

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – May 4, 2015
6:00 p.m.
Cheswold Town Hall
691 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

Planning Commission: 0

Town Employees: 0

of Cheswold Fire Company Present: 0

of Town Residents: 2

Mr. Rodney Callender
Ms. Jessica Shamus

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 29, 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 April 27, 2015. Copies of the agenda were available for pick-up at the Town Hall.

Meeting:

The meeting was called to order by Mayor Tinari, at 6:06 pm, immediately following the Public Hearing held at 6:00 p.m. As a result the Pledge of Allegiance and Moment of Silence which was conducted in the earlier meeting was not repeated.

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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 he in turn acknowledged and welcomed the visitors at which time 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 minutes 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:

April 6, 2015 – Public Hearing: Introduction of R-5 Zoning
April 6, 2015 – Monthly Town Council Meeting
April 21, 2015 – 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 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 April, 2015** are as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	April, 2015
Cash Receipts	\$ 32,782.56
Cash Disbursements	\$ 13,348.95
Positive Monthly Cash Flow	\$ 19,433.61

ADMINISTRATION	April, 2015
Cash Receipts	\$ 6,511.06
Cash Disbursements	\$ 3,341.38
Positive Monthly Cash Flow	\$ 3,169.68

POLICE DEPARTMENT	April, 2015
Cash Receipts	\$ 100.00
Cash Disbursements	\$ 9,315.86
Negative Monthly Cash Flow	(\$ 9,218.86)

597.52

PUBLIC WORKS	April, 2015
Cash Receipts	\$ 26,171.50
Cash Disbursements	\$ 691.71
Positive Monthly Cash Flow	\$ 25,479.79

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

As of:	April, 2015
Capital Account	\$ 7,603.61
Cheswold Pride Day Account	\$ 4,515.40
Eide Grant Fund Account	\$ 6,252.70
Fire Company Account	\$ 3,318.78
General Fund Account	\$ 30,885.99
Land Use Applicant's Account	\$ 34,599.01
Litigation Account	\$ 4,803.16
Municipal Street Aid Account	\$ 31,863.46
Salle Grant Fund Account	\$ 4,166.51

A motion to accept the Treasury 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.

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Treasurer's Report "continued":

1. Requisitions – Nothing to Report

2. Proposed Purchases –

Secretary/Treasurer Callender presented a request from Edmunds & Associates for a donation of \$250.00 to their 2015 Guts & Glory Race, to be held on August 16, 2015 in Ocean City, New Jersey, in support of their fight against Crohn's Disease and Ulcerative Colitis. She additionally explained that the Town will receive a \$250.00 credit against our 2016 computer software support agreement or any outstanding invoice from Edmunds. The Council directed the Secretary/Treasurer to make the payment.

Tax Collector's Report:

a. Month of April, 2015

TAX REPORT: FISCAL YEAR 2014 - 2015

Total Amount Billed: \$132,269.33

Payments as of:

	Current Year;	Past Due:
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	\$ 1,637.91	\$ 479.97
04/30/2015	\$ 1,881.00	\$ 666.42
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

- PFC Kline will be attending a 3 day course in Charleston, West Virginia, which will include forensic interviewing of children.

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Police Department Report – *“continued”*

- **COMPUTER AIDED DISPATCH**

With the assistance of the Delaware State Police Communications, our Police Department was selected as one of the first municipal departments to receive the Computer Aided Dispatch, (CAD), system placed into their patrol vehicle computers.

CAD allows the officer to be dispatched to a call and all of the associated information is sent to the laptop. This system, when fully operational, will streamline the officer’s report writing ability and provide vital, on the spot, information while en-route to incidents. These are but a few of the features.

To-date there have only been some software issues with the ID’s of the officers, but it is expected to be remedied shortly.

The typical cost of installing the systems is \$1,000.00 per car and a \$100.00 maintenance fee. There is the possibility that our Town may be exempt from the start-up costs as a result of the Town participating in the pilot program.

- **DELAWARE OFFICE of HIGHWAY SAFETY – APRIL MOBILIZATION**

Our Department was awarded a brand new Stalker DSL reader unit in a random drawing by the DE OHS for our participation in April’s Distracted Driver Mobilization.

- **COPS – 2015 HIRING GRANT**

The 2015 COPS Hiring Grant will begin taking grant applications mid-May, for the 2015 funding period.

This year’s grants are aligned with recommendations contained in the interim report of the President’s Task Force on 21st century policing, which examined how to strengthen public trust and foster strong relationships between local law enforcement and the communities that they protect, while also promoting effective crime reductions.

The grant awards will probably be completed in September or October and if awarded will provide 3 years of funding, with a requirement for the Town to maintain the position for 1 year after the end of the grant award.

Chief recommends that it be done and the Council advised him to complete the application and a decision as to whether to accept the grant will be made at the time the awards are made.

- **ACCREDITATION**

The Chief advised the Council that he will begin working on obtaining State of Delaware certification for the Department.

The State of Delaware Legislature created the Delaware Police Accreditation Commission in order to give smaller agencies, without the resources and finances to become accredited through CALEA, (Commission of Accreditation for Law Enforcement Agencies), the opportunity to have their departments meet a higher standard set by the State.

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Police Department Report – “continued”

- **ACCREDITATION** – “continued”

Our Department will be reviewing its policies and procedures, along with its every day practices in areas of patrol, evidence, use of force and detention – just to name a few. There are a total of 105 standards that will need to be covered by the Department and reviewed by an accreditation team, before the Department can be awarded the Accreditation.

The Chief and his officers are committed to this process and feel that it is important to become an agency that is determined to hold itself to higher standards and be recognized for working hard to achieve and maintain those standards.

- **KENT COUNTY GRANT**

The Chief stated that after careful consideration and review of the needs of the Department, he is requesting the Council to review the purchase of a speed trailer with the funds allotted to the Department by the Kent County Levy Court.

The trailer is a radar unit and display that can be set up in residential and main street roadways in the Town to display to drivers their current spend as they are traveling through Town. Hopefully, this will assist in slowing traffic in areas where there is high pedestrian and child foot traffic.

Attached, is information on the units and associated amenities that are being reviewed.

<u>ITEM</u>	<u>PROJECTED COST</u>
Stalker SAM w/Solar Panel & Statistical Data Collection	\$ 7,014.00
Stalker SAM R w/Solar Panel & Statistical Data Collection	\$ 6,014.00
Kustom Signals w/Solar Panel & Statistical Data Collection	\$ 6,520.00
Kustom Signals Smart 650 w/o Solar Panel & Statistical Data Collection	\$ 5,000.00
Stealthstat – Covert Traffic Data Collection	\$ 3,101.00

After discussion by the Mayor and Council concerning the benefits of each item and the associated costs, and the Chief explaining the value of the collection of the speeding data to the Department, a suggestion was made to hold off making a decision until the next fiscal year, at which time, the funds may be available to make the preferred purchase of the Solar Panel with the Statistical Data Collection option.

NOTE: Councilperson Lambertson provided congratulations to the Chief on the innovation of obtaining the CAD as a pilot program. She stated that it provides a positive light for the Town to be pro-active.

- **TRAFFIC SUMMONS**

Officers issued 249 traffic summons in the month of April, 2015.

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Police Department Report – “continued”

• **MONTHLY INCIDENT REPORT – April, 2015**

911 Disconnects = 0	Fraud = 0	Resisting Arrest = 0
Accidents-H/R = 0	Fugitives = 4	Robberies = 0
Accidents-PD = 0	Harassment = 0	Sex Crimes = 0
Accidents PL = 0	Lock Jock = 0	Shoplifting = 1
AED/CPR = 0	Lost Property = 0	Solicitation = 0
Alarms = 7	Loud Party = 2	Stolen Vehicle = 0
Alcohol Violations = 0	Megan’s Law = 0	Suspicious Person/s = 0
Animal Comp = 2	Mental Patient = 0	Suspicious Vehicle/s = 0
Assaults = 0	Misc. Investigation = 2	Terroristic Threat/s = 2
Assist Other Agencies = 14	Missing Person = 3	Thefts = 1
Burglary = 0	Noise Complaint = 0	Traffic Hazards = 0
Civil Dispute = 1	Offensive Touching = 0	Traffic Violations = 29
Court Violation = 0	Open Door/Window = 0	Trespass = 1
Criminal Impersonation = 1	Overdose = 0	Unassigned = 1
Criminal Mischief = 1	PFA Violation = 0	Unfounded = 1
Disorderly = 1	Property Checks = 0	Vehicle/s – Abandoned = 2
Domestics = 5	Public Assistance = 4	Vehicle/s – Disabled = 0
Drugs = 2	Pursuit = 0	Vehicle/s – Recovered = 0
DUI = 0	Rape = 0	Vehicle/Unauthzd Use = 0
Fight = 1	Relay = 0	Warrant Service = 0
Found Property = 0	Repossessions = 0	Welfare Check = 2

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 April, 2015 report, as submitted by Public Works Director Doug Burns is as follows:

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
APRIL, 2015	4	5	8	6	18

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

- **Status Report** –
 - **Town Hall Parking Lot** – *Nothing new to Report.*
 - **Status Report on Old Town Water Project** – Cost estimate portion of grant is scheduled to close pending revisions to the Environmental Report.

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Old Business – *Secretary/Treasurer Theon Callender*

- **Additional Review of Proposed Addition of R-5 Zoning Code and Deletion of Age-Defined Residential Community Overlay**

Mrs. Callender shared the changes made to the R-5 Zoning Code document by Attorney Barrett Edwards, in association with the concerns expressed by the Town Council at last month's Town Council Workshop Meeting.

After discussion by the Mayor and Council, Vice Mayor Bob Sine made a motion to approve the document as currently submitted. (Copy attached). Councilperson Sherry Lambertson made a second to the motion and the votes were as follows:

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

The motion carried with a unanimous vote.

- **Review and Potential Vote of Acceptance of Annexation Applications**

- Evans Jarrell, LLC
- Eddie Evans Farms, LLC

Mrs. Callender explained that the Council did not receive the recommended Zoning Code assignments as required from the Planning Commission, and as a result recommends that the Council does not vote on accepting the annexation applications, until the recommendations are received.

Councilperson Sherry Lambertson then made a motion to that effect and with a second from Vice Mayor Bob Sine, 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.

New Business – *Secretary/Treasurer Theon Callender*

Secretary/Treasurer Callender presented the following (5) Ordinances for review and comment from the Mayor and Council, and the specified actions were taken on each:

1. **Ord. 05-04-15-009 Establishment of Residential Rental Property Registration & License**
After review and discussion it was decided to continue review at the Council Workshop
2. **Ord. 04-01-15-042 Previously approved Land Use Ordinance Text Amendments – Various Definitions**
After review and discussion a motion was made and passed to approve and direct the Secretary/Treasurer to schedule a Public Hearing to obtain public comment. *(See below)*
3. **Ord. 04-01-15-043 Amendments to 2010 Comprehensive Plan – 5 Year Growth Area & Plan**
After review and discussion a motion was made and passed to approve and direct the Secretary/Treasurer to schedule a Public Hearing to obtain public comment. *(See below)*
4. **Ord. 04-01-15-044 Administration & Application of Land Use Ordinance Fees**
After review and discussion it was decided to continue review at the Council Workshop

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New Business – “*continued*”

5. Ord. 04-22-15-046 Adoption and Enforcement of Obligations to the Town of Cheswold

After review and discussion a motion was made and passed to approve and direct the Secretary/Treasurer to schedule a Public Hearing to obtain public comment. (*See below*)

• **Ordinance Reviews**

After review and discussion of the Ordinances, not being held for additional review, a motion was made by Secretary/Treasurer Callender to hold a Public Hearing on June 1, 2015, at 6:00 p.m., in the Cheswold Town Hall to receive public comment on the following Ordinances:

- **Ord. 04-01-15-042 Previously approved Land Use Ordinance Text Amendments – Various Definitions**
- **Ord. 04-01-15-043 Amendments to 2010 Comprehensive Plan – 5 Year Growth Area & Plan**

Additionally, a motion was made by Vice Mayor Bob Sine, with a second from Councilperson Sherry Lambertson to approve and direct the Secretary/Treasurer to prepare a resolution to hold a Public Hearing on June 1, 2015, at 6:00 p.m., in the Cheswold Town Hall to receive public comment on the following Ordinances:

- **Ord. 04-22-15-046 Adoption and Enforcement of Obligations to the Town of Cheswold**

The votes on all three, (3), motions were as follows:

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

The motion carried with a unanimous vote.

• **Monthly Town Council Workshop**

The Workshop is scheduled as follows:

Monday, May 18, 2015
6:30 p.m.
Cheswold Town Hall
691 Main Street

Immediately preceding the Workshop, at **6:00 p.m.**, in the **same location** will be a **Public Hearing** to accept public comments on the following;

**Addition of the R-5 Zoning Code to Create an Age Defined
Community Zoning District and the Deletion of the
Age Defined Residential Overlay of the
Land Use Ordinance of the Town of Cheswold**

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Community Comments/Concerns

Earlier during the meeting, the Mayor acknowledged the presence of Ms. Jessica Stamus, a Town and Parkers Run Development resident. Secretary/Treasurer introduced Ms. Stamus to the Mayor, the Council and the Police Chief and informed them that Ms. Stamus has expressed interest in serving on the Council.

When given the opportunity to speak, Ms. Stamus explained that prior to making a final decision, she wanted to observe the meetings and expects to attend a few more and then make her decision.

Council Member Comments

- *Secretary/Treasurer Theon Callender* – Reported that one of her neighbors asked her to express his notice and appreciation for the good work being done by the Town to improve things.
- *Vice Mayor Sine* – Nothing to Report
- *Councilperson Sherry Lambertson* – Expressed her appreciation to the efforts made by Public Works Director Doug Burns and Bobby Ridgeway for the work they are doing to make a physical difference in the appearance of Old Town.

Mayor's Comments

- Nothing to Report

Motion to Adjourn –

A motion was made by Vice Councilperson Callender, seconded by Councilperson Lambertson to adjourn at 7:26 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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