



Town of Cheswold
Minutes of the Monthly Town Council Workshop Meeting
Tuesday – May 21, 2013
6:00 p.m.
Cheswold Town Hall

The following persons were in attendance:

Mayor Donald Tinari
Vice-Mayor Robert Sine
Secretary/Treasurer & Councilperson Theon Callender
Councilperson Justin Curley
Councilperson Mildred Johnson
Councilperson Sherry Lambertson

Excused: None

Town Employees: Chief Christopher Workman

of Cheswold Residents Present = 0

#of Visitors = 0

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meetings Act, by it being properly posted on May 13, 2013, and revised on May 14 and 16, 2013, as required by FOIA. Copies of the agenda were posted on the Official Bulletin Board outside the Cheswold Town Hall, in the local Post Office, in the Fox Pointe Development and a meeting notice 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. In addition, copies of the agenda were available for pick-up in the Town Hall.

MEETING:

The meeting was called to order by Mayor Don Tinari at 6:05 pm and was immediately followed with the Pledge of Allegiance and a Moment of Silence.

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.

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AGENDA REVIEW:

Mayor Tinari requested the Council to review the agenda and to make a motion to accept as presented or to revise.

Vice Mayor Bob sine made a motion to move the Police Department Status Report and the Executive Session to the top of agenda, in order to provide the opportunity for the Police Chief to leave the meeting after his report. Councilperson Justin 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.

DISCUSSION ITEMS

a. Executive Session – Council and Police Chief

A motion was made by Vice-Mayor Sine to move into Executive Session at 6:22 p.m., to discuss an individual’s qualifications to hold a job per Delaware Code Title 29 §10004; Section(b)(1). A second to the motion was made by Councilperson Justin Curley and 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.

Return to Regular Session – the Council returned to regular session at 6:31 p.m. A motion was then made by Vice Mayor Sine to give the Chief the authority to pursue acquiring an additional part time Police Officer.

A second to the motion was made by Councilperson Justin Curley 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. Police Department Status Report –Police Chief Christopher Workman

(1) **Grant** – the second wave of the Distracted Driving program sponsored by the Delaware Office of Highway Safety will soon be underway.

(2) **Mutual Aid Agreements, (MUA)** – currently the Town possesses MUAs with the Delaware State University and City of Dover Police Departments. The Chief is in the process of updating and renewing and/or creating agreements with the Dover, Smyrna, Clayton and Kenton Police Departments. These agreements authorize the support to neighboring Department in requests for assistance.

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DISCUSSION ITEMS "con'td"

b. Police Department Status Report "continued"–*Police Chief Christopher Workman*

- (3) **Video Conferencing Equipment** – is in place and ready for use. The supporting Police Department Policies and Standard Operating Procedure guidelines have been revised to instruct in the proper use of the equipment. An AFIS, (Automated Fingerprint Information System), should also be installed by Wednesday, May 22, 2013 or Thursday, May 23, 2013.

The installation of these components will permit the Department to process violators on premise rather transporting them to the Justice of the Peace Court. This change in the process should save from 2 to 4 hours in productive time. And considering the fact the Department has processed 26 arrests thus far, during the month of May, this promises to be a significant time saver.

Councilperson Johnson asked the Chief where he currently takes violators when he arrests them and he responded that it depends on whether they are released on bail, without bail or whether they are reprimanded directly to the JT Vaughn Correctional Institution. Mrs. Johnson then asked again where they are taken when they are arrested. Secretary/Treasurer Callender, also being a transplant from New Jersey, explained to Mrs. Johnson that the Delaware process is quite different from the New Jersey process, in that most municipalities do not house their arrestees over night, but take them directly to the Justice of the Peace Court where a decision is immediately rendered that either allows them to be released immediately upon a payment of a fine or being found innocent, or to be released upon payment of bail and a future court date or to be incarcerated at JT Vaughn Correctional Institution until they have a court hearing. Chief Workman then provided additional information and Mrs. Johnson accepted the explanations.

- (4) **Car Wash** – the Chief explained that he met with Mr. Matthew Rice, the Manager of the Car Wash on Dupont Highway, who had until recently permitted various Police Departments to wash police vehicles for free. However, due to a gross misuse of the privilege, (not by Cheswold), it has become necessary to change the parameters of the allowable use. Specifically, Mr. Rice is offering a 75% discount of one wash per car, per week for \$5.00. Payment can be made at the time of the wash or the Town can be billed monthly. The total cost would be \$40 - \$50 per month or \$480 - \$600 per year, at an average of one car wash for both cars per week.

Secretary/Treasurer Callender suggested that the Council table making a decision until after the budget review next month and in the meantime to have Maintenance Engineer Bobby Ridgeway wash the cars once a week. There was a general consensus of agreement and a vote was not taken.

- (5) **Laundry Mat Burglary Update** – three suspects were arrested on May 16 and May 17, 2013, and charged in this incident, after their pictures were distributed to various Police Departments including the State Police and to newspapers.

Several persons called in and provided valuable information about the suspects that ultimately led to their arrests.

Councilperson Lambertson expressed her appreciation for the job done by Chief Workman in apprehending the suspects and on how he used the newspapers to assist in their capture.

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DISCUSSION ITEMS *"con'td"*

c. Atlantic Concrete/Zack Excavating – *Secretary/Treasurer Theon Callender*

Mrs. Callender reported that Planning Commission Attorney Max Walton is continuing to review the possible options available for controlling the crushing of any type of stone in Cheswold and expects to present his recommendations at a meeting on Friday, May 24, 2013, at 2:30 p.m., at Town Hall. The Mayor, Vice-Mayor, along with Planning Commission Chairperson and Vice-Chairperson and the Secretary/Treasurer are expected to attend.

PENDING

d. Emergency Operations Plan Review (Pgs. 31-40)– *Councilperson Sherry Lambertson*

The Mayor commented that he will give his suggestions for corrections to Councilperson Lambertson. However, he wanted to point out that Roman numeral V is completely missing between pages 27 – 34. The section numbers jump from IV to VI.

Ms. Lambertson stated that some of those types of errors may have occurred in the transition from a PDF file to a WORDDOC file, and that she will verify with another municipality as to if the error is a transition one or a document one.

PENDING

e. Water System for Old Town – *Mayor Donald Tinari*

Mayor Tinari reported that flyers announcing the date, Tuesday, May 28, 2013, of the water survey and sampling were hand delivered to Old Town residences. The flyers also asked the recipients to contact Town Hall with a time that best suits them to participate in the survey.

Councilperson Lambertson expressed her concern that the eventual requirement to sign up for metered water will increase her monthly expenses, but acknowledged the need to do what is necessary for the health, welfare and safety of the community.

PENDING

f. Trash & Noise Ordinances Update – *Secretary/Treasurer Theon Callender*

Mrs. Callender reported that both Ordinances have been forwarded to the Town Attorney for review and feedback and that his response is pending.

PENDING

g. Town Hall Re-Zoning Application – *Secretary/Treasurer Theon Callender*

Mrs. Callender introduced drawings of the proposed Town Hall Parking Lot Re-paving Project and explained that in association with the review of the project, and the processing changes currently being made in the Police Department to process violators, a re-zoning of the Town Hall property is required.

She directed the Mayor and Council to Page 63, Article 7-Use Regulations, Public, Semi-Public and Emergency of the Land Use Ordinance, that specifies that Public Safety Facilities should not be located in a R-1 or R-2 zone, but it may be located in other zones, except R-4 and I-1. In addition a Site Plan needs to be submitted along with a Conditional Use request depending on the Zone type requested. She suggested and recommended that the property be re-zoned to C-1 to match the zoning of the semi-attached Shore Stop property.

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DISCUSSION ITEMS *"con'td"*

g. Town Hall Re-Zoning Application *"continued" – Secretary/Treasurer Theon Callender*

The Mayor cautioned the Council against making such a decision without input from the Town Attorney.

Councilperson Curley stated that the Land Use Ordinance clearly indicates that the Police Department cannot be located in R-2 and therefore he doesn't see the need to send it to the Attorney.

The Mayor responded that what may seem clear in the Ordinance doesn't necessarily make it so.

Mrs. Callender interjected that she was not asking the Council to approve the re-zoning application, but to approve sending it to the Planning Commission for review as required; and that it is the responsibility of the Planning Commission to review the pros and cons of the request and to make a recommendation to the Council for approval or denial.

Mayor Tinari then agreed that it should be sent to the Planning Commission. Secretary/Treasurer Theon Callender made a motion to do so and Councilperson Mildred Johnson made a second to the motion. 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.

PENDING

h. Request to Use Town Hall Property *– Secretary/Treasurer Theon Callender*

A request to use the Town Hall property for a Boy Scout event was orally made by resident Debroah Lepore. Mrs. Callender explained that Mrs. Lepore was informed that a written request would have to be submitted along with an insurance waiver. At this time, Ms. Lepore has not presented wither.

The issue was tabled until additional information is presented.

COMPLETE

i. 1st Annual Cheswold Pride Day *– Councilperson Sherry Lambertson*

Councilperson Lambertson reported that Ms. Shadina Jones, Town Clerk is now the Chairperson of Pride Day, and that the Committee has met and is setting up an additional meeting. All meetings thus far have been extremely productive.

Ms. Marion Coker will serve on the Committee as the representative for the Lenni Lenape Tribe. She plans to coordinate the vendor, tribal dancers and native games. There was also discussion about:

- Grants from the Historical Cultural Society
- Sponsorships
- Media
- Donation Jars at Retail stores in Town

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DISCUSSION ITEMS *"con'td"*

i. 1st Annual Cheswold Pride Day *"continued" – Councilperson Sherry Lambertson*

Ms. Lambertson informed the Mayor and Council that since this is the first event of the Town of this nature, that it will be extremely difficult to predict the number of attendees, so she and Mrs. Callender will be making personal donations of a roasted pig, (Ms. Lambertson), and a Pride Day Banner, (Mrs. Callender).

Councilperson Justin Curley stated that the Town can get tables from the Fire Company and that they should be willing to make a donation plus provide historical information.

Mrs. Callender stated that Mrs. Jones is already coordinating the Fire Company involvement through Fire Chief Jeff Brown and Fire President Jamie Roy.

PENDING

j. 2013 – 2014 Budget Review – *Secretary/Treasurer Theon Callender*

Mrs. Callender distributed copies of the revenues and expenses of the 2012–2013 Budget as of April 30, 2013. She requested the Council and Police Department to review the document and submit any suggestions that they may have for the 2013–2014 Budget. She stated that she plans to submit the 2013-2014 budget for them to review and possibly approve at the June 3, 2013, Town Council Monthly Meeting.

PENDING

k. Retail Benefits – *Secretary/Treasurer Theon Callender*

Mrs. Callender was introduced to a possible electronic monetary benefit for employees through an on-line retail ordering system that will reduce the cost of personal purchases and provide a donation to the Town if the person ordering so chooses.

Mayor Tinari explained that the Executive Committee of the DLLG voted not to encourage or discourage municipalities from participating in the program.

The Council requested Secretary/Treasurer Callender to follow-up and investigate and report on the details of the program.

PENDING

l. Municipal Safety Committee Status Report – *Secretary/Treasurer Theon Callender*

The Municipal Safety Committee meetings are suspended for the summer and will resume in September, 2013.

Cheswold is one of the four municipalities to receive a reward for completing and adopting the Safety Manual as recommended and requested by the Committee.

The Mayor acknowledged the efforts of the Secretary/Treasurer in the completion of the manual and the receipt of the reward to the Town.

COMPLETE

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m. Town Hall Parking Lot Paving Project – *Secretary/Treasurer Theon Callender*

Mrs. Callender submitted two options depicting the layout of a paved parking lot for Town Hall. After reviewing and discussing the pros and cons of both options, a motion was made by Councilperson Justin Curley to select Option 2 and a second to the motion was made by Vice-Mayor Sine. In addition, upon the suggestion of Vice Mayor Sine, the Council requested Mrs. Callender to inform Town Engineer Tom Wilkes to expand the parking area on the east side of the building to as many spots as funding will permit. 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.

n. Town Council Monthly Meeting Agenda – *Mayor and Town Council*

Mrs. Callender was requested to include pending items and any new issues of importance.

CLOSED

COUNCILPERSON COMMENTS:

Councilperson Justin Curley – Nothing to Report

Councilperson Mildred Johnson – Nothing to Report

Councilperson Sherry Lambertson – Nothing to Report

Secretary/Treasurer Theon Callender – attended a meeting, sponsored by State Planning at Kent County Levy Court, on Wednesday, May 15, 2013. The meeting provided information on developing a Boundary Map to reflect the territorial outline of a municipality on an on-going basis.

To produce such a map would require plotting the original Town boundaries as specified by the Town Charter, along with all annexations that have affected the boundary since that time.

The Town of Camden has completed such a map, including the required changes to its Charter.

Mrs. Callender was requested to obtain the cost of such a project.

Vice Mayor Bob Sine – Nothing to Report

MAYOR'S COMMENTS – Nothing to Report

MOTION to ADJOURN :

A motion to adjourn was made by Mrs. Callender at 7:52 p.m., and a second was received from Vice-Mayor Sine. 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 of those in attendance.