Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – July 6, 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: 0

# of Visitors: 2
Mr. & Mrs. Paul & Liz Cable, Wyoming, Delaware *(Paul Cable is a Wyoming Councilperson)*

Notice:
Notice of this meeting hs 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 June 18, 2015. Copies of the agenda were available for pick-up at the Town Hall.

Subsequent to the initial posting of the agenda, it was revised and re-posted, on
June 30, 2015. It was revised to add Items b and c and Requisitions to the Treasury report and to remove the following Item from New Business:

1. Appeal from Mr. Zargoza – Fines at 215 Commerce Street

Meeting:
The meeting was called to order by Mayor Tinari, at 6:33 pm. The Pledge of Allegiance and a Moment of Silence were conducted during the Public Hearing, which was held previous to the Town Council meeting.

Recognition of Proper Posting of Meeting:
The Mayor declared that the meeting had been properly posted, and requested the Secretary/Treasurer to so note in the minutes.

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.

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 Councilperson Sherry Lambertson and seconded by Vice Mayor Sine. 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:
June 1, 2015 – Monthly Town Council Meeting
June 17, 2015 – Town Council Workshop Meeting

A motion to accept the both sets of Town Council 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.

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

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	June, 2015
Cash Receipts	**$ 52,664.47**
Cash Disbursements	**$ 9,737.31**
Positive Monthly Cash Flow	**$ 42,927.16**

ADMINISTRATION	June, 2015
Cash Receipts	$ 47,001.16
Cash Disbursements	$ 5,885.67
Positive Monthly Cash Flow	$ 41,115.49

POLICE DEPARTMENT	June, 2015
Cash Receipts	$ 5,188.31
Cash Disbursements	$ 3,824.48
Positive Monthly Cash Flow	$ 1,363.83

PUBLIC WORKS	June, 2015
Cash Receipts	$ 475.00
Cash Disbursements	$ 27.16
Positive Monthly Cash Flow	$ 447.84

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

As of:	June, 2015
Capital Account	$ 7,604.88
Cheswold Pride Day Account	$ 4,515.40
Eide Grant Fund Account	$ 6,252.70
Fire Company Account	$ 3,319.33
General Fund Account	$ 70,853.57
Land Use Applicant's Account	$ 37,705.43
Litigation Account	$ 10,793.53
Municipal Street Aid Account	$ 31,171.69
Salle Grant Fund Account	$ 3,506.51

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Treasurer's Report *"continued"*:

c. **End of Fiscal Year 2014-2015**

TOWN of CHESWOLD	Revenue	Expense	Balance
Administration	$ 258,902.13	$ 170,050.07	$ 88,852.06
Police Department	$ 95,552.01	$ 75,447.87	$ 20,104.14
Public Works	$ 63,564.00	$ 2,644.20	$ 60,919.80
TOTAL	$ 418,018.14	$ 248,142.14	$ 169,876.00

d. **Requisitions**

Requisition #	Department	Vendor	Item	Amount	To Be Paid By
R5-0074	Police	Amazon	Time Clock	$279.00	General Fund
R5-0075	Police	U.S. Post Ofc,	6 Coils of Stamps - Taxes	$294.00	General Fund
R6-0001	Public Works	Lowes	Shovels;Weed Killer;Gloves	$105.84	Public Works

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.

e. **Proposed Purchases** –
Mrs. Callender requested the Council to consider the approval of an expenditure of $487.50 for attendance by Shadina Jones, Town Clerk; Doug Burns, Code Enforcement Officer and herself in a class entitled, "Enhancing Departmental Office Worker & Support Staff Functional Job Skills, to be held in 2 sessions and delivered by Benchmark Professional Seminars, Inc., of Wilmington, DE.

After some discussion, Vice Mayor Sine made a motion to approve the expenditure based on a future decision by the Town Administrator as to whether the dates of the class are in the best interest of the administration of the Town. Councilperson 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.

Monthly Town Council Meeting
Monday, July 6, 2015

Treasurer's Report *"continued"*:

f. Review and Vote on Final Fiscal Year 2015 - 2016 Budget

2015 – 2016
BUDGET SUMMARY

Revised for Council Review
- Final Review by Secretary/Treasurer – 6/302015
OFFICIALLY APPROVED BY UNANIMOUS COUNCIL VOTE: July 6, 2015

ANTICIPATED REVENUE:

Cash Carry-Over 2014 – 2015 *(Confirmed)*	$ 70,850
General Fund	$ 269,000
Police Department	$ 93,425
Public Works	$ 228,100
Capital Account – Cash Carry-Over *(Confirmed)*	$ 7,600
Cheswold Pride Day Account Cash Carry-Over *(Confirmed)*	$ 4,500
TOTAL	**$ 673,475**

ANTICIPATED EXPENSE:

General Fund*	$ 384,650
Police Department	$ 192,414
Public Works	$ 13,975
Capital	$ 1,400
Cheswold Pride Day	$ 1,700
TOTAL	**$ 594,139**
DIFFERENCE	**$ 79,336**

******Includes Ryan Loan Payment to M&T Bank of $32,200 and Vann Litigation Payment of $27,000*

A motion to approve the Fiscal Year 2015-2016 Budget 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"*:

g. Public Works Fiscal Review

Mrs. Callender made special note of the monetary difference made by the addition of a dedicated Building Inspector/Code Enforcement Officer employee. The Public Works revenue for the previous three (3) fiscal years totaled $24,755.46 for an average of $8,251.82. In Fiscal Year 2014-2015, as a result of the addition of Mr. Burns, the Public Works Department realized a revenue of 63,564.00. It is recognized that this significant increase is also an indication of a long anticipated up-swing in the housing market, but it is also to the credit of Mr. Burns for consistently following through with Business License renewals; efficient handling of Building permits and property inspections resulting in fines and penalties, but most importantly in a cleaner and safer environment. Kudos to Mr. Burns and Mr. Ridgeway – our Public Works department.

Tax Collector's Report:

a. **Month of June, 2015**

TAX REPORT: FISCAL YEAR 2014 – 2015

Total Amount Billed: $132,269.33

Payments as of:

	Current Year;	Past Due Paid:
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	$ 414.76	$ 356.97
06/30/2015	$ 380.42	$ 334.12

Total Taxes Paid for Fiscal Year 2014 -2015: $119,505.33

Balance Due for Fiscal Year 2014 – 2015: $12,764.00

A motion to accept the Tax 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.

Monthly Town Council Meeting
Monday, July 6, 2015

<u>Police Department Report</u> – *Chief Christopher Workman*

- **TRAINING**
  - Chief Workman will be attending the final class of Command Leadership Institute of the FBI LEEDA Trilogy, from July 13 to July 17, 2015, in the Dover Police Department.

- **REQUEST for NEW VEHICLE**
  - The Chief presented a request for the purchase of new 4wd vehicle for the Police Department. The request was accompanied by a quote for a three, (3), year and a four, (4), year lease purchase amount for a 2015 Chevrolet Tahoe, from the State contractor, IG Burton. He suggested the four year lease agreement for approximately $9, 181.54 over purchasing the 2016 Ford Interceptor. The Tahoe will provide required space and durability as a pursuit rated vehicle and it is specifically designed for Police use.

    Councilperson Callender requested that approval be contingent upon the addition of a remote starter, whose installation will assist in the conservation of gasoline through the elimination of leaving the vehicle running to facilitate a quick start by officers.

    A motion to approve the purchase was made by Vice Mayor Sine and Secretary/Treasurer Callender submitted a second. The 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.

    Note: The confirmed yearly payments will be $9, 340.00

- **EVIDENCE TECHNICIAN**
  - PFC Susan Kline has been appointed as the evidence custodian for the Cheswold Police Department.

    With the new evidence software and change requirements of State policies regarding evidence logging, maintenance, storage and transport, the Department is updating the in place policy to reflect the new procedures.

    PFC Kline, sometime in the future, will also be attending training for property and evidence care, along with advanced course in evidence collection.

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<u>Police Department Report</u> – *"continued"*

- **DEPARTMENTAL POLICIES**

  - Currently the Department is investigating the placement of a link to all of its Administrative Procedures and Code of Conduct information onto the Police Department section of the Town website to provide public viewing.

    This will not include portions of the Department's manuals that provide specific responses and standard operating procedures for responding to emergencies.

    Currently, the Department is in contact with the Town Solicitor, Fred Townsend, Esquire, regarding any potential legal ramifications of providing information for public consummation and determining what, if any FOIA exemptions may apply.

- **STATE of DELAWARE LAW ENFOCEMENT ACCREDITATION**

  - The Cheswold Police Department is in the process of acquiring an accreditation as a police agency through the State of Delaware Accreditation Program. The purpose of this process is to acquire and maintain a level of professionalism and proficiency by reviewing departmental policies and procedures.

    Completing this process will done over an extended period of time, as each standard and policy must be reviewed and compiled for examination by the State of Delaware Accreditation Committee. Currently there are 101 standards that are reviewed, (if applicable).

- **TRAFFIC SUMMONS**

  - Officers issued 215 traffic summons in the month of May, 2015.

- **MONTHLY ACTIVITY REPORT**

  - Officers responded to or completed reports for 87 incidents during the month of June, 2015.

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Police Department Report – *"continued"*

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

911 Disconnects = 3	Fugitives = 2	Repossessions = 0
Accidents-H/R = 0	Harassment = 0	Resisting Arrest = 0
Accidents-PD = 2	Lock Jock = 0	Robberies = 0
Accidents PL =0	Lost Property = 0	Sex Crimes = 0
AED/CPR = 0	Loud Party = 0	Shoplifting = 0
Alarms = 6	Medical Transport = 0	Solicitation = 0
Alcohol Violations = 0	Megan's Law = 0	Stolen Vehicle = 0
Animal Comp = 0	Mental Patient = 0	Suspicious Person/s = 2
Assaults = 0	Misc. Investigation = 0	Suspicious Vehicle/s = 2
Assist Other Agencies = 16	Missing Person = 0	Terroristic Threat/s = 1
BOLO = 0	Noise Complaint = 0	Thefts = 3
Burglary = 0	Offensive Touching = 0	Traffic Hazards = 1
Civil Dispute = 0	Open Door/Window = 0	Traffic Violations = 21
Court Violation = 1	Overdose = 0	Trespass = 2
Criminal Impersonation = 1	Parking Violation = 0	Unassigned = 1
Criminal Mischief = 1	Pedestrian Stop = 0	Unfounded = 1
Curfew = 0	PFA Service = 1	Vehicle/s – Abandoned = 0
Disorderly = 1	PFA Violation = 0	Vehicle/s – Disabled = 0
Domestics = 2	Property Checks = 7	Vehicle/s – Recovered =0
Drugs = 1	Psychiatric Incident = 0	Vehicle/Unauthzd Use = 0
DUI = 0	Public Assistance = 5	Warrant Service = 0
Fight = 1	Pursuit = 0	Welfare Check = 2
Found Property = 0	Rape = 0	
Fraud = 0	Relay = 0	

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

	PERMITS ISSUED	NEW VIOLATIONS	CLOSED VIOLATIONS	BUSINESS LICENSES ISSUED	BUILDING INSPECTIONS
June, 2015	**5**	**9**	**3**	**12**	**3**

  - The grass was cut at 33 New and 157 Commerce Streets and the properties violated. Bills for the grass cuttings have been sent to the property owners.
  - New lights have been installed on the truck trailer.
  - Building permit is expected to be requested by Ryan Homes in the next month. They are the new contractor, for Parkers Run Development.

Monthly Town Council Meeting
Monday, July 6, 2015

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

- **Status Report** –
  - **Town Hall Parking Lot –** a response from DNREC is yet pending, however, Mr. Wilkes has submitted the entrance permit application to DelDOT for review and approval.

  - **Cheswold Village, McGinnis Green, Lot 2 –** The Planning Commission has submitted a recommendation, (Memo 15-003), to approve the McGinnis Green, Lot 2 Final Plan, of Cheswold Village, dependent upon the successful completion of pending items cited by Town Engineer Tom Wilkes in his correspondence of June 23, 2015 – File # DKCWP008.

    After review by the Mayor and Council, Vice Mayor Sine made a motion to approve the Final Plan as recommended by the Planning Commission and with a second from Councilperson Lambertson, 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.

Old Business – *Secretary/Treasurer Theon Callender*

a. Vote on Proposed Ordinances

- **Ordinance 04-22-15-046 Clean Hands Ordinance** – this Ordinance requires that all fees, fines, assessments and financial obligations, of all types, be paid in full, prior to the approval of permits, licenses and services.

- Ordinance 04-01-15-044 Administration of Land Use Ordinance Fees – is an explanation and guideline for the requirement of payment and administration of Land Use Ordinance fees, that require applicants to pay for the full cost of services provided by the Town, Town Engineer and/or Town Attorney, in situations that costs exceed the minimum amount initially deposited by the applicant.

A motion was made by Vice-Mayor Sine to approve both Ordinances. A second to the motion was provided by Councilperson Lambertson 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.

Copies of these Ordinances may be obtained from Town Hall,
at no cost to Town residents
and they may be viewed on the Town website at:
http://cheswold.delaware.gov

Old Business – *"continued"*

b. **Additional Review of Ordinance 05-04-15-009 Residential Rental Property Registration and Permitting** – is an Ordinance that provides the guidelines, requirements and regulations governing property owners engaged in the rental of residential property within the corporate limits of the Town of Cheswold.

The Mayor and Council reviewed the Ordinance again and made minor typographical corrections and added a requirement for the availability of trash receptacles to be supplied by the property owner to the resident.

The Ordinance has been forwarded to the Town Solicitor, Fred Townsend, for review of potential legal ramifications and suggestions for revisions, if required.

c. **Additional Discussion of Recognition Awards for Community Service** – Chief Workman suggested that the Town purchase a plague or a crystal and have it engraved with the recipient's name and date of service. He also suggested the implementation of a Nomination Committee.

Secretary/Treasurer Callender made a motion to accept, approve and implement the recommendation of Chief Workman. Vice-Mayor Sine 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.

New Business

a. **Monthly Town Council Workshop Meeting** - scheduled for Tuesday, July 21, 2015, Cheswold Town Hall, 691 Main Street, Cheswold, Delaware at 6:00 pm.

Vice Mayor Sine suggested that the July 21 Workshop Meeting be cancelled for a summer break and it was agreed by the Mayor and Council.

Note: *Subsequent to this agreement, the urgency of Town business required the meeting to remain as scheduled, except for a change of start time from 6:00 p.m. to 5:00 p.m., which was posted on the agenda, in a timely fashion.*

Community Comments/Concerns

Visitors Paul and Liz Cable thanked the Mayor and Council for their warm welcome and they appreciated how smoothly the meeting progressed. They also wanted to know if the Council had ever adopted rules of conduct for the meetings. Although Secretary/Treasurer Callender did not think so, Vice-Mayor Sine explained that a previous Council did adopt Roberts Rule of Order as the standard to conduct Town of Cheswold Council meetings. Councilperson Cable also appreciated the review of the proposed Rental Property Ordinance and stated the need and development of such an Ordinance in Wyoming was the reason, he entered politics.

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Council Member Comments

- *Vice Mayor Sine* – Nothing to Report
- *Secretary/Treasury Theon Callender* – Nothing to Report
- *Councilperson Sherry Lambertson* – Nothing to Report

Mayor's Comments

Mayor Tinari asked Chief Workman if our Police Department participated in the Big Barrel Festival. The Chief responded that the size of the Barrel Festival did not require the assistance of auxiliary police departments and was handled totally be the State.

The Mayor also inquired as to the status of Cheswold Pride Day for this year. Councilperson Lambertson explained that she is in charge and the traditional Pride Day program and activities will not be held. She informed the Mayor that she would discuss the alternate plans with him privately.

Motion to Adjourn

Secretary/Treasurer Callender made a motion to adjourn the meeting and with a second from Vice Mayor 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.

The meeting adjourned at 7:49 p.m.