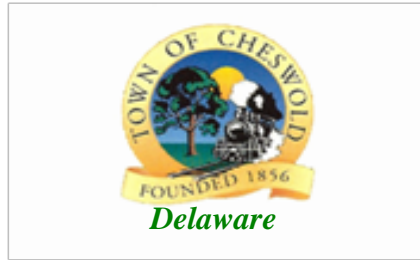


*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Tuesday – September 3, 2013**  
**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: Chief Christopher Workman**

**Planning Commission: 0**

**Town Employees: 0**

**# of Cheswold Fire Company Present = 0**

**# of Cheswold Residents Present = 2**

**# of Visitors = 0**

**Notice:**

Notice of this meeting has been made in accordance with the Delaware Open Meetings Act, by properly posting August 26, 2013, copies of the agenda, 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](http://www.cheswold.delaware.gov); 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 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  
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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.

A motion to accept the agenda as presented was made by Councilperson Sherry Lambertson and a second was made by Councilperson Mildred Johnson. 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.

**Review of Previous Month's Minutes:**

At the request of the Mayor, the Council reviewed the following minutes of the previous month:

August 5, 2013 – Public Hearing of Ordinances (*Noise 04-08-13-014 and Trash 02-15-13-040*)  
August 5, 2013 – Monthly Town Council Meeting  
August 20, 2013 – Monthly Town Council Workshop Meeting

Councilperson Sherry Lambertson made a motion to accept all the minutes as presented and Councilperson Mildred Johnson 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.

**TREASURER'S REPORT:**

- a. Secretary/Treasurer Callender presented the Treasury Report, but requested the Council not to approve it, as it needed to be reconciled with some information held by Town Clerk Shadina Jones, who is on vacation.

The Secretary promised to send revised reports to the Council, after the return of the Town Clerk and to present the revised report for approval at the October Town Council meeting. The Council agreed.

Subsequent to the meeting, the report was revised as shown on the next page and copies forwarded to the Council for review.

**Monthly Town Council Meeting  
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The **Treasury Report, (Comparisons between Receipts and Disbursements)**, for the **Month of August, 2013** were not presented at last month's meeting as a result of Secretary/Treasurer Callender being absent from the meeting due to eye surgery.

The Treasury Report for the month of **AUGUST, 2013** was presented as follows:

<b><u>TOWN of CHESWOLD:</u></b>	
CASH RECEIPTS:	\$ 49,805.56
CASH DISBURSEMENTS:	\$ 39,981.07
POSITIVE MONTHLY CASH FLOW:	\$ 9,824.49

<b><u>ADMINISTRATION:</u></b>	
Cash Receipts:	\$ 42,692.06
Cash Disbursements:	\$ 27,274.52
Positive Monthly Cash Flow:	\$15,417.54

<b><u>POLICE DEPARTMENT:</u></b>	
Cash Receipts:	\$ 6,263.50
Cash Disbursements:	\$ 11,939.02
Negative Monthly Cash Flow:	\$ 5,675.52

<b><u>PUBLIC WORKS:</u></b>	
Cash Receipts:	\$ 850.00
Cash Disbursements:	\$ 767.53
Positive Monthly Cash Flow:	\$ 82.47

**ACCOUNT BALANCES as of: AUGUST 31, 2013**

GENERAL FUND:	\$ 42,574.15
MUNICIPAL STREET AID	\$ 22,052.50
SALLIE FUND:	\$ 147.78
EIDE FUND:	\$ 1,864.66
CAPITAL SCHOOL DISTRICT:	\$ 15,281.54
FIRE DEPARTMENT:	\$ 3,313.26
FULTON ST. 09-P-PROG-36	\$ 81.51
APPLICANT'S (LAND USE):	\$ 2,024.24
IMPACT (CAPITAL) ACCOUNT:	\$ 6,974.11
POLICE DEPARTMENT:	\$ 26,548.92
PUBLIC WORKS DEPARTMENT:	\$ 3,205.09
LITIGATION:	\$ 20,880.19

**Monthly Town Council Meeting  
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**TREASURER'S REPORT "cont'd":**

**b. Requisitions**

<u>REQ. #</u>	<u>DEPARTMENT</u>	<u>EXPENSE TYPE</u>	<u>AMOUNT</u>	<u>TO BE PAID BY:</u>
2526	Police Department	Duty Belt & Accessories	\$ 376.84	Edie Grant
2427	Police Department	Challenge Coins	\$ 1,500.00	Wal-mart Donation

A motion was made by Councilperson Sherry Lambertson to approve both requisitions and a second to the motion was made by Councilperson Theon Callender. 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.

**c. Proposed Purchases**

Nothing to Report

**d. Additional Wal-,mart Donation to Pride Day**

Mrs. Callender reported that Wal-mart donated an additional \$3,000 for the privilege of permitting thirty, (30), volunteers to participate in the 1<sup>st</sup> Annual Cheswold Pride Day.

**e. Other Financial Status Reports**

**(1) Capital School Account** – per Town Attorney Fred Townsend, creating this account was a bad decision and as a result of the wording of the Ordinance, all funds must eventually be surrendered to the School District. The Town can only determine when they will be surrendered. After discussion with him, it was determined that the Town may attempt to negotiate with the District to reach a consensus about how the funds should be handled. The Council directed Ms. Callender to go forward with contacting the District and begin discussions.

Councilperson Sherry Lambertson stated that she has a contact on the Board, with a Ms. Kay Kass and will contact her and request her to contact Ms. Callender.

**PENDING**

**(2) Balloon Payment Refinancing** - Ms. Callender informed the Council that the new M&T Manager representative for the Town is Mr. Paul Frick, and Ms. Helen Armstrong promised that he will be contacting the Town.

**PENDING**

**(3) 2011-2012 Audit** – it is anticipated that the final audit will be delivered by the end of the month. In the meantime, Ms. Callender will meet with Mr. Harry Papaleo, Auditor, on Wednesday, September 4, 2013, at the Town Hall to review and discuss the draft verison.

Mr. Papaleo has stated that the cost of preparing the audit has superseded the budget amount, but he will adhere to the amount agreed upon.

**PENDING**

**Monthly Town Council Meeting  
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**Tax Collector's Report:**

a. Treasurer Callender provided the following report for the **Month of August, 2013:**

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

Total Amount Billed: **\$ 131,734.80**

Payments as of:

<b>Month Ending</b>	<b>Bank Deposit</b>	<b>Software Deposit</b>	<b>Difference</b>
07/31/2013:	\$32,765.51	\$33,880.06	(\$1,114.55)
08/31/2013:	\$33,650.08	\$50,681.03	(\$17,010.95)
09/30/2013:			
10/31/2013:			
11/30/2013:			
12/31/2013:			
01/31/2014:			
02/28/2014:			
03/31/2014:			
04/30/2014:			
05/31/2014:			
06/30/2014:			

Total Payments Received as of **08/31/2014:**      **\$ 66,415.59**  
**Payments Due:**      **\$ 65,319.21**

**Police Department Report** – Chief Christopher Workman

a. **Department Challenge Coins** – have arrived and are available for purchase for \$25.00 per coin.



**COMPLETE**

b. **National Take Back Initiative VII** – is scheduled for Saturday, October 26, 2013, from 10 am to 2 pm, at the Cheswold Town Hall, 691 Main Street.

This is an opportunity for the public to surrender their unwanted, expired or unused pharmaceutical controlled substances and other medications, for destruction.

**PENDING**

**Monthly Town Council Meeting  
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**Police Department Report – “continued”**

- c. Race Weekend, September 27, 2013** - just a reminder to prepare ahead and plot alternate routes as the traffic in Town may get a little congested during peak hours, prior to the race.

**COMPLETE**

- d. Sex Offender Notification** - a Mr. William Singletary is currently residing at 179 Commerce St., Apt. D, in Town. Notifications have been posted as required and additional information may be found at :

<http://cheswold.delaware.gov>

or

<https://desexoffender.dsp.delaware.gov/SexOffenderPublic/>

**COMPLETE**

- e. Grants** – the approval meeting for the Violent Crimes Grant is scheduled for September 10, 2013.

**PENDING**

- f. Training** – Corporal Louis Simms completed a three, (3), day training course on Commercial Truck Interdiction, at the Delaware State Police Academy.

**COMPLETE**

- g. Traffic Summons** – a total of 205 traffic summons were written in the month of August, 2013.

**COMPLETE**

**h. Monthly Incident Report – AUGUST, 2013**

911 Disconnects = 1

Alarms = 1

Alcohol Violations = 2

Assaults = 1

Assist Other Agencies = 5

Court Violations = 2

Criminal Mischief = 1

Disorderly = 2

Domestics = 7

Drugs = 2

Fugitives = 3

Megan’s Law = 1

Mental Patient = 4

Misc. Investigation = 3

Missing Person = 1

Property Checks = 14

Public Assistance = 6

PFA Violations = 0

Relays = 0

Repossessions = 0

Sex Crimes = 2

Suspicious Persons = 1

Suspicious Vehicles = 2

Terroristic Threats = 0

Thefts = 2

Traffic Hazards = 1

Traffic Violations = 6

Vehicles – Abandoned = 1

Welfare Checks = 3

**COMPLETE**

**Cheswold Fire Company Report**

Nothing to Report – No representative present

**Monthly Town Council Meeting  
Tuesday, September 3, 2013**

**Public Works Report** – *Mayor Donald Tinari:*

**a. Water System for Old Town**

Nothing has changed since last month, except Mayor Tinari forwarded a letter to the engineering firm of Remington, Vernick & Beach, on August 27, 2013, to inform them that the Town is not in a position at this time to benefit from their engineering cost proposal.

**PENDING**

**b. Town Hall Parking Lot** – *Secretary/Treasurer Theon Callender*

The plans for storm water management are in progress and Mr. Wilkes is applying for the DelDOT entrance permit all the necessary Conservation permits.

**PENDING**

**c. Ordinances vs. Violation Letters** – *Councilperson Sherry Lambertson*

Ms. Lambertson requested the Council to table discussion on this issue until the Monthly Town Council Workshop Meeting. The Council agreed.

**TABLED**

**Planning Commission Report** – *Secretary/Treasurer Theon Callender*

**a. Fulton Street – Coleman Property**

Ms. Callender informed the Council that Mr. Joe Coleman contacted Mr. Dennis Coker, Planning Commission Chairperson and requested that he be permitted to request the Commission to overturn the decision made by her to deny his request for a permit to place an undetermined structure type on his Fulton Street property. Mr. Coker denied his request and referred Mr. Coleman to the remedy provided to him in the correspondence to Mr. Coleman's attorney.

**PENDING**

**Old Business:**

**a. Credit Card Implementation** – *Mayor Donald Tinari*

Mayor explained that he had expected to be able to present all the information necessary for the Council to make a decision, however, the documents forwarded to him arrived as encrypted.

He promised to visit M&T Bank to request them to open the documents and to provide the information at the Council Workshop.

**PENDING**

**b. M-1 Land Use Ordinance** - *Secretary/Treasurer Theon Callender*

Mrs. Callender requested the Council to provide their opinion of what is required to resolve the M-1 issue of zoning. After discussion it was decided to inform Mr. Walton that the Council desires to make decisions and changes directed by our Land Use Ordinance for properties within the Business Park that were not developed but previously designated as M-1.

**PENDING**

**Monthly Town Council Meeting  
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**New Business :**

- a. Town Council Workshop Agenda ; Tuesday, September 17, 2013– Mayor and Council**  
All pending items from this meeting and any new issues that may arise.

**COMPLETE**

- b. Curfew Ordinance Review (Ord. # 08-20-13-020)– Chief Christopher Workman**

Chief Workman introduced the proposed Curfew Ordinance and explained that Ordinances like it are already in use in some other small towns in Delaware; that it will assist the Department in obtaining a better view of night time activities; that it will probably affect visiting minors most; and the main purpose is to significantly reduce vandalism and noise complaints.

Agreements have been made to re-install “No Access between Dusk to Dawn” signs have been made for the tot lot in the Parkers Run Development and the Town will do the same for the Town Park. However, the Police Department cannot enforce curfew requirements for private communities and thus a Town curfew is required.

There were minor typing and spelling corrections made and then Vice Mayor Bob sine made a motion to approve the Ordinance as amended and to then forward it to Town Attorney Fred Townsend for review and agreement. Mrs. Callender made a second to the motion and the votes 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.

**Community/Comments & Concerns:**

Resident Lorraine Sine asked Chief Workman if the Curfew Ordinance applied only to 18 and under juveniles and her replied, “Yes”.

**Council Member Comments:**

- a. Councilperson Mildred Johnson** – Nothing to Report
- b. Councilperson Sherry Lambertson** – Nothing to Report
- c. Secretary/Treasurer Theon Callender** - Nothing to Report
- d. Vice Mayor Robert Sine** – Nothing to Report

**Mayor’s Comments:**

The Mayor informed the Council that he is a member of the Metropolitan Planning Organization, (MPO), and as such he is exposed to information about projected road and bridge constructions. He presented them with documentation from his most previous MPO meeting.



**Monthly Town Council Meeting  
Tuesday, September 3, 2013**

**Adjournment:**

Vice-Mayor Bob Sine made a motion to adjourn and with a second from Councilperson Callender, 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 8:30 pm.