

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – December 5, 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

Police Department: Chief Christopher Workman

Planning Commission: 0 Town Employees: 0 # Residents: 9 Unspecified: 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://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; at the community office of Nobles Pond and on the Official Web Site for the Town of Cheswold, at <http://cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on November 28, 2016. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Sine, at 6:06 pm and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

PROPERLY POSTED: Based on the dates of the posting of the meeting and the agendas, Mayor Sine acknowledged that the meeting had been properly posted.

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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 not in attendance. The Mayor notified the Vice Mayor and Secretary/Treasurer and attendees that the items on the agenda that did not require Council action would be covered in the meeting, and that a Workshop will be held on Tuesday, December 20, 2016 at 6:00 pm, in the Town Hall to cover items requiring a decision. The meeting continued.

AGENDA REVIEW:

As a quorum was not in attendance, the agenda was not reviewed and the Mayor requested the Vice Mayor, Secretary/Treasurer/Town Administrator and Police Chief to cover items on the agenda not requiring a vote by Council.

REVIEW of PREVIOUS'S MONTHS MEETINGS:

As a quorum was not in attendance, the agenda was not reviewed.

TREASURER'S REPORT:

As a quorum was not in attendance, the agenda was not reviewed

TAX COLLECTOR'S REPORT

a. Month of November, 2016

TAX REPORT: FISCAL YEAR 2016 – 2017

Total Amount Billed: \$151,176.00

Payments as of:

Current Year: Past Due Paid:

07/31/2016	\$ 27,202.78	\$ 285.89
08/31/2016	\$ 75,146.49	\$ 602.45
09/30/2016	\$ 10,577.59	\$ 462.72
10/31/2016	\$ 1,460.42	\$ 227.86
11/30/2016	\$ 69.62	\$ 41.31

POLICE DEPARTMENT REPORT – *Chief Christopher Workman:*

Chief Workman delivered the following report to the Mayor and Council:

- **Officer Promotion**

On November 21, 2016, PFC Susan Kline completed and passed the requirements and testing process for her promotion to the rank of Corporal in the Cheswold Police Department.

- **2016 Cheswold Police Department Hiring Process**

Testing for applicants who applied for a position with the Cheswold Police Department will be held on Saturday, December 10, 2016. The applicant offered a position will be attending the Delaware State Police Academy, in March, 2017.

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POLICE DEPARTMENT REPORT – “continued”

- **Proposed Police Department Town Hall Meeting**

The Cheswold Police Department continues to develop a Town Hall Meeting for the spring of 2017, to be conducted with business owners and Town residents. An event date will be announced after New Years.

- **Training**

All training required by COPT for the 2016 calendar year has been completed by each officer as follows:

<u>OFFICER</u>	<u>Completed Hrs. of Trng.</u>
Cpl. Louis Simms	56.0
Cpl. Susan Kline	76.0
Chief Chris Workman	64.0

Note: COPT mandates 16.0 hours of training per year

- **BENEFITS**

Officers have been enrolled into the PLEA program, as of December 1, 2016 and they are in the process of completing enrollment for vision coverage.

- **2016 CHESWOLD FAMILY FIRST CHRISTMAS COLLECTION**

The Cheswold Police Department has started its 2016 collection for needy families this Christmas. From November 28th through December 20th, the Department and the Town will be collecting non-perishable food items and unwrapped toys to be distributed to needy families during the holidays.

On Thanksgiving, the Cheswold Police Department was donated 20 turkeys from the Walmart Distribution Center in Smyrna, DE. Town Clerk Shadina Jones made the contact for the donation and assisted the Chief in making the deliveries.

The Chief also acknowledged a thank you card from 8 year old Lena Beck, who wrote, drew and delivered it to Town Hall.

- **2016 SHOP w/a COP**

On December 8, 2016, the Cheswold Police Department will be partnering with the Smyrna Police Department and Clayton Police Department in their annual Shop w/a Cop program. Cpl. Kline will be on hand to help, as officers shop with children for the holiday season.

Secretary/Treasurer Callender asked if children from Cheswold would be a part of this shopping event. Chief Workman responded no, that our Department only assists the other two Departments. The event is set up by school district.

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POLICE DEPARTMENT REPORT – “continued”

- **Traffic Summons** –
 Officers issued 158 traffic summonses and 29 arrests during the month of November.
- **Monthly Activity Report** -
 Officers responded to or completed reports for 82 Incidents for the month of November, 2016.

911 Disconnects = 0	Fireworks = 0	Rape = 0
Accidents-H/R = 0	Fraud = 1	Relay = 1
Accidents-PD = 1	Fugitives = 5	Repossessions = 3
Accidents PI=0	Harassment = 0	Resisting Arrest = 1
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 6	Lost Property = 0	Sex Crimes = 0
Alcohol Violations = 1	Lost/Stolen Tag = 0	Shoplifting = 1
Animal Complaints = 0	Loud Party = 0	Shots Fired = 0
Assaults = 0	Medical Transport = 0	Solicitation = 0
Assigned in Error = 0	Megan’s Law = 1	Stolen Vehicle = 2
Assist Other Agencies = 12	Mental Patient = 0	Suspicious Noise = 0
BOLO = 0	Misc. Investigation = 0	Suspicious Person/s = 1
Burglary = 0	Missing Person = 0	Suspicious Vehicle/s = 1
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 1
Check on Welfare = 0	Offensive Touching = 0	Thefts = 1
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 2
Court Violation = 0	Open Door/Window = 1	Traffic Hazard/Service = 0
Criminal Impersonation = 1	Ordinance Violation = 0	Traffic Violations = 14
Criminal Mischief = 1	Overdose = 0	Trespass = 1
Curfew = 0	Parking Violation = 3	Unassigned = 4
Custody Dispute = 0	Pay Job/Special Duty = 1	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s – Abandoned = 0
Disorderly = 1	PFA Service = 0	Vehicle/s – Disabled = 0
Domestics = 2	PFA Violation = 0	Vehicle/s – Recovered = 0
Drugs = 2	Property Checks = 6	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 1	Warrant Service 0
DUI = 0	Public Assistance = 5	Weapon – Gun = 0
Fight = 1	Pursuit = 0	Welfare Check = 3

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 report was not submitted in time for the meeting.:

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
November, 2016	8	1	0	2	13

- **CODE ENFORCEMENT PROPERTIES**

- **30 New Street** – Electric is disconnected. Continuing to wait for Town Attorney to advise on best course of action for potential demolition; collection of taxes and/or acquisition of property. **PENDING**
- **33 New Street** – Grass violation. Phone numbers for owner Doug Wissman have been disconnected. A certified letter of the violation was sent to the last known address on October 31, 2016. **IN PROGRESS**
- **53 School Lane** – The structure has been demolished and the owner of the property has been contacted regarding the removal of the debris. The owner has committed to removing the debris by Wednesday, December 14, 2016 and will place tape around the debris in order to deter children from playing with it. **IN PROGRESS**
- **215 Commerce Street** – repairs are progressing slowly. A walk through with the owner, the Building Inspector and Code Enforcement Officer is scheduled for Tuesday, December 6, 2016. **IN PROGRESS**
- **Leyland Village:**
 - **30 Leyland Lane** – Owner has been cited by certified mail and oral citation as well. Some clean-up has been completed by household items and building materials remain in yard. Owner notified that violation will be forwarded to Criminal Justice Court if not cleaned by next week. **IN PROGRESS**
 - **Leyland Village Development Sign** – development has been purchased by new owner. The name of the property is now Blanton Mobile Home Park and a new sign is being acquired. **PENDING.**
- **School Lane Manhole Repair** – Confirmation was received from Kent County Sewer that they are responsible for the repair and restoration of the manhole and roadway on School Lane and they have added the work to their December construction schedule. They anticipate completing the repair before Christmas, 2016. **IN PROGRESS**
- **Main Street Sidewalk Repair** – Two detailed estimates have been received from contractors. The third estimate was not detailed and prior to the delivery of a detailed estimate, the contractor contacted DelDOT. As a result of the contact a meeting was held with the contractor, DelDOT representatives and our Town Engineer. DelDOT intends to determine if a maintenance contract exists between DelDOT and the Town, as DelDOT installed the original sidewalk. In either case, a resolution has to be developed to accommodate closing the sidewalk for repair and providing a safe walk-around. If a resolution cannot be found, then a 24 hour flagger may be required. **PENDING**

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PUBLIC WORKS REPORT – *“continued”*

- **Town Hall**
 - **Office Re-design** – Met with Justin Olear and contracted painter. The painter reviewed the walls and ceilings and stated that the existing walls can be painted. Justin suggests painting the walls and ceilings white, as it will provide the illusion of more space. The electrical contractor is scheduled to visit the site later in the week, to determine if ceiling lighting fixtures can be replaced. It is hoped that recessed lighting can be accomplished. **PENDING**
 - **PARKING LOT** – Notice of No Objection to Record was received from DelDOT on Friday, December 2, 2016 and the plan was recorded with Kent County by our Town Engineer. The Public Notice for bids was also posted in the newspapers and the bids will be opened at Town Hall on January 13, 2017. **IN PROGRESS**
- **CERTIFICATION** – Our new Code Enforcement Officer Mike Callender received certification for Mobile Home Inspection on November 9, 2016.

PLANNING COMMISSION REPORT: - *Land Use Administrator Sam Callender*

- a. **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. **RESPONSE PENDING**
- b. **Status of Pending Projects:**
 - 1. **Town Charter Update** – *Vice Mayor Kirby*
Vice Mayor Kirby reported that it appears that all suggested changes have been delivered and that he and Ms. Callender will schedule a date to review them and proceed. **PENDING**
 - 2. **USDA Rural Community Development Initiative** – an application needs to be completed and referred to the Community Development Office in order to start the process. **PENDING**
 - 3. **Monthly Town Council Workshop Meeting** – will be held on Tuesday, December 20, 2016 at 6:00 p.m., in the Cheswold Town Hall. **COMPLETE**

NEW BUSINESS:

- **Old Town Clean Up** – Planning Commissioner Colleen Ostafy
Ms. Callender reported that she spoke with Ms. Ostafy who reported that she stopped on Commerce Street recently and picked up trash and 3 or 4 of the residents assisted her in the pick-up. She now plans to have a more in-depth clean-up sometime in the spring of 2017. **COMPLETE**
- **1st Christmas Tree Lighting** – The tree was picked up and installed including the lights. The Town lighting is scheduled for Saturday, December 10, 2016 at 6:00 p.m., followed by refreshments at the Immanuel Methodist Church. **IN PROGRESS**

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COMMUNITY COMMENTS: The Mayor opened the meeting to the attendees and there is **Nothing to Report.**

COUNCILPERSON COMMENTS:

Vice-Mayor Larence Kirby – stated that in response to a question that was raised at last month’s meeting concerning quiet hours for the airport that he had contacted the Delaware River Bay Authority and found that there are no quiet hours at the airport as mandated by the FAA. The Delaware State Aviation Program is administered at the Cheswold Airport and all trainees must fly early mornings, afternoons and evenings in order to obtain their certification. The positive is that all students graduating from the program acquire positions with aviation carriers.

He also stressed the need for someone to volunteer to serve on Council so that Town business can be properly taken care of in the designated manner.

Secretary/Treasurer Theon Callender – informed everyone that the case of the Town of Cheswold vs. the Central Delaware Business Park was presented to the Superior Court Judge on Friday, November 18, 2016. And the Judge has 90 days to respond with a decision. Mr. & Mrs. Hart requested additional information about the case and the Mayor and Ms. Callender explained that the CDBP desires to continue using the 1977 Zoning Code instead of the current and future revisions to the Land Use Ordinance. They were granted a “vested right” to the 1977 code but that decision did not provide the logistics for administering the code, since there were none in the code. The Town has requested the judge to determine if vested rights are eternal and prohibit future Councils from making decisions about property within the park.

Councilperson Judith Johnson – Absent

Councilperson Donald F. Tinari – Excused

MAYOR’S COMMENTS:

Mayor Bob Sine’s – thanked everyone for their attendance and apologized for not being in a position to conduct a complete meeting. He emphasized the reason for having a full membership on Council.

Motion to Adjourn

The Mayor adjourned the meeting at 6:42 p.m.

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TOWN COUNCIL MONTHLY MEETING – DECEMBER 5, 2016
CHESWOLD FIRE HALL
371 Main Street, Cheswold. Delaware
ATTENDEES

Brown, Kenneth	Resident
Callender, Rodney	Resident
Hart, Patricia	Resident
Hart, Raleigh	Resident
Johnson, Kelvin	Resident
Malone, David	Resident
Razzak, Abdul Majid	Resident
Williams, Jeannette	Resident
Williams, Steve	Resiident