopher Workman, Secretary/Treasurer Theon Callender, Store Manager, Jo-Ann Sherwood Allen and Regional Wal-mart Executives.

Council Member Comments

Secretary/Treasurer Callender – requested the Council to consider changing the regular monthly Town Council meeting starting time from 7:30 pm to 6:00 pm, She recognized that the history of Cheswold Council meetings indicates that the meeting start time was set a 7:30 pm to accommodate residents returning from work; preparing dinner; situating their children and then attending the meeting. However, residents not actively attended meeting for over a year. Therefore the Council should take the opportunity to accommodate their personal schedules and change the start time to 6:00 pm, which will allow them to get home earlier.

After discussion and minor resistance from Mayor Tinari, and then eventual agreement, Vice Mayor Sine made a motion to change the regular monthly Town Council meeting time from 7:30 pm to 6:00 pm. A second to the motion was made by Councilperson Sherry Lambertson and the votes on the motion were as follows:

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

The motion carried with a unanimous vote.

NOTE: Due to her physical condition, Mrs. Callender left the meeting at this point and the remaining minutes were recorded and reported by Councilperson Sherry Lambertson.

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Police Department Report – Police Chief Christopher Workman

- a. **Vehicles:**
 - V102 – Dodge Charger: Oil changed 2-21-2014
 - V101 – Ford Crown Victoria: Will be having an oil change and may need battery replacement
- b. **DEA – National Take Back Day**
Scheduled for Saturday, April 26, 2014 from 10:00 am to 2:00 pm, at the Cheswold Town Hall, 691 Main Street, Cheswold, Delaware.
- c. **Grant**
EDIE – requesting an additional 2,000 for overtime; buy money and motor vehicle rentals for drug investigations.
- d. **Career Day** – the Cheswold Police Department will participate in Career Day at Delaware Technical Community College, Terry Center, on Monday, March 17, 2014 from 10:30 am to 12:30 pm.
- e. **Training** – is scheduled as follows:
 - Private First Class Louis Simms will be attending the following classes:
 - Wednesday, March 19, 2014 – Handling Confidential Informants
 - Thursday, March 7, 2014 – Law Enforcement Training – White Supremacists, Anti-Government Extremism; Al Queda’s Home Grown Recruits
 - Chief Christopher Workman will be attending the following classes:
 - NJSACOP Leadership and Command Courses – Wednesday (continuing education)
 - Wednesday, March 19 & Thursday, March 20, 2014 - Taser Instructor Course
- f. **Office of Highway Safety** – Non overtime mobilization on Saturday, March 8 through Sunday, March 16, 2014, with special attention placed on seatbelt violations.
- g. **Traffic Summons** – 252 were issued during the month of February, 2014.
- h. **Monthly Incident Report – February, 2014**

911 Disconnects = 3	Harassment = 0	Robberies = 0
Accidents-H/R = 2	Lock Jock = 0	Sex Crimes = 0
Accidents-PD = 1	Loud Party = 0	Solicitation = 1
Alarms = 9	Megan’s Law = 0	Stolen Vehicle = 0
Alcohol Violations = 0	Mental Patient = 1	Suspicious Person/s = 2
Animal Comp = 0	Missing Person = 0	Suspicious Vehicle/s = 1
Assaults = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Assist Other Agencies = 13	Offensive Touching = 1	Thefts = 0
Court Violations = 0	Parking Violation = 1	Traffic Hazards = 3
Criminal Mischief = 0	PFA Violation = 1	Traffic Violations = 10
Disorderly = 0	Property Checks = 3	Trespass = 0
Domestics = 6	Public Assistance = 0	Unassigned = 1
Drugs = 2	Pursuit = 0	Vehicle/s - Disabled = 1
DUI = 0	Relay = 1	Vehicle/s - Recovered = 1
Found Property = 0	Repossessions = 0	Welfare Check = 1
Fugitives = 2	Resisting Arrest = 0	

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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.

Planning Commission Report – *Chairperson Dennis Coker*

a. Town Hall Parking Lot – is pending a decision by the Town Council on the design of parking lot light casing, which is dependent upon recommendations from Town Engineer Tom Wilkes.

PENDING

b. Stonington Revised Annexation – appears to have been built without an annexation agreement. Mr. Coker, suggested that Town Attorney Fred Townsend compare the old and new agreement.

PENDING

NOTE: Subsequent to the meeting, Town Clerk Shadina Jones provided Secretary/Treasurer Callender with a copy of the Jahnell Annexation Agreement of October 22, 2003, which included the properties now known as Parkers Run and Stonington.

c. Stonington Re-development Final Plan – recommendation to be forwarded to Town Council pending receipt and compliance with remarks from Town Engineer.

PENDING

Senior Sessions – *Councilperson Mildred Johnson*

Pending a response from both Churches.

PENDING

Community Comments – Nothing to Report

Council Member Comments – Nothing to Report

Mayor's Comments – Nothing to Report

Motion to Adjourn –

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

Councilperson Theon Callender – Yes
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes
Vice Mayor Bob Sine – Yes

The motion carried with a unanimous vote.

The meeting adjourned at: 9:11 pm.

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