

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – January 4, 2016
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 Town Residents: 2

Mrs. Judith Johnson – Fox Pointe
Mr. Troy Roberts, Jr. – Parkers Run

of Visitors: 0

Notice:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 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 December 28, 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 6:08 pm. He led the assembled through the Pledge of Allegiance followed by a Moment of Silence.

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Monday, January 4, 2016

Recognition of Proper Posting of Meeting:

The Mayor declared that the meeting had been properly noticed and 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, on Page 1. A quorum of members was presented to the Mayor.

Agenda Review:

Mayor Tinari requested the Council to review the accuracy of the agenda and for a motion to accept as presented or to make changes and amendment requests as needed.

Vice Mayor Sine made a motion to approve the agenda as presented and Councilperson Lambertson made a second to the motion.

A roll call vote on the motion resulted in a unanimous vote to approve.

Vote on Appointment of New Council Member – Mrs. Judith Johnson:

Councilperson Callender made a motion to appoint Mrs. Judith Johnson, an Old Town resident, to serve on the Council as defined by the Charter for filling a vacant seat on Council and based on her meeting the requirements to serve as a Councilperson as required by the Charter and by our her statement of a willingness to serve. Vice Mayor Sine made a second to the motion and a unanimous vote of the Council approved the motion.

Mayor Tinari immediately completed the swearing in process with Ms. Johnson.

Vote on Resignation of Current Council Member – Ms. Sherry Lambertson:

Mayor Tinari recognized the written submission of a letter of resignation from Councilperson Lambertson and asked for a vote to accept the resignation. Councilperson Callender suggested that perhaps Mrs. Lambertson would like to have something to say.

Mrs. Lambertson indicated that she had enjoyed the time spent on Council and that she was not leaving Town and will continue to make herself available to assist the Town its growth, but that it was necessary for her to leave at this time to make space for other Council members and for personal reasons.

With expressed deep regrets, Mayor Bob Sine made a motion to accept the resignation of Mrs. Sherry Lambertson and Councilperson Sam Callender made a second to the motion.

The motion carried with a unanimous vote.

Mayor, Council Member and Police Chief Introductions to Mrs. Johnson:

The Mayor, Council members and the Police Chief took the time and opportunity to present mini-biographies as part of their welcome to Mrs. Johnson to the Council.

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Monday, January 4, 2016

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:

December 7, 2015 – Monthly Town Council Meeting - CANCELLED

December 22, 2015 – Monthly Town Council Workshop

A motion to accept the Monthly Town Council minutes, as presented was made by Vice Mayor Sine and Mrs. Johnson made a second to approve the motion.

A roll call vote on the motion resulted in a unanimous vote to approve.

Note: As the Monthly Town Council meeting was cancelled due to a lack of quorum, there were no minutes submitted for review.

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 December, 2015** are as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	December, 2015
Cash Receipts	\$ 18,869.09
Cash Disbursements	\$ 43951.48
Negative Monthly Cash Flow	(\$ 25,082.39)

ADMINISTRATION	December, 2015
Cash Receipts	\$ 9,618.03
Cash Disbursements	\$ 22,240.96
Negative Monthly Cash Flow	(\$ 12,622.93)

POLICE DEPARTMENT	December, 2015
Cash Receipts	\$ 5,283.00
Cash Disbursements	\$ 17,822.06
Negative Monthly Cash Flow	(\$ 12,539.05)

PUBLIC WORKS	December, 2015
Cash Receipts	\$ 3,968.06
Cash Disbursements	\$ 3,888.47
Positive Monthly Cash Flow	\$ 79.59

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Monday, January 4, 2016

Treasurer's Report "continued":

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

As of:	December, 2015
Capital Account	\$ 7,608.70
Cheswold Pride Day Account	\$ 5,015.40
Eide Grant Fund Account	\$ 7,547.19
Fire Company Account	\$ 3,321.01
General Fund Account	\$ 60,772.90
Land Use Applicant's Account	\$ 27,064.71
Litigation Account	\$ 10,874.54
Municipal Street Aid Account	\$ 38,008.19
Salle Grant Fund Account	\$ 6,475.83

c. Requisitions

<u>Requisition #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
NOTHING TO REPORT					

d. Proposed Purchases - \$270.32

<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
Public Works	Staples	Clorox Cleaner w/ Brush	\$4.27	Public Works
Public Works	Staples	Pine-Sol Cleaner	\$4.27	Public Works
Public Works	Staples	Clorox Wipes	\$4.38	Public Works
Public Works	Staples	Cut-End Cotton Mop	\$2.84	Public Works
Administration	Staples	Portable USB Drives (4)	\$254.58	Administration

A motion to approve the Proposed Purchases, as shown above, was made by Vice Mayor Sine. A second to approve the motion and purchase was made by Councilperson Johnson. A roll call vote on the approval of the motion resulted in a unanimous vote to approve.

Tax Collector's Report

a. **Month of December, 2015**

TAX REPORT: FISCAL YEAR 2015 - 2016

Total Amount Billed: \$132,579.60

Payments as of:

Current Year: Past Due Paid:

07/31/2015	\$29,173.43	\$5,595.97
08/31/2015	\$76,996.58	\$ 403.87
09/30/2015	\$22,408.34	\$ 280.82
10/31/2015	\$ 2,568.39	\$ 30.96
11/30/2015	\$ 1,432.86	\$ 446.88
12/31/2015	\$ 0.00	\$1,386.28

The Tax Report was accepted by the Mayor and Council as presented.

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Police Department Report – *Chief Christopher Workman*

Chief Workman presented the following report to the Mayor and Council, for review:

- **NEW YEAR**

- Welcomed and wished a Happy New Year to the Town and expressed a welcome to the anticipated growth and expansion of the Town and higher demands on the Officers of the Cheswold Police Department.
- Also expressed anticipated plans to expand community outreach programs and services, which will include community meetings and youth initiatives.

- **TRAINING**

- During 2015, the Department participated in 210 hours in a combination of Firearms; AED/CPR; Taser Use; Basic Criminal and Search Warrants and Interview and Interrogation Training, along with a few others.
- Year 2016 training is scheduled to include Investigations and Evidence Collection; Yearly COPT Requirements and addressing some of the issues of the President's Interim Report on 21st Policing, which was released in 2015.

- **YEARLY HOURS REPORT**

- Three, (3), officers worked a total of 5,865 hours for the year of 2015.
- Of the 5,865 hours worked in 2015: 223.75 = Overtime; 38.5 = Qualified for Compensatory Time Off
- Officers used 301.0 vacation hours; 28.0 sick hours; 96.0 personal time hours; 72.0 holiday hours; 50.0 Compensatory Time Off (portion carried from 2014) and 12.0 Other hours, (Jury Duty, Bereavement, etc.)

- **TRAFFIC SUMMONS**

- Officers issued 96 traffic summons in the month of December, 2015.

- **2015 SUMMONES SUMMARY**

<u>2147 Issued</u>				
	MALE	%	FEMALE	%
TOTAL	1243		904	
Caucasian	706	56%	494	55%
African-American	505	41%	389	43%
Asian	24	2%	19	2%
Other	8	1%	2	0%

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Monday, January 4, 2016

Police Department Report – “continued”

• **MONTHLY ACTIVITY REPORT**

- Officers responded to or completed reports for 82 incidents during the month of December 2015.
- **NOTE:** The Chief provided a visual report of the differences in monthly activities between the past three, (3), years, (2013; 2014; 2015). A copy of the report may be obtained by contacting the Chief at Christopher.workman@cj.state.de.us

• **MONTHLY INCIDENT REPORT – Year of 2015**

911 Disconnects = 8	Fraud = 5	Relay = 2
Accidents-H/R = 1	Fugitives = 64	Repossessions = 2
Accidents-PD = 15	Harassment = 2	Resisting Arrest = 0
Accidents PI=3	Lock Jock = 1	Robberies = 0
AED/CPR = 0	Lost Property = 0	Sex Crimes = 3
Alarms = 55	Lost/Stolen Tag = 1	Shoplifting = 5
Alcohol Violations = 0	Loud Party = 4	Shots Fired = 0
Animal Complaints = 2	Medical Transport = 2	Solicitation = 0
Assaults = 2	Megan’s Law = 2	Stolen Vehicle = 1
Assist Other Agencies = 165	Mental Patient = 2	Suspicious Noise = 3
BOLO = 1	Misc. Investigation = 6	Suspicious Person/s = 18
Burglary = 3	Missing Person = 6	Suspicious Vehicle/s = 3
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 4
Check on Welfare = 0	Offensive Touching = 0	Thefts = 22
Civil Dispute = 5	Open Burning = 1	Traffic Hazards = 0
Court Violation = 2	Open Door/Window = 1	Traffic Hazard/Service = 9
Criminal Impersonation = 5	Ordinance Violation = 1	Traffic Violations = 304*
Criminal Mischief = 14	Overdose = 0	Trespass = 9
Curfew = 2	Parking Violation = 1	Unassigned = 23
Custody Dispute = 0	Pedestrian Stop = 1	Unfounded = 9
Death Investigation = 0	PFA Service = 1	Vehicle/s – Abandoned = 2
Disorderly = 14	PFA Violation = 0	Vehicle/s – Disabled = 4
Domestics = 31	Property Checks = 54	Vehicle/s – Recovered = 1
Drugs = 11	Psychiatric Incident = 3	Vehicle/Unauthzd Use = 3
DUI = 2	Public Assistance = 42	Warrant Service = 3
Fight = 5	Pursuit = 0	Weapon – Gun = 1
Found Property = 6	Rape = 1	Welfare Check = 26

*There was a marked increase in the number of traffic violations from 2014 to 2015, which was explained by the Chief as a result of him requiring officers to call into Kent Communications when stopping a vehicle.

• **CRIMINAL ARRESTS**

- There was a total of 71 Criminal and Drug Arrests during the year of 2015 and were broken down as follows:
 - ❖ Felonies = 8
 - ❖ Misdemeanors = 58
 - ❖ Ordinances = 5

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Monday, January 4, 2016

Police Department Report – “continued”

The Mayor and Council acknowledged, received and appreciated the Chief for the year-end report and the fine job done by the Department during 2015. .

Resident Troy Roberts, Jr., asked the Chief if there were some areas in Town that the Department felt more challenged than in others. The Chief responded that during any given year, there are hot spots that may arise in different sections of the Town, but they are handled and dealt with quickly, so that no area in Town develops into a challenging area.

Mr. Roberts also inquired about youth curfews and the Chief responded that the Department enforces the Town wide curfew of 10 pm to 6 pm, and that there is a no tolerance policy. He directed Mr. Roberts to the Town website to review the particulars of the Ordinance.

Mayor Tinari wanted to know if false alarms were decreasing and the Chief answered that they were somewhat less than last year, and that he is in the process of coordinating a report to direct the fine process.

At a question from Mrs. Callender, the Chief informed the Mayor and Council that the State Police are averaging about nine, (9), calls per month to Cheswold in Department off hours.

Public Works Report – *Secretary/Treasurer Sam Callender*

- a. **Status Report** – Mrs. Callender presented the following report for the month of December 2015:

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
December, 2015	2	10	0	20	6

b. **Additional Information**

December 13, 2015 – Doug Burns and Mike VanOrden attended a Snow and Ice Safety Training Class provided by our insurance DFIT

December 27, 2015 – Doug Burns and Mike VanOrden participated in a DELJIS certification training class. The certification and training provides the knowledge and access to entering code violations into the DELJIS system for processing through the courts.

Planning Commission Report – *Land Use Administrator Theon Callender*

- **Status Report** – *Nothing to Report*

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Old Business

- **Continued Review of Ordinance 05-04-15-009 Residential Rental Property Registration and Permitting** – As directed by Council at the December, 2015 Town Council Workshop, Mrs. Callender presented the Council with her collection of fines and fees of some of the other municipalities in the State administering a Residential Rental Property Registration and Permitting Ordinance.

In the interest of time she suggested that Council members review the report during the month and make their individual determination of how and how much those fines and fees should be applied to the proposed Ordinance for Cheswold. Then at the next Council meeting, members can coordinate their individual opinions to reach a consensus. The Council agreed to the suggestion.

- **FOIA Update** – Mrs. Callender presented some of the major items of interest and change associated with FOIA, (Freedom of Information Act). She also apologized for not sending the written synopsis earlier as promised and promised again to send it to all Town personnel, including elected and appointed officials.

Subsequent to the meeting, (Thursday, January 7, 2016), the synopsis was sent to the Chief of Police for distribution to his officers; to the Public Works employees; to the Town Clerk; to the members of the Planning Commission and to the Mayor and members of the Council.

- **Resolutions for Public Hearings** – The Mayor and Council voted to approve the publishing and holding a **Public Hearing** to obtain public comment on the following Ordinances:

Monday, February 7, 2016
Cheswold Town Hall
691 Main Street
Cheswold, Delaware 19936
6:00 p.m.

- **Resolution 01-04-16-079: Revision of Clean Hands Ordinance: 04-22-15-046**
Revises Ordinance to authorize Building Inspector/Code Enforcement Officer or Town Clerk to issue Stop Work Orders or to suspend permit/licenses in situations where permits/licenses were issued in violation of the Clean Hands Ordinance.
- **Resolution 01-04-16-080: “No Guns Ordinance: 11-09-15-048**
An Ordinance to ban the carrying or possession of firearms, components of firearms or other elements associated with firearms into municipal buildings of the Town of Cheswold.

The motion to approve the resolutions was made by Councilperson Callender and with a second from Vice Mayor Sine, the motion was approved with a unanimous roll call vote.

- **Status of “Welcome to Cheswold” Packet:** It was agreed by Council that the items in the packet were in progress and that a projected completion date will be Thursday, March 31, 2016.

In the face of the resignation of Mrs. Lambertson, resident Mr. Troy Roberts, Jr., volunteered to acquire the item that Ms. Lambertson volunteered to complete – “Home Service Connections”. Subsequent to the meeting, Mr. Roberts submitted the connection information to Mrs. Callender. *(Thank you much, sir!)*

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New Business

- **Administrator's Report – Town Administrator Sam Callender**
 - **Status of Proposed Annual Town Wide Flea Market** – In Progress. Ms. Callender will contact Ms. Hurd of the Lenni Lenape to begin discussion and planning sometime during the month.
 - **Status of Administrative Employee Performance Appraisals** – In Progress. Scheduled to be complete by Friday, January 29, 2016. The Mayor and Council opted to review the appraisals after they have been reviewed with the employees.
 - **2016 Town Council Elections** – Planning to start this month. After discussion it was determined that there will be five, (5), seats available for election as follows:
 - Donald Tinari – 2 year term
 - Sam Callender – 2 year term
 - Vacant Position – 2 year term
 - Replacement for Ms. Sherry Lambertson – 1 year term
 - Vacant Position – 1 year term
- **Monthly Town Council Workshop Meeting – *Cancelled due to Lack of Quorum***

Community Comments/Concerns – Nothing to Report

Council Member Comments

- ***Vice Mayor Sine – Nothing to Report***
- ***Secretary/Treasury Theon Callender – Nothing to Report***
- ***Councilperson Judith Johnson – Nothing to Report***

Mayor's Comments

Mayor Tinari provided Mrs. Johnson with information about the Delaware League of Local Governments and there meetings and types of information they provide. He also instructed Mrs. Callender to be sure that Mrs. Johnson receive a copy of the Town Charter; Land Use Ordinance and Comprehensive Plan.

Motion to Adjourn

Secretary/Treasurer Callender made a motion to adjourn the meeting and with a second from Vice Mayor Sine. A roll call vote the motion resulted in a unanimous vote to approve.

And the meeting adjourned at 8:02 p.m.

NOTE: A quorum of Council members were in attendance and Present throughout as recorded as in attendance on Page 1.

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