

*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Tuesday – September 6, 2016**  
**6:00 p.m.**  
**Cheswold Fire 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 Donald Tinari  
*(Arrived @ approx. 6:45 pm)*  
Councilperson Judy Johnson

Police Department: Chief Christopher Workman

Planning Commission: 0

Town Employees: 0

# of Visitors: 4

**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 August 30, 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 6:28 pm 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:

- August 1, 2016 - Monthly Town Council Meeting
- August 16, 2016 - Public Hearing:
  - Conditional Use Application 2106-07-12-044
- August 16, 2016 - Monthly Town Council Workshop

A motion to accept the Monthly Town Council and Public Hearing minutes, as presented was made by Vice Mayor Kirby and Councilperson Johnson 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 August, 2016** are as follows:

<b>Monthly Cash Flow Comparisons</b>	
<b>TOWN of CHESWOLD</b>	<b>August, 2016</b>
<b>Cash Receipts</b>	<b>\$ 148,221.25</b>
<b>Cash Disbursements</b>	<b>\$ 43,489.59</b>
<b>Positive Monthly Cash Flow</b>	<b>\$ 104,731.66</b>

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

<b>ADMINISTRATION</b>	<b>August, 2016</b>
Cash Receipts	\$104,164.26
Cash Disbursements	\$ 25,449.13
Positive Monthly Cash Flow	\$ 78,715.13

<b>POLICE DEPARTMENT</b>	<b>August, 2016</b>
Cash Receipts	\$ 16,731.80
Cash Disbursements	\$ 16,344.85
Positive Monthly Cash Flow	\$ 385.95

<b>BLIC WORKS</b>	<b>August, 2016</b>
Cash Receipts	\$ 27,325.19
Cash Disbursements	\$ 1,695.61
Positive Monthly Cash Flow	\$ 25,629.58

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

<b>As of:</b>	<b>August, 2016</b>
Capital Account	\$ 10,114.02
Cheswold Heritage Day Account	\$ 2,663.92
Eide Grant Fund Account	\$ 2,460.18
Fire Company Account	\$ 24,924.62
General Fund Account	\$ 206,671.25
Land Use Applicant's Account	\$ 27,108.78
Litigation Account	\$ 28,463.95
Municipal Street Aid Account	\$ 32,000.97
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.

**d. Requisitions -**

<b><u>Req. #</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>
R7-00028	Police Dept.	Federal Firearms	40 Cal. Trng./Handgun	\$ 506.00	Police Dept

A motion to approve the Requisition was made by Secretary/Treasurer Callender and with a second on the motion from Vice Mayor Kirby, the motion passed with a unanimous roll call vote of those shown as in attendance.

**e. Proposed Purchases -**

<b><u>P.O. #</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>
NOTHING TO REPORT					

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**Tax Collector's Report**

a. **Month of August , 2016**

**TAX REPORT: FISCAL YEAR 2016 - 2017**

Total Amount Billed: \$132,579.60

Payments as of:

	<b>Current Year:</b>	<b>Past Due Paid:</b>
07/31/2016	\$ 27,202.78	\$ 285.89
08/31/2016	\$ 75,146.49	\$ 602.45
09/30/2016		
10/31/2016		
11/30/2016		
12/31/2016		
01/31/2017		
02/29/2017		
03/31/2017		
04/30/2017		
05/31/2017		
06/30/2017		

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:

- **DEA NATIONAL DRUG TAKE BACK** - The Cheswold Police Department will participate in the DEA's Drug Take Back Day on Saturday, October 22, 2016, from 10 am until 2 pm, at the Cheswold Police Department. Bring in your unused prescription and non-prescription drugs for safe disposal on that day!!
- **2017 VIOLENT CRIMES GRANT** – The Cheswold Police Department is currently considering in-car video and body camera systems from Watchguard; TASER Axon and Kustom Signals. The new equipment will be used to replace the old in-car systems and add body cameras for officer safety. Purchase of these systems will be through the Violent Crimes Grant.
- **RADIOS/VEHICLE EMERGENCY EQUIPMENT** – Yearly maintenance and updates were completed as per our yearly contract requirements with the Division of Communications on August 8, 2016.
- **SLEAF** – The Cheswold Police Department has entered a grant request to purchase a server for the Department to provide a back-up to critical data and internal systems.
- **HIRING PROCESS** – The application process for the hiring of one police officer has been posted on the Town of Cheswold website, under Police employment, along with links to the page being placed on the Department Twitter and Facebook pages. Applications are open until October 28 at 4:30 pm.

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- **TRAFFIC SUMMONS** –  
Officers issued 232 traffic summonses during the month of August.
- **MONTHLY ACTIVITY REPORT** -  
Officers responded to or completed reports for 105 Incidents for the month of August, 2016. Seven, (7) incidents were handled by outside agencies after hours or not dispatched
- **MONTHLY INCIDENT REPORT – August, 2016**

911 Disconnects = 1	Fireworks = 0	Rape = 0
Accidents-H/R = 0	Fraud = 0	Relay = 0
Accidents-PD = 0	Fugitives = 8	Repossessions = 0
Accidents PI=1	Harassment = 0	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 6	Lost Property = 0	Sex Crimes = 0
Alcohol Violations = 0	Lost/Stolen Tag = 0	Shoplifting = 0
Animal Complaints = 0	Loud Party = 1	Shots Fired = 0
Assaults = 0	Medical Transport = 0	Solicitation = 0
Assigned in Error = 0	Megan’s Law = 0	Stolen Vehicle = 0
Assist Other Agencies = 20	Mental Patient = 0	Suspicious Noise = 0
BOLO = 2	Misc. Investigation = 0	Suspicious Person/s = 0
Burglary = 0	Missing Person = 2	Suspicious Vehicle/s = 0
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 0	Offensive Touching = 0	Thefts = 3
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 0
Court Violation = 0	Open Door/Window = 0	Traffic Hazard/Service = 0
Criminal Impersonation = 0	Ordinance Violation = 0	Traffic Violations = 24
Criminal Mischief = 1	Overdose = 0	Trespass = 3
Curfew = 0	Parking Violation = 0	Unassigned = 4
Custody Dispute = 0	Pay Job/Special Duty = 0	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s – Abandoned = 1
Disorderly = 4	PFA Service = 0	Vehicle/s – Disabled = 0
Domestics = 1	PFA Violation = 0	Vehicle/s – Recovered = 0
Drugs = 5	Property Checks = 12	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 0	Warrant Service 0
DUI = 0	Public Assistance = 7	Weapon – Gun = 0
Fight = 0	Pursuit = 0	Welfare Check = 1

**IF YOU DON'T CALL WHO WILL – CALL 9-1-1**

The Police Department Report was accepted as presented.

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**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>
August, 2016	5	6	7	11	38

*Subsequent to the Council Meeting, the following information was received concerning Town properties:*

- **CODE ENFORCEMENT PROPERTIES**
  - **41 New Street** – **DEMOLITION COMPLETE.**
  - **215 Commerce Street** – siding continues to be under repair. **PENDING.**
  - **142 Boggs Run** – garage door and siding has been repaired. **VIOLATION CLOSED.**
  - **237 Fulton Street** – aid-in-construction fees were paid per Kent County. Certificate of Occupancy was issued. **COMPLETE.**
  - **Leyland Village:**
    - **30 Leyland Lane** – cited twice and threatened with fines. Some clean-up has occurred; shed has been demolished. Owner was given one week to clear remaining debris and skirting. **PENDING.**
    - **104 Leyland Lane** – skirting repair pending. **PENDING.**
    - **192 Leyland Lane** – the entire lot has been cleaned satisfactorily, including the metal debris. Electricity has been restored. **VIOLATION CLOSED.**
    - **Leyland Village Street Sign** – a new street and stop sign, has been installed to State of Delaware code. **CLOSED.**
    - **Leyland Village Development Sign** – development sign has been re-painted. However, it has been painted as Autumn Woods instead of Leyland Village. Owner has been notified. Name change is pending sale of property. **PENDING.**
  - **Town Hall** – a new mailbox has been placed curbside on Main Street; stones have been added to the parking lot and stones have been placed as the foundation for the storage buildings for the Police Department.
  - **New and East Streets** – a one way sign has been placed to force drivers to go west on New Street if exiting from East Street.

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**Planning Commission Report:** - *Land Use Administrator Sam Callender*

- a. **Planning Commission Members** – Mrs. Callender informed the Mayor and Council that Mr. Alan Roth has officially submitted his resignation and that Chairperson Lambertson for personal reasons will not be returning to the Commission.

As a result, the Mayor and Town Council are in receipt of the resumes of two candidates, from Nobles Pond, Mr. Carl Schultz and Mr. Reginald Valentine.

After review of the submitted resumes, a motion was made by Vice Mayor Kirby with a second from Councilperson Johnson to appoint Mr. Schultz and Mr. Valentine to the Planning Commission. The motion was passed with a unanimous roll call vote of the Council in attendance.

- b. **Revision of Signs, Article 13 of the Land Use Ordinance** – continues to be in progress.

**Old Business:**

- a. **Continued Review of Ordinance 05-04-15-009 Residential Rental Property Registration and Permitting** – final revisions have been completed and forwarded to Mr. Max Walton, Town Attorney for review, direction and suggestions for change if required.

b. **Status of Pending Projects:**

1. **“Town Wide Flea Market** – *Councilperson Judith Johnson*

Mrs. Johnson reported that she is working with Ms. Lisa Hurd from the Lenni Lenape Tribe and is waiting for a response from her on some discussed ideas. They have determined that rather than using the field at the Fire Company, they would rather use the property east of the Town Hall. Mrs. Callender stated that she is sure that can be done, as long as the Town provides insurance for the use of the property

2. **Town Hall Parking Lot** – DelDOT approval continues to be pending.

3. **Town Charter Update** – *Vice Mayor Kirby*

Vice Mayor Kirby reported that he is in receipt of responses from Town Administrator Callender and solicited additional responses from other members of the Council.

Chief Workman advised the Council that sincere consideration needs to be given to addressing the issue of enclaves. And the Mayor added that a review and defined process for replacement of Council members should also be addressed.

4. **Monthly Town Council Workshop Meeting** – It was agreed to cancel the September Workshop meeting.

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**New Business:**

- a. **Status of 1977 Zoning Ordinance** – Land Use Administrator Callender is scheduled to be disposed on Wednesday, October 14, 2016.

**COMMUNITY COMMENTS:** *Nothing to Report*

**COUNCILPERSON COMMENTS:**

**Vice-Mayor Larence Kirby** – *Nothing to Report*

**Secretary/Treasurer Theon Callender** – *reported the following:*

1. **Town Hall Status:**

- a. **Mice Infestation** – a copy was hired to place traps outside and inside. The company recommended the purchase and installation of vents, but the placement of the office beams prohibits such placement, as it is set on the railings. There may be a possibility of mole and will be investigated. Subsequent to the meeting, the potential for mole was discussed with the Town Building Inspector and determined to not be an issue.
- b. **Security** – as a result of some interactions with clients in the past, the administrative and Police Department employees have agreed that a full locked door and a bullet resistant wall needs to be installed in the greeting area.

The cost will be approximately \$5,000 or more. A motion to approve the expense was made by Vice-Mayor Kirby. Councilperson Johnson made a second to the motion and it passed with a unanimous roll call vote.

- c. **Commerce Street Trash: Railroad Side** – the Town Council has the authority per the Charter to regulate or prohibit the use of public streets, alleys, sidewalks, etc., and additionally is tasked with providing for the safety and welfare of residents. The railroad side of Commerce Street continues to be a safety and health problem as a result of the trash and garage thrown out, where residents and their guests park. Contact has been made with the railroad, (Rail Supervisor Thomas Patterson), and permission has been given to the Town to suspend temporarily or completely the ability to park on the railroad side, if residents do not maintain a clean environment. And unless the Council objects, the attached sign will be posted and delivered to the neighborhood. There were no objections. *(See attachment)*

**Councilperson Judith Johnson** – *Nothing to Report*

**Councilperson Donald F. Tinari** - *Nothing to Report*

**MAYOR'S COMMENTS:**

**Mayor Bob Sine's** – *Nothing to Report*

**Motion to Adjourn**

A motion was made by Councilperson Callender, seconded by Vice Mayor Kirby to adjourn at 7:00 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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