

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – June 6, 2016
6:00 p.m.
Cheswold Town Hall
691 Main Street
Cheswold, Delaware 19936

The following persons were in attendance:

Mayor Bob Sine
Vice Mayor Larence Kirby
Secretary/Treasurer Theon Callender
Councilperson Judy Johnson
Councilperson Don Tinari (*arrived approx. 6:30 pm*)

Police Department: Chief Christopher Workman

Planning Commission: Ms. Coleen Ostafy

Town Employees:

of Visitors: 1 – Ms. Deborah T. Wilson, Executive Director
Better Community Development Corporation, Inc.

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 June 6, 2016. In addition, copies of the agenda were available for pick-up at the Town Hall.

Meeting:

The meeting was called to order by Mayor Sine, at 6:07pm and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

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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 Sine 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 revised was made by Vice Mayor Kirby and seconded by Councilperson Johnson. A roll call vote on the motion resulted in a unanimous vote to approve.

Review of Previous Month's Minutes:

Mayor Sine 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:

May 2,, 2016 - Monthly Town Council Meeting
May 11, 2016 – Public Hearing – Conditional Use Application (Ms. Grace May)
May 17, 2016 - Monthly Town Council Workshop Cancelled (*No minutes*)

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

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

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 May, 2016** are as follows:

Monthly Cash Flow Comparisons	
TOWN of CHESWOLD	May, 2016
Cash Receipts	\$ 40,767.44
Cash Disbursements	\$ 46,200.66
Negative Monthly Cash Flow	(\$ 6,433.24)

ADMINISTRATION	May, 2016
Cash Receipts	\$ 10,191.22
Cash Disbursements	\$ 22,179.73
Negative Monthly Cash Flow	(\$ 11,988.51)

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Treasurer's Report *"continued"*:

Monthly Cash Flow Comparisons

POLICE DEPARTMENT	May, 2016
Cash Receipts	\$ 4,280.50
Cash Disbursements	\$ 13,045.44
Negative Monthly Cash Flow	(\$ 8,764.94)

PUBLIC WORKS	May, 2016
Cash Receipts	\$ 26,908.19
Cash Disbursements	\$ 5,078.04
Positive Monthly Cash Flow	\$ 21,830.15

b. The Treasurer's Report, **(Account Balances)**, for the **Month of May, 2016** is as follows:

As of:	May, 2016
Capital Account	\$ 7,611.88
Cheswold Pride Day Account	\$ 3,859.77
Eide Grant Fund Account	\$ 3,445.38
Fire Company Account	\$ 9,969.45
General Fund Account	\$ 80,358.34
Land Use Applicant's Account	\$ 30,524.15
Litigation Account	\$ 3,461.64
Municipal Street Aid Account	\$ 33,961.46
Salle Grant Fund Account	\$ 1,842.56

A motion to approve the Treasurers Report was made by Councilperson Johnson. Vice Mayor Kirby made a second to the motion and a roll call vote on the motion resulted in a unanimous vote to approve.

c. Requisitions -

<u>Requisition #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
R6-00112	Police Dept.	Taser Training	Re-certification	\$225.00	Violent Crimes
R6-00114	Police Dept.	Louis Simms	Per Diem (4 days)	\$206.50	Police Dept.
R6-00115	Police Dept.	Chris Workman	Per Diem (4 days)	\$206.50	Police Dept.

A motion to approve the Requisitions, as submitted, was made by Vice Mayor Kirby. Councilperson Johnson made a second to the motion and a roll call vote on the motion resulted in a unanimous vote to approve.

d. Proposed Purchases - *NOTHING TO REPORT*

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Tax Collector's Report

a. Month of May, 2016

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
01/31/2016	\$ 0.00	\$1,408.00
02/29/2016	\$ 0.00	\$1,018.66
03/31/2016	\$ 0.00	\$ 382.07
04/30/2016	\$ 0.00	\$ 500.89
05/31/2016	\$ 0.00	\$ 0.00
06/30/2016		

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

Police Department Report – *Chief Christopher Workman*

Chief Workman delivered the following report to the Mayor and Council prior to the meeting, for review:

- **CHESWOLD POLICE DEPARTMENT 3 on 3 BASKETBALL TOURNEY**

This event has been cancelled due to lack of registration. We are currently working on putting together an open field day for all residents to attend.

- **TRAINING**

PFC Susan Kline will be attending the FBI-LEEDA Command Institute Course at the Dover PD, from June 20 – 24, 2016. This is the first class of a three part course in leadership, provided to departments through the Criminal Justice Council.

Chief Workman and Cpl. Simms attended this year's DE Police Chief's Seminar from May 16th through May 19th. Classes included information on Use of Force, Ethics, Procedural Justice and Police Misconduct.

All officers are scheduled for the first firearms training of the year, to take place on Monday, June 12th. This will include qualifying with on-duty firearms, shotgun and patrol rifle.

- **COPS GRANT**

The 2016 Cops Hiring Grant has been completed and submitted, in the required time frame, to the COPS Office for consideration. Normally the awarding of this grant is not announced until October.

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Police Department Report – “continued”

- **TRAFFIC SUMMONS**

Officers issued 191 traffic summons during the month of May.

- **MONTHLY ACTIVITY REPORT**

Officers responded to or completed reports for 111 incidents, Ten, (10) incidents were handled by other agencies.

- **MONTHLY INCIDENT REPORT – May, 2016**

911 Disconnects = 4	Found Property = 2	Rape = 0
Accidents-H/R = 1	Fraud = 0	Relay = 0
Accidents-PD = 3	Fugitives = 5	Repossessions = 0
Accidents PI=0	Harassment = 0	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 9	Lost Property = 0	Sex Crimes = 0
Alcohol Violations = 0	Lost/Stolen Tag = 0	Shoplifting = 2
Animal Complaints = 0	Loud Party = 0	Shots Fired = 0
Assaults = 1	Medical Transport = 0	Solicitation = 0
Assigned in Error = 0	Megan’s Law = 0	Stolen Vehicle = 0
Assist Other Agencies = 7	Mental Patient = 0	Suspicious Noise = 0
BOLO = 0	Misc. Investigation = 0	Suspicious Person/s 3
Burglary = 0	Missing Person = 3	Suspicious Vehicle/s = 1
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 0	Offensive Touching = 0	Thefts = 0
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 2
Court Violation = 0	Open Door/Window = 0	Traffic Hazard/Service = 0
Criminal Impersonation = 0	Ordinance Violation = 0	Traffic Violations = 27
Criminal Mischief = 0	Overdose = 0	Trespass = 0
Curfew = 0	Parking Violation = 0	Unassigned = 5
Custody Dispute = 0	Pay Job/Special Duty = 0	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s – Abandoned = 0
Disorderly = 0	PFA Service = 0	Vehicle/s – Disabled = 2
Domestics = 4	PFA Violation = 0	Vehicle/s – Recovered = 0
Drugs = 14	Property Checks = 0	Vehicle/Unauthzd Use = 0
DUI = 0	Psychiatric Incident = 2	Warrant Service 0
Endanger Welfare + 2	Public Assistance = 9	Weapon – Gun = 0
Fight = 0	Pursuit = 0	Welfare Check = 1

The Police Department Report was accepted as presented.

Public Works Report – Secretary/Treasurer Sam Callender

- Status Report** – The following report was not presented at the meeting due to the resignation of the Code Enforcement Officer/Building Inspector

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
May, 2016	7	2	3	4	10

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Public Works Report *"continued" – Secretary/Treasurer Sam Callender*

- b. Training** – Code Enforcement Officer Mike Van Orden attended and participated in an Accident Investigation Training Course in Middletown, sponsored and conducted by the Town Insurance Company – DFIT and a training session on the proper maintenance and care of power equipment with a special emphasis on lawn mowers.
- c. 41 New Street** – the property was a part of the May 6, 2016 Kent County Sherriff's sale. However, there were no buyers. As a result, the property remained as an asset of Midland Mortgage Bank. Our Code Enforcement Officer has informed the bank that if demolition efforts have not begun by June 30, 2016, the bank will be fined retroactive to November, 2015, when they were informed that the property required demolition.
- d. 33 New Street** – Mr. Van Orden has been informed that the insurance company has been the mortgaging bank for the balance due on the property and also paid the property owner for the incurred damage. Therefore, the bank has released its' lien on the property and is not responsible for the property clean-up. Mr. Van Orden has forwarded certified letters to the property owner informing him of impending fines, unless the property is cleared.

Planning Commission Report:

- a. Revision of Signs, Article 13 of the Land Use Ordinance** – continues to be in progress.
- b. Leyland Village** - there was a meeting on Monday, May 23, 2016, with Mr. John W. Paradee, Esquire, Attorney for Mr. Kenneth Newburg, the property owner; Mr. Mike Paraskewich, Engineer for Mr. Newburg; Ms. Sam Callender, Town of Cheswold Land Use Administrator and Mr. Chris Griffith, Esquire, Town Attorney. At that time Mr. Paradee expressed his opposition to the correspondence of May 6, 2016, received from Ms. Callender.
- c. Sentinel Storage** – submitted two, (2), Preliminary Plans for review by the Town Engineer and the Planning Commission, prior to construction approval of a storage unit on the west side of Holly Oak Road and an automobile storage unit on the east side of Holly Oak Road. The plans are scheduled for review at the next Planning Commission Meeting, to be held on Thursday, June 9, 2016 at 7:00 pm, in the Cheswold Town Hall.
- d. Nobles Pond** – Phase 1 and Phase II site plans were submitted for Preliminary Review by the Planning Commission prior to a request for Town Council approval to re-record. Formal Town Engineer and Planning Commission review is scheduled for the next Planning Commission meeting.
- e. Silver Linings Holding Company** – the public hearing was held on June 2, 2016 at the Cheswold Fire Hall and the Town was represented by Mayor Bob Sine; Vice Mayor Larence Kirby and Councilperson Donald Tinari. Mr. Kirby began presenting a brief overview of the hearing, but ceded the floor to Ms. Deborah Wilson, Executive Director of the Better Community Development Corporation, Inc.

Ms. Wilson explained that her Corporation with the assistance of the Silver Linings Holding Company and a Government grant planned to complete a building across from the Wal-mart on the west side of Rte. 13 South. The vision of the association is to provide programs to benefit the positive development of youth and young adults, by providing:

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Planning Commission Report *"continued"*:

- Before and after school care
- Adult programming including GED preparation
- Job Training
- Renewable Energy

The building will contain classroom space; computer space; gym and multi-purpose rooms. Ms. Wilson solicited suggestions from the Council on other potential services that may be incorporated into their vision.

The Council appreciated Ms. Wilson for her vision and plans of her organization and recognized that their current vision appears to be significantly comprehensive to meet the needs of the residents of our Town. They promised to supply her with information or suggestions if they arise.

Old Business:

- a. **Continued Review of Ordinance 05-04-15-009 Residential Rental Property Registration and Permitting** – final revisions pending completion by Ms. Callender prior to forwarding to Mr. Max Walton, Town Attorney for review, direction and suggestions for change if required.
- b. **Status of Pending Projects:**
 1. **"Welcome to Cheswold" Pamphlet** – Ms. Callender explained that she revised the document from a pamphlet to a booklet due to the ease of manipulating changes when needed. She also appreciated the identification of mistakes by Councilperson Johnson and Town Clerk Jones and noted that unless there were other revisions needed, would proceed to publication. Vice Mayor Kirby indicated that the Tatoo Mafia business was not included in the booklet. Ms. Callender and Chief Workman agreed they missed the inclusion and agreed to add it.

Ms. Ostafy asked if consideration had been given to soliciting businesses to sponsor ads in the booklet, whose proceeds could be used to cover printing and distribution costs.
 2. **Town Wide Flea Market – *NOTHING NEW TO REPORT***
 3. **Town Hall Parking Lot – *NOTHING NEW TO REPORT***

New Business:

- a. **Public Hearing Procedure Conditional Use Request** – Ms. Callender informed all Council members that the Conditional Use Request submitted by Ms. Grace May was a part of a Public Hearing held on Wednesday, May 11, 2016 at 6:00 pm, in the Cheswold Town Hall. At the Hearing, there were no negative remarks from attendees either in person or in writing.

As a result of the Hearing Ms. Callender made a motion to approve the Conditional Use Request, (Appl. #2016-04-13-035), submitted by Ms. Grace May to obtain a Business to operate a tailoring and sewing business in her residence at 79A New Street, in the R-1, (Old Town) Zoning Code. Councilperson Tinari made a 2nd to the motion as submitted and a unanimous vote of the Town Council approved the request.

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New Business *"continued"*:

- b. **2016 -2017 Budget Review** – Ms. Callender asked the Council if there were any questions or changes required to the budget as submitted. There were none from the Council or Chief Workman.

Vice Mayor made a motion to accept the budget as presented and with a second from Councilperson Johnson; a unanimous vote of the Council approved the 2016-2017 Budget.

- c. **Resolution 05-04-16-002 Increase of Monetary Approval Levels** – Secretary/Treasurer presented a resolution to increase the approval level for monetary expenditures. Ms. Callender explained that due to changes in our accounting system, it has become difficult to approve requisitions for purchases in a timely and efficient manner due to the previous required approval levels. This resolution will increase the amount of funds that can be approved by any individual Town official, however, it will continue to require two, (2), signatures to sign checks to pay bills.

Ms. Callender then made a motion to approve the Resolution as presented and Vice Mayor Kirby made a second to the motion. A vote by the Council resulted in an unanimous approval of the motion.

- d. **Monthly Town Council Workshop Meeting** – It was agreed by Council to cancel the Workshop meeting for June, 2016, unless an emergency required the scheduling of the meeting.

Community Comments – *Nothing to Report*

Councilperson Comments:

- **Vice-Mayor Larence Kirby** –wanted to know what actions the Town takes when a new business comes to Town, such as the new restaurant at the intersection of Main Street and Rte. 13. Ms. Callender explained that typically the Police Chief welcomes the business to Town, however, in this case the property is not in Town.
- **Secretary/Treasurer Theon Callender** – Central Baptist Church sent an invitation to the Town to send a representative to their Friends, Family and Community Day scheduled for next weekend.
- **Councilperson Judith Johnson** – wanted to know if DelDOT ever considered running a bus down Main St. Ms. Callender explained that there had been discussions with DART, but there was insufficient ridership for them to change the bus route.
- **Councilperson Donald F. Tinari** – *Nothing to Report*
- **Mayor's Comments:**
Mayor Bob Sine's Comments – *Nothing to Report*

Motion to Adjourn

A motion was made by Councilperson Callender, seconded by Councilperson Johnson to adjourn at 6:57 p.m. A roll call vote on the motion resulted in a unanimous vote to approve. The meeting adjourned immediately thereafter.

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