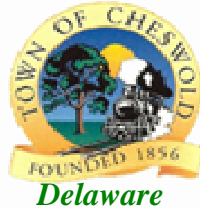


Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – April 1, 2013
7:30 p.m.
Cheswold Fire Hall

The following persons were in attendance:

Secretary/Treasurer Councilperson Theon Callender
Councilperson Justin Curley
Councilperson Mildred Johnson
Councilperson Sherry Lassiter
Vice Mayor Bob Sine – Acting Mayor

Police Department: Corporal Louis Simms – Late
Chief Christopher Workman - Excused

Planning Commission: 0

Town Employees: 0

of Cheswold Fire Company Present = 1

of Cheswold Residents Present = 7

of Visitors = 1

Notice:

Notice of this meeting has been made in accordance with the Delaware Open Meetings Act, by properly posting March 25, 2013, copies of the agenda on the Official Bulletin Board 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.cheswoldde.com; and was filed with the Clerk of the Town of Cheswold. In addition, copies of the agenda were available for pick-up in the Town Hall.

MEETING:

The meeting was called to order by Vice Mayor Bob Sine, acting as Mayor in the absence of Mayor Donald Tinari, at 7:32 pm. As the Pledge of Allegiance and Moment of Silence was completed earlier during the Organizational Meeting, it was not repeated at this meeting.

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ROLL CALL:

At the request of the Mayor, Secretary/Treasurer Callender called the roll of the Council members and attendance was confirmed as noted above. A quorum of members was presented to the Mayor and the meeting continued.

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.

A motion to accept the agenda as presented was made by Vice Mayor Sine and a second was made by Councilperson Curley. The votes on the motion were as follows:

Councilperson Theon Callender – Yes Councilperson Justin Curley – 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:

At the request of the Mayor, the Council reviewed the following minutes of the previous month:
March 4, 2013 – Monthly Town Council Meeting
March 19, 2013 – Monthly Town Council Workshop Meeting

Councilperson Lambertson made a motion to accept the minutes as presented and Councilperson Johnson made a second to the motion. The votes on the motion were as follows:

Councilperson Theon Callender – Yes Councilperson Justin Curley – 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 for the **Month of MARCH, 2013** was as follows:

<u>TOWN of CHESWOLD:</u>	
CASH RECEIPTS:	\$ 22,489.31
CASH DISBURSEMENTS:	\$ 27,453.17
NEGATIVE MONTHLY CASH FLOW:	\$ 4,963.86

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TREASURER'S REPORT "cont'd":

<u>ADMINISTRATION:</u>	
Cash Receipts:	\$ 12,849.48
Cash Disbursements:	\$ 23,948.24
Negative Monthly Cash Flow:	\$ 11,098.76

<u>POLICE DEPARTMENT:</u>	
Cash Receipts:	\$ 5,286.50
Cash Disbursements:	\$ 3,319.77
Positive Monthly Cash Flow:	\$ 1,966.73

<u>PUBLIC WORKS:</u>	
Cash Receipts:	\$ 4,353.33
Cash Disbursements:	\$ 185.16
Positive Monthly Cash Flow:	\$ 4,168.17

ACCOUNT BALANCES as of: MARCH 31, 2012

GENERAL FUND:	\$ 59,700.52
MUNICIPAL STREET AID	\$ 24,860.71
SALLIE FUND:	\$ 1,068.71
EIDE FUND:	\$ 3,404.95
CAPITAL SCHOOL DISTRICT:	\$ 15,278.34
FIRE DEPARTMENT:	\$ 3,311.88
FULTON ST. 09-P-PROG-36	\$ 81.51
APPLICANT'S (LAND USE):	\$ 2,023.39
IMPACT (CAPITAL) ACCOUNT:	\$ 6,227.25
POLICE DEPARTMENT:	\$ 29,405.72
PUBLIC WORKS DEPARTMENT:	\$ 7,111.86
LITIGATION:	\$ 20,575.87

A motion to accept the Treasury Report as presented was made by Councilperson Lambertson. Councilperson Curley made a second to the motion and the votes were as follows:

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

The motion carried with a unanimous vote.

b. Requisitions

Nothing to Report

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Tax Collector's Report:

a. Treasurer Callender provided the following update for tax collections as of March 31, 2013:

TAX REPORT: FISCAL YEAR 2012 - 2013

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

Payments as of:

07/30/2012:	\$39,777.89
08/27/2012:	\$65,726.74
09/30/2012:	\$ 5,909.65
10/31/2012:	\$ 1,438.08
11/30/2012:	\$ 1,949.54
12/31/2012:	\$ 1,149.49
01/31/2013:	\$ 1,318.72
02/28/2013:	\$ 2,037.75
03/31/2013:	\$ 1,706.26
04/30/2013:	
05/31/2013:	
06/30/2013:	

Total Payments Received as of **02/28/2013:** **\$121,014.12**
Payments Due: **\$ 10,172.28**

A motion was made by Councilperson Lambertson to accept the February Tax Report, with the necessary corrections, and a second was rendered by Councilperson Johnson. The votes on the motion were as follows:

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

The motion carried with a unanimous vote.

b. Delinquent Tax Status by Year – Secretary/Treasurer reported that there were no changes from last months report.

Police Department Report – *Corporal Louis Simms:*

Secretary/Treasurer Callender reported that Chief Workman is on an excused absence and Corporal Simms was not present because he was out on a call.

If the Corporal returns during the meeting, he will give the March traffic report and Chief Workman will provide a full report for March and April, at the May meeting.

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Cheswold Fire Department (Company) Report – Fireman Neese:

Mr. Neese requested Secretary Callender to begin referring to the Fire Department as the Fire Company, to which she agreed.

He then educated the Council with the information that the Ambulance Corp., needs to purchase a new ambulance and so far they have a bid for approximately \$175,000. He also acknowledged that the Company is facing some additional financial responsibilities in that they need to find and/or obtain funding to install infrastructure for corporate water and then for the installation of sprinkler systems inside the Fire Hall.

He encouraged everyone to participate in the ambulance fund drive set to begin in May and offered the opportunity to the Mayor and Council to meet with him or Councilperson Curley to obtain other financial information about the Company.

He closed by offering his congratulations to his fellow fire fighter Councilperson Curley for his position on the Council.

Public Works Report – Mayor Donald Tinari:

- a. **Water System for Old Town** - Mayor Tinari stated that there is nothing planned for the immediate future as far as meetings are concerned and that he has decided to take a different tack with the State, by focusing on “Safety”; first to the Fire Company and then on issues dealing with our Land Use Ordinance and Comprehensive Plan. He also stated that the house fire on Main Street was the ignition for this project.

Councilperson Lambertson asked Fireman Neese if the Fire Company was dealing directly with Tidewater.

Mr. Neese replied yes and explained that they started out by trying to fulfill a need for sprinklers and discovering that their wells were insufficient to support a sprinkler system. They have been working on the project for the last year and a half. According to Mr. Neese it will cost the Fire Company approximately \$60,000 a year to bring a 8” pipe to the Fire Company, but that the most efficient operation would be to install a 12” pipe to prepare to serve the remainder of Cheswold presently serviced by wells.

Fireman Neese also provided some historical information regarding the finances of the Fire Company and offered to have the Council meet with Mr. Donald Carey and Mr. Steve Martin to discuss the financial significance and implications of funding a water system.

Planning Commission Report – Chairperson Dennis Coker:

As Chairperson Coker was not present, the Planning Commission Report was tabled.

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Old Business:

a. Emergency Operations Plan Review, (pgs. 11-20) – Councilperson Sherry Lambertson

In order to facilitate the monthly meetings review of the Emergency Operations Plan was delegated to the Town Council Monthly Workshop meetings at the Workshop meeting held on March 19, 2013.

COMPLETE

b. Town Resident Summertime Bar-b-que/Picnic – Councilperson Theon Callender

Mrs. Callender reported that commitments to work on the bar-b-que have been received from the following persons and they are now ready to begin working on the project:

Town Resident Mrs. Rose Duggins
Town Clerk Shadina Jones
Town Resident Ms. Brittney Lambertson
Councilperson Sherry Lambertson
Councilperson Theon Callender

She also stated that there first meeting had been scheduled for March 28, 2013, but was cancelled due to the weather. The meeting is now scheduled for Monday, April 8, 2013.

PENDING

New Business :

a. Agenda for Town Council Workshop – April 16, 2013

The following items are scheduled to be discussed along with any other pertinent issues that may present themselves before the agenda is posted:

- (1) Emergency Operations Plan Review, (pgs. 21 – 30) – *Councilperson Sherry Lambertson*
- (2) Safety Manual Review – *Councilperson Theon Callender*
- (3) Trash Ordinance Review – *Mayor and Council*
- (4) Noise Ordinance Review – *Mayor and Council*
- (5) Water System for Old Town – *Mayor Donald Tinari*
- (6) Summertime Bar-b-que Picnic Report – *Councilperson Theon Callender*
- (7) Police Department – *Chief Chris Workman*
 - A. Grant Updates
 - B. Department Updates

Community/Comments & Concerns:

The Mayor opened the meeting to the community to provide the opportunity for them to express their concerns; ask questions or make comments.

Resident Connie Ridgway reported to the Council that someone is playing excessively loud music on her street, while sitting in a car and tossing beer cans out the window. She asked if there is a Town Noise and/or Trash Ordinance to deal with the situation.

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Community/Comments & Concerns "continued":

As Corporal Simms was still not present, the Mayor asked Secretary Callender to respond. Mrs. Callender responded that currently there are no noise or trash ordinances on the books. However, there is a Public Nuisance Ordinance that is most likely applicable. She also explained that a Trash Ordinance has been written and that it is in final review with the Council, before the public hearing process begins and that the Noise Ordinance is being written.

She apologized for the new Chief not being present, but explained that he was on a pre-arranged excused absence. Mrs. Callender also stated that she would report the issue to the Chief, and that the Chief would definitely contact her when he returned or that Mrs. Ridgway could come into the office and speak with the Chief on April 8, because the Chief is the type of person that conducts follow-up and is looking forward to meeting Town residents.

At this point, Corporal Simms arrived; stated that he couldn't stay long because he was still on a call and offered to present the traffic report. Mrs. Callender asked the Council and Mayor if it was permissible for Corporal Simms to give a police response to the question posed by Mrs. Ridgway, instead of giving the traffic report and then he could return to his call. The Council and Mayor agreed.

Corporal Simms listened to the question from Mrs. Ridgway and then answered that he had been out on this situation before and that it was illegal to sit outside on your own property and drink and that the issue would be addressed by him.

The Corporal then asked the Mayor if he should make the monthly report left by the Chief and the Mayor instructed him to make the report concerning developments and traffic violations.

Corporal Simms stated that there has been a lot of discussion concerning the legality of the Town Police Department enforcing traffic rules and regulations within the Fox Pointe and Parkers Run developments. He informed everyone that after contacting the Attorney General he was advised that it is legal for the Department to enforce traffic everywhere in Town. And as a result, he and the Chief have given 16 verbal warnings in the past month to violators and beginning April 27, 2013, they will begin administering tickets for violators, in both developments.

Council Member Comments:

- a. Councilperson Sam Callender** – Nothing to Report
- b. Councilperson Justin Curley** – Nothing to Report
- c. Councilperson Mildred Johnson** – Nothing to Report
- d. Councilperson Sherry Lambertson** – asked the Council if they had any objections to her working with a citizen involved with the Delaware Coalition for Healthy Eating and Healthy Living. No objection were voiced and Mayor Tinari encouraged her to participate with the program.
- e. Vice Mayor Robert Sine** – Nothing to Report

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Mayor's Comments:

Nothing to Report

Adjournment:

At 8:08 p.m., 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 Justin Curley – Yes
Councilperson Mildred Johnson – Yes	Councilperson Sherry Lambertson – Yes
Vice Mayor Robert Sine - Yes	

The motion carried with a unanimous vote.