

*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Monday – March 2, 2015**  
**6:00 p.m.**  
**Cheswold Fire Hall**  
**371 Main Street**  
**Cheswold, Delaware 19936**

The following persons were in attendance:

Mayor Don Tinari  
Vice Mayor Bob Sine  
Secretary/Treasurer Theon Callender  
Councilperson Sherry Lambertson

Police Department: Chief Christopher Workman - Excused (Vacation Day)

Planning Commission: 0

Town Employees: 0

# of Cheswold Fire Company Present: 0

# of Town Residents: 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 January 22, 2015, 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, 2015. Copies of the agenda were available for pick-up at the Town Hall. Subsequently, the agenda was revised and re-posted on the following dates for the associated reasons:

March 27, 2015      Add to three, (3), Resolutions for Town Council approval to New Business  
1. Resolution 02-23-2015-067 Annexation of Cheswold Village Properties, LLC  
2. Resolution 02-23-2015-068 Annexation of Our Grace Land Holdings, LLC  
3. Resolution 02-23-2015-069 Public Hearing for Land Use Ordinance Revision  
Response from Representative Paradee re: Proposed 2016 MSA Budget  
Add to Public Works: Review of Potential Permit Income vs. Potential Loss of Taxes

**TOWN of CHESWOLD**  
P.O. Box 220 – Cheswold, Delaware 19936  
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**Monthly Town Council Meeting**  
**Monday, March 2, 2015**

**Meeting:**

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

**Recognition of Proper Posting of Meeting:**

The Mayor declared that the meeting had been properly posted, and Secretary/Treasurer Callender stipulated that the meeting time had been properly posted on the website notice.

**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.

**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 Sine and seconded by Councilperson Sherry Lambertson. A roll call vote on the motion was as follows:

Councilperson Theon Callender – Yes                      Councilperson Sherry Lambertson – Yes  
Vice Mayor 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 2, 2015 – Monthly Town Council Meeting  
February 17, 2015 – Town Council Workshop Meeting\*

*(\*There were no minutes for review, as this meeting was cancelled due to inclement weather.)*

A motion to accept the minutes of the February 2, 2015 meeting, 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 Sherry Lambertson – Yes  
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

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**Treasurer's Report:**

The Mayor requested Council to make any necessary statements or to make a motion to approve the following Treasury Reports.

1. a. The Treasurer's Reports for the **Month of February, 2015** are as follows:

<b>Monthly Cash Flow Comparisons</b>	
<b>TOWN of CHESWOLD</b>	<b>February, 2015</b>
Cash Receipts	\$ 49,387.25
Cash Disbursements	\$ 10,076.53
Positive Monthly Cash Flow	\$ 39,310.72
<b>ADMINISTRATION</b>	<b>February, 2015</b>
Cash Receipts	\$ 16,451.16
Cash Disbursements	\$ 6,639.12
Positive Monthly Cash Flow	\$ 9,812.04
<b>POLICE DEPARTMENT</b>	<b>February, 2015</b>
Cash Receipts	\$ 27,129.75
Cash Disbursements	\$ 3,437.41
Positive Monthly Cash Flow	\$ 23,692.34
<b>PUBLIC WORKS</b>	<b>February, 2015</b>
Cash Receipts	\$ 5,806.34
Cash Disbursements	\$ 0.00
Positive Monthly Cash Flow	\$ 5,806.34

The Treasurer's Report, **(Account Balances)**, for the **Month of February, 2015** is as follows:

<b>As of:</b>	<b>February, 2015</b>
Capital Account	\$ 7,602.34
Cheswold Pride Day Account	\$ 4,515.40
Eide Grant Fund Account	\$ 6,252.70
Fire Company Account	\$ 3,318.22
General Fund Account	\$ 49,617.64
Land Use Applicant's Account	\$ 4,191.42
Litigation Account	\$ 4,812.88
Municipal Street Aid Account	\$ 33,246.56
Salle Grant Fund Account	\$ 4,166.51

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

Councilperson Theon Callender – Yes                      Councilperson Sherry Lambertson – Yes  
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

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

**2. Requisitions – *Nothing to Report***

<b><u>Requisition #</u></b>	<b><u>Department</u></b>	<b><u>Vendor</u></b>	<b><u>Item</u></b>	<b><u>Amount</u></b>	<b><u>To Be Paid By</u></b>
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**3. Proposed Purchases – *Nothing to Report***

**Tax Collector's Report:**

**a. Month of February, 2015**

**TAX REPORT: FISCAL YEAR 2014 – 2015**

Total Amount Billed: \$132,269.33

Payments as of:

<b>Current Year; Past Due:</b>		
07/31/2014	\$ 27,746.42	\$ 1,743.56
08/31/2014	\$ 59,550.10	\$ 767.97
09/30/2014	\$ 22,408.34	\$ 280.82
10/31/2014	\$ 1,494.95	\$ 286.71
11/30/2014	\$ 69.60	\$ 5.90
12/31/2014	\$ 2,542.00	\$ 264.65
01/31/2015	\$ 633.65	\$ 118.58
02/28/2015	\$ 746.18	\$ 17.88
03/31/2015		
04/30/2015		
05/31/2015		
06/30/2015		

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

Councilperson Theon Callender – Yes      Councilperson Sherry Lambertson – Yes  
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

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

**• TRAINING**

- Chief Workman and PFC Kline will be attending the Delaware Police Chief's Conference in Rehoboth Beach, DE, from May 18 to May 21, 2015. Training will be paid by the SALLE grant.
- Chief Workman will also be attending an all day re-certification class for Heartsaver First Aid, on March 13, 2015 at the Delaware Fire School, in Dover DE.

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

- **MISCELLANEOUS**

The new fax/copier/scanner/printer supplied by the Criminal Justice Council, to support the video phone system, has been installed in the patrol room for officer use. A fax line will be attached, which will add to officer and administrative personnel safety, by providing fax usage within the confines of the police department.

- **ALARM VIOLATIONS**

First quarter evaluations and alarm violation notices will be sent out on March 31, 2015, for all residents who have not complied with the Town Alarm Ordinance and have exceeded the yearly allowance for false alarms.

- **TRAFFIC SUMMONS**

Officers issued 229 traffic summons in the month of February, 2015.

- **MONTHLY INCIDENT REPORT – February, 2015**

911 Disconnects = 0	Fraud = 0	Resisting Arrest = 0
Accidents-H/R = 0	Fugitives = 9	Robberies = 0
Accidents-PD = 1	Harassment = 0	Sex Crimes = 0
Accidents PL =1	Lock Jock = 0	Solicitation = 0
AED/CPR = 0	Lost Property = 0	Stolen Vehicle = 0
Alarms = 4	Loud Party = 0	Suspicious Person/s = 3
Alcohol Violations = 0	Megan's Law = 0	Suspicious Vehicle/s = 0
Animal Comp = 0	Mental Patient = 0	Terroristic Threat/s = 0
Assaults = 0	Misc. Investigation = 0	Thefts = 0
Assist Other Agencies = 8	Missing Person = 0	Traffic Hazards = 0
Burglary = 0	Noise Complaint = 0	Traffic Violations = 28
Civil Dispute = 0	Offensive Touching = 0	Trespass = 0
Court Violation = 0	Open Door/Window = 0	Unassigned = 0
Criminal Impersonation = 0	Overdose = 0	Unfounded = 3
Criminal Mischief = 1	PFA Violation = 0	Vehicle/s – Abandoned = 0
Disorderly = 0	Property Checks = 0	Vehicle/s – Disabled = 1
Domestics = 0	Public Assistance = 1	Vehicle/s – Recovered = 0
Drugs = 2	Pursuit = 0	Vehicle/Unauthzd Use = 0
DUI = 1	Rape = 0	Warrant Service = 1
Fight = 0	Relay = 0	Welfare Check = 3
Found Property = 1	Repossessions = 0	

- **Questions Posed to the Chief**

- **Mayor:** Was there someone working from the Department during the storm?
- **Chief:** Yes.
- **Councilperson Lambertson:** What is the nature of the fugitive arrests?
- **Chief:** 90% are a result of traffic stops and nothing major.

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**Cheswold Fire Company Report** – *Fireman Fred Neese*

- **Status Report –**
  - Fireman Neese was not in attendance

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

- **Status Report –**
  - a. The January, 2015 report, as submitted by Public Works Director Doug Burns is as follows:

	PERMITS ISSUED	NEW VIOLATIONS	CLOSED VIOLATIONS	BUSINESS LICENSES ISSUED	BUILDING INSPECTIONS
Feb. 2015	3	5	2	15	7

**OTHER**

**41 New St.** – Bank is continuing to solicit bids to demolish entire building.

**33 New St.** – Owner committed to \$100.00 monthly payment to pay off \$2,000.00 debt to Town.

**Business Licenses** – 11 Renewals forwarded

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**b. Review of Potential Building Permit Income vs. Loss of Potential Tax Income**

The Mayor and Council reviewed a spreadsheet submitted by Mrs. Callender that reflects the potential building permit income over a period of seven years for an average of 69 building permits being issued vs. the potential tax income over the same period for the same number of buildings.

The potential building permit income is \$1,629,270 vs. a tax income of \$136,900.

The Council requested Mrs. Callender to discuss the potential ramifications of granting seven year tax abatements in association with reaping the potential benefits of building permit income.

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

- **Status Report –**
  - **Town Hall Parking Lot** – A response to Kent Conservation District for additional information was forwarded on February 2, 2015, by Town Engineer Tom Wilkes. While waiting for their response Mr. Wilkes is pursuing the approval of the entrance permit from DelDOT.
  - **Status Report on Old Town Water Project** – Mrs. Callender reported that she reviewed and returned her feedback on the PER and ER to Mr. Wilkes and is pending the receipt of the revised document for submission to the USDA.

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**Old Business** – *Secretary/Treasurer Theon Callender*

- **Status of Town Election**

As a result of only receiving applications for Council seats from the incumbents – Vice Mayor Sine and Councilperson Lambertson, the Town Election for 2015 – 2016 was officially cancelled with the Kent County Election Board.

The Mayor stated that the Council should seriously consider making a Charter change to conduct Town elections in the month of May instead of March and perhaps more interest will be shown on the part of Town residents to participate in Town government.

**New Business**

- **Resolution 02-23-2015-067 Annexation of Cheswold Properties, LLC**

- **Resolution 02-23-2015-068 Annexation of Our Grace Land Holdings, LLC**

- Secretary Callender read and presented the Resolution of Annexation for the above entitled properties, both located on the east side of Route 13, south of intersection Route 42.

- A motion was made by Vice-Mayor Sine, with a second from Councilperson Lambertson to approve both properties for annexation within the corporate limits of the Town of Cheswold. The votes on the motion were as follows:

Councilperson Theon Callender – Yes

Councilperson Sherry Lambertson – Yes

Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

- **Resolution 02-23-2015-069 Public Hearing on Revision to Cheswold Land Use Ordinance**

- Secretary/Treasurer Callender presented a Resolution to revise the Cheswold Land Use Ordinance to add a Section 4-9 that will address the issues, provisions, processes and procedures for applicants, be they property owners or the Town of Cheswold to re-zone an existing property to either meet the needs and uses of the property owner to correct previous errors that may have been made in the assignment of a Zoning code.

- A motion was made by Vice-Mayor Sine, with a second from Councilperson Lambertson to approve the date, time, location and reason for the Public Hearing. The votes on the motion were as follows:

Councilperson Theon Callender – Yes

Councilperson Sherry Lambertson – Yes

Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

- **Response from State Representative Trey Paradee – Re: Proposed 2016 MSA Budget**

Mrs. Callender informed the Mayor and Council that she forwarded a letter to Rep. Paradee and State Senator Dave Lawson, requesting that they support municipalities in our quest to maintain the previous years' budget limits for the 2016 MSA budget. Rep. Paradee was gracious enough to respond and to state that he doesn't believe the budget will be cut.

The Town, Mayor and Council appreciate the time that Rep. Paradee took to personally respond.

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**New Business**

- **Town Council Workshop Meeting**

The February meeting is scheduled as follows:

TUESDAY, MARCH 17, 2015  
6:00 pm  
CHESWOLD TOWN HALL  
691 MAIN STREET  
CHESWOLD, DELAWARE 19936

**Community Comments/Concerns**

Nothing to Report

**Council Member Comments**

- *Secretary/Treasurer Theon Callender* – Nothing to Report
- *Vice Mayor Sine* – suggested that the Council suspend the Workshop meetings in June, July and August. Mrs. Callender requested that the Council consider suspending the meetings at the monthly meeting of the associated month. That way if an important item comes up then the meeting is already scheduled and will not have to be re-scheduled. The Council agreed.
- *Councilperson Sherry Lambertson* – Nothing to Report

**Mayor's Comments**

- Nothing to Report

**Motion to Adjourn –**

A motion was made by Vice Councilperson Callender, seconded by Councilperson Lambertson to adjourn at 7:08 p.m. and the votes on the motion were as follows:

Councilperson Theon Callender – Yes                      Councilperson Sherry Lambertson – Yes  
Vice Mayor Sine – Yes

The motion carried with a unanimous vote.

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