



Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – July 10, 2017
6:00 p.m.
Cheswold Fire Hall
371 Main Street
Cheswold, Delaware 19936

The following persons were in attendance:

Mayor Bob Sine
Secretary/Treasurer Theon Callender
Councilperson Judith Johnson
Councilperson Matthew Asinger

Excused: Vice Mayor Larence Kirby

Police Department: Chief Christopher Workman

Planning Commission: 0 Town Employees: 0 # Residents: 5 Unspecified: 0

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on March 15, 2017, 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 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 June 28, 2017. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Sine, at 6:00 pm and was 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.

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.

**Monthly Town Council Meeting
Monday, July 10, 2017**

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 presented was made by Councilperson Asinger and seconded by Councilperson Johnson. A roll call vote on the motion resulted in a unanimous vote to approve.

REVIEW of PEVIOUS'S MONTHS MEETINGS:

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:

June 5, 2017 - Monthly Town Council Meeting

A motion to accept all the minutes of the previous month, as presented was made by Vice Mayor Kirby and Councilperson Asinger 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 June, 2017** and fiscal year **2016 - 2017** are as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	June, 2017	Fiscal Yr. 2016 - 2017
Cash Receipts	\$ 30,047.64	\$826,142.24
Cash Disbursements	\$ 76,992.82	\$638,551.84
Negative Monthly Cash Flow	(\$ 46,945.18)	\$186,590.37

ADMINISTRATION	June, 2017	Fiscal Yr. 2016 - 2017
Cash Receipts	\$ 10,814.47	\$466,864.92
Cash Disbursements	\$ 54,833.00	\$382,294.42
Negative Monthly Cash Flow	(\$ 44,018.53)	\$ 84,570.50

POLICE DEPARTMENT	June, 2017	Fiscal Yr. 2016 - 2017
Cash Receipts	\$ 0.00	\$ 89,657.39
Cash Disbursements	\$ 18,178.43	\$214,124.62
Negative Monthly Cash Flow	(\$ 18,178.43)	\$124,467.23

PUBLIC WORKS	June, 2017	Fiscal Yr. 2016 - 2017
Cash Receipts	\$ 19,233.17	\$266,619.90
Cash Disbursements	\$ 3,981.39	\$ 42,132.80
Positive Monthly Cash Flow	\$ 15,251.78	\$226,467.10

Monthly Town Council Meeting

TOWN of CHESWOLD
P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

Monday, July 10, 2017

TREASURER'S REPORT "continued":

c. The Treasurer's Report, **(Account Balances)**, for the **Month of June, 2017** is as follows:

As of:	June, 2017
Capital Account	\$ 20,011.92
Cheswold Heritage Day Account	\$ 3,869.15
Eide Grant Fund Account	\$ 4,135.56
Fire Company Account	\$ 32,441.37
General Fund Account	\$ 251,677.76
Land Use Applicant's Account	\$ 38,910.02
Litigation Account	\$ 720.09
Municipal Street Aid Account	\$ 36,772.01
Salle Grant Fund Account	\$ 318.53

d. Requisitions -

<u>Req. #</u>	<u>Dept.</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
R7-00162	Police	Red the Uniform Tailor	Class A - New Recruit	\$335.20	Police Dept.
R7-00163	Police	Red the Uniform Tailor	Patrol Uniforms-Recruit	\$604.77	Police Dept.
R7-00166	Police	EP Engine Performance	Oil/Brakes/Tire Rot.	\$515.40	Police Dept.

e. Proposed Purchases -

<u>P.O. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
			<i>Nothing to Report</i>		

Vice Mayor Kirby asked the Chief if the Department received a uniform allowance and the Chief responded that there is a budget line item for it.

A motion to approve the Treasurers Report and the Requisitions as presented, was made by Secretary/Treasurer Callender. Vice Mayor Kirby made a second to the motion and a roll call vote on the motion resulted in a unanimous vote to approve.

f. Approved 2017 - 2018 Budget Summary

Secretary/Treasurer Callender noted presented the approved and confirmed 2017 -2018 Budget Summary:

**2017 - 2018
BUDGET SUMMARY**

OFFICIALLY APPROVED BY COUNCIL: June 5, 2017 (Revised: July 11, 2017)

VOTE: Yes - 3; Abstain - 1 (Asinger)

ANTICIPATED REVENUE:

Cash Carry-Over 2016 - 2017 (<i>Confirmed</i>)	\$251,677
General Fund (<i>Administration</i>)	\$ 489,675
Police Department	\$ 73,073
Public Works	\$ 103,700
Capital Account - Cash Carry-Over (<i>Confirmed</i>)	\$ 20,012
Cheswold Heritage Day Account Cash Carry-Over (<i>Confirmed</i>)	\$ 3,869

TOTAL \$ 942,006

Monthly Town Council Meeting

TOWN of CHESWOLD

P.O. Box 220 - Cheswold, Delaware 19936
Phone: (302) 734-6991 - Fax: (302) 734-1355

Monday, July 10, 2017

TREASURER'S REPORT "continued":

ANTICIPATED EXPENSE:

General Fund*	\$ 404,645
Police Department	\$ 191,664
Public Works	\$ 8,400
Capital	\$ 0
Cheswold Heritage Day	\$ 0

TOTAL \$ 604,709

DIFFERENCE \$ 337,297

**Includes Vann Litigation Payment of \$33,000*

TAX COLLECTOR'S REPORT

a. **Month of June, 2017** (Tax Report was updated to reflect changes made to Revenue Report)

TAX REPORT: FISCAL YEAR 2016 – 2017

Total Amount Billed: \$151,176.00
Payments as of:

Current Year: Past Due Paid:

07/31/2016	\$ 27,270.79	\$ 388.89
08/31/2016	\$ 76,412.58	\$ 635.16
09/30/2016	\$ 12,086.09	\$ 739.44
10/31/2016	\$ 1,902.83	\$ 236.65
11/30/2016	\$ 78.02	\$ 41.47
12 /31/2016	\$ 702.93	\$ 341.94
01/31/2017	\$ 694.66	\$ 99.75
02/28/2017	\$ 976.29	\$ 176.00
03/31/2017	\$ 721.78	\$ 76.61
04/30/2017	\$ 342.00	\$ 50.97
05/31/2017	\$ 655.27	\$ 121.97
06/30/2017	\$ 447.54	\$ 135.46

TOTAL TAXES DUE 2016 -2017 = \$151,176.00

TOTAL TAXES COLLECTED 2016 -2017 = \$124,490.28

BALANCE DUE = \$ 26,685.72

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

Mrs. Callender also presented the Mayor and Council will a Delinquent Tax Report that identified all the tax delinquencies over \$1,000.00 and asked them to review it and be prepared to discuss possible courses of action for bringing the arrears up to date. Vice Mayor Kirby suggested that contact with the Attorney should be the first step. Mrs. Callender informed that contact has been made.

Monthly Town Council Meeting

TOWN of CHESWOLD

P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

Monday, July 10, 2017

POLICE DEPARTMENT REPORT – *Chief Christopher Workman:*

Chief Workman presented the following report:

- **84th Municipal Police Academy**
Recruit Eric Ketterer is scheduled to graduate from the Delaware State Police Academy on August 11, 2017. The graduation is scheduled to be held at Dover High School.
- **COPS Grant**
The 2017 COPS Hiring Grant has been submitted.
- **2018 Bulletproof Vest Grant**
The BVP Grant for 2018 has been submitted for a total of three, (3), vests. Two, (2), vests need to be replaced this year along with the one new vest for Recruit Ketterer. The funds are acquired 50% from one grant and 50% from another..
- **ALERT Training**
On June 19 – 20, 2017, Chief Workman and Cpl. Simms completed Active Shooter Response class. This class is required by COPT and must be completed by all officers in the State, by December 31, of this year. Cpl. Kline will be attending in November and Recruit Ketterer will receive his training at the Academy.
- **Firearms Qualifications**
Cpl. Kline qualified for firearms today – July 10, 2017.
- **Warnings**
Chief Workman informed the Mayor and Council that he is now tracking the number of warnings issued by his officers, beginning, June, 2017.
- **Recent Fire**
The Chief also updated the Mayor and Council with the status of a recent fire at 179 Commerce Street, in the Old Town section of Town. The fire occurred approximately two weeks ago, and resulted in the death of a handicapped 53 year female as well as the displacement of four families. It appears that the electricity was turned off in the apartment of the deceased and candles may have been in use. This is the fourth major fire in Old Town in the past four years. The hose used to fight this fire was lain across the railroad tracks and once again points out the need for at least one fire hydrant in the immediate Old Town area.

Mrs. Callender added that she is contact with State Representative Trey Paradee and that hopefully some resolution can be reached that will ensure that responses to fires in Old Town will not require the extension of fire hoses across railroad tracks or for excessive length expansions that have occurred in the past.

- **Traffic Summons –**
Officers issued 149 traffic summonses and 19 warnings during the month of June.
- **Monthly Activity Report**
Officers responded to or completed reports for 114 Incidents for the month of June, 2017.

A total of twenty-one, (21), incidents were handled by outside agencies after hours or not dispatched.

Monthly Town Council Meeting

TOWN of CHESWOLD

P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

Monday, July 10, 2017

POLICE DEPARTMENT REPORT – “continued”

• **Monthly Incident Report - June, 2017**

911 Disconnects = 1	Fireworks = 0	Rape = 0
Accidents-H/R = 0	Fraud = 0	Relay = 0
Accidents-PD = 0	Fugitives = 11	Repossessions = 0
Accidents PI = 0	Harassment = 0	Resisting Arrest = 2
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 3	Lost Property = 0	Sex Crimes = 1
Alcohol Violations = 0	Lost/Stolen Tag = 0	Shoplifting = 0
Animal Complaints = 0	Loud Party = 1	Shots Fired = 0
Assaults = 0	Loitering = 1	Solicitation = 0
Assigned in Error = 1	Megan’s Law = 0	Stolen Vehicle = 0
Assist Other Agencies = 15	Mental Patient = 0	Suspicious Noise = 0
BOLO = 1	Misc. Investigation = 0	Suspicious Person/s = 2
Burglary = 1	Missing Person = 1	Suspicious Vehicle/s = 2
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 0	Offensive Touching = 1	Thefts = 0
Civil Dispute = 1	Open Burning = 0	Traffic Hazards = 0
Court Violation = 1	Open Door/Window = 0	Traffic Hazard/Service = 1
Criminal Impersonation = 0	Ordinance Violation = 0	Traffic Violations = 18
Criminal Mischief = 0	Overdose = 1	Trespass = 1
Curfew = 0	Parking Violation = 0	Unassigned = 0
Custody Dispute = 0	Pay Job/Special Duty = 0	Unfounded = 0
Death Investigation = 1	Pedestrian Stop = 0	Vehicle/s - Abandoned = 3
Disorderly = 1	PFA Service = 0	Vehicle/s - Disabled = 1
Domestics = 7	PFA Violation = 0	Vehicle/s - Recovered = 0
Drugs = 7	Property Checks = 3	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 1	Warrant Service = 2
DUI = 0	Public Assistance = 10	Weapon - Gun = 0
Fight = 0	Pursuit = 0	Welfare Check = 4

PUBLIC WORKS REPORT – Secretary/Treasurer Sam Callender

The following report was obtained from the Code Enforcement Officer for the Council meeting and read by the Mayor:

	PERMITS ISSUED	NEW VIOLATIONS	CLOSED VIOLATIONS	BUSINESS LICENSES ISSUED	BUILDING INSPECTIONS
June, 2017	10	1	0	10	1

Monthly Town Council Meeting

TOWN of CHESWOLD
P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

Monday, July 10, 2017

PUBLIC WORKS REPORT – “continued”

• **CODE ENFORCEMENT PROPERTIES**

- **Fulton St./Eastern Shore Property Management** – A Final Notice of Violation has been issued to the property owner regarding the construction equipment and concrete slabs on the property. The property owner has not yet contacted the Code Enforcement Office. **PENDING**
- **30 New Street** – Electric is disconnected. Town continues to wait a response from Town Attorney on the Sherriff’s sale process which effects the Council’s demolition decision. **PENDING**
- **33 New Street** – Grass violation. Phone numbers for owner Doug Wissman have been disconnected and the owner cannot be located. A certified letter of the violation was sent on October 31, 2016. There has been no contact or action from the owner regarding the Notice of Violation. Another order of Violation will be mailed to the last known address of the property owner. **PENDING**
- **53 School Lane** – The property owner has once again been contacted and has failed to do a final cleanup of the property and properly backfill the lot. Continued attempts at contact with the property owner is ongoing. **PENDING**
- **77 School Lane** – A 2nd Notice of Violation has been issued to property owner regarding the condition of the property. No significant cleanup has as yet occurred and the property owner has not yet responded. **PENDING**
- **176 Boggs Run** – There have no attempts to abate the issues with this property. This residence remains condemned. **PENDING**
- **179 Commerce St.** – This property suffered a fire on June 25, 2017, resulting in a loss of life. The structure itself remains sturdy and intact. As of June 26, 2017, the structure was placarded as an Unsafe Structure and the occupants were given time to remove belongings that could be salvaged, the building was then shuttered. The structure will be placarded as Condemned, pending the Building Inspector’s recommendation and signature. **IN PROGRESS**
- **215 Commerce St.** - Repairs are still in progress for the upstairs apartment. **PENDING**
- **Blanton Mobile Trailer Park:**
 - **30 Leyland Lane** – This residence has abated the older issues with the property and is now being worked on with cleaning and repair of the manufactured home. **IN PROGRESS**

Monthly Town Council Meeting

TOWN of CHESWOLD

P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

Monday, July 10, 2017

PUBLIC WORKS REPORT – “*continued*”

- **Town Hall**
 - **Parking Lot** – Under construction. Internet service was cut in the morning of July 10, but was restored by late afternoon. **IN PROGRESS**
 - **Office Re-design** – Renovations are nearly complete. All that remains is the completion of the kitchen area. **PENDING**
- **Construction Repairs**
 - **Main Street Sidewalk** – Need for railroad crossing update affects the repair of the sidewalk. Both State Senator Lawson and State Representative Paradee have agreed to seek funding to update the railroad crossing. **ON HOLD**

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

- a. **2020 Comprehensive Plan Update** – Commissioners are working on the 2020 Plan Update. **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** – Town Administrator Callender suggested that the Council review and discuss the suggested Charter changes at a Council Workshop meeting, once the renovations on Town Hall are complete. The Mayor and Council agreed. **ON HOLD**
- 2. **MS4** – DNREC has proposed to extend the requirements for the waiver to permit some smaller municipalities to not participate in this portion of the Phase 2 MS4 program and Cheswold now falls within those boundaries. The change has to be reviewed by the Public and receive approval, but if obtained the Town will not have to submit to MS4 requirements for the next five years.

Ms. Callender suggested that if the Town is blessed to receive the five year waiver that we none the less continue to work on achieving some of the elements of the programs. As a result she has asked KCI Engineering to submit a cost estimate for the preliminary project. **PENDING**

c. EQUIPMENT PURCHASE STATUS

At last month’s meeting, recommendations were made by Resident Kenneth Brown on the proposed purchase of a Weed Sprayer and a new Trailer for the town tractor. Mrs. Callender reported that after investigation Maintenance Technician Bob Ridgeway found a brand new weed sprayer on wheels in the storage shed, so a purchase was not necessary. And the size trailer needed for the tractor was not available at the suppliers recommended by Mr. Brown, so the decision was made to purchase from Tractor Supply and the desired trailer was on sale for \$100.00 less than the proposed price. **COMPLETE**

Monthly Town Council Meeting

TOWN of CHESWOLD
P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

Monday, July 10, 2017

NEW BUSINESS:

1. Legislative Updates – *Nothing New to Report*
2. LUCA – Local Update of Census Addresses – *Nothing New to Report*

COMMUNITY COMMENTS: The following comments/questions were made during the meeting, but addressed by the Council at the end of the meeting, as scheduled on the agenda. They are not recorded in order or verbatim:

- **Residents Fred & Carol Marvel**– *requested the Council to grant them a waiver of the late fees and penalties associated with the payments of their 2015 -2016 and 2016 – 2017 property taxes. They did agree to pay the principal balance due for all the pending fiscal years. They stated that requested proof from Town Clerk, Ms. Shadina Jones, that their tax bill had been mailed properly to them and that she could not submit such proof. They also stated that she could not provide evidence of when the tax bills were paid and they should not have to pay if the Town could not prove the bills were sent.*
 - **Town Administrator Callender** – stated that she was present when Mr. Marvel came in and also heard that Mrs. Marvel had proof of a2015 -2016 payment, but they failed to bring in the proof, the next day. In addition, she personally had provided the same bill dates obtained from Ms. Jones to them as: 2015 -2016 = June 5, 2015; 2016- 2017 = June 22, 2016 and 2017 -2018 = June 21, 2017.
 - **Mayor Sine** – explained that there is no requirement for the Town to prove that tax bills have been forwarded to property owners.
 - **Residents Fred & Carol Marvel**– *continued to contend that they should not have to pay late fees or penalties, if they did not receive the bills.*
 - **Chief Workman** – added that the situation is no different that if Comcast or Verizon sends a bill, you cannot claim that you don't have to pay for the service because you didn't receive the bill.
 - **Residents Fred & Carol Marvel**– *stated that if the 2015 – 2016 bill was sent on June 5, 2015, then they definitely did not receive it because their home transfer date was June 5, 2015.*
 - **Town Administrator Callender** – explained that it needed to be understood that the Council could not just grant waivers for non-payment because a property owner claims they did not receive the bill. It's every property owner's personal responsibility to know that they must pay their property taxes. However, if Mr. & Mrs. Marvel have evidence that their home transferred on June 5, 2015, then consideration will be given to granting a waiver to the late fees and penalties, but not the principal.
- PENDING**

Monthly Town Council Meeting

TOWN of CHESWOLD

P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

Monday, July 10, 2017

COUNCILPERSON COMMENTS:

Vice Mayor Larence Kirby – Parkers Run is having a HOA meeting at 6:00 pm, in the Cheswold Fire Hall and the new Board is in need of additional members.

Resident Troy Brown – asked the Vice Mayor what happened at the last meeting and Vice Mayor Kirby responded that nothing occurred as the developers failed to attend the meeting.

Secretary/Treasurer Theon Callender – State Representative Trey Paradee has chosen to become a champion to assist us in hopefully in obtaining at least one fire hydrant easily accessible to Old Town. In addition, Jeff Brown of the Dover Post has made an appointment to meet with me to discuss an article about the situation at 8:00 am on Wednesday, June 12, 2017. Any Council member desiring to attend is welcome to do so.

Councilperson Judith Johnson – thanked those who attended and encouraged them to continue.

Councilperson Matthew Asinger – Nothing to Report.

MAYOR'S COMMENTS:

Mayor Bob Sine – expressed his pleasure and thanks to Chief Workman and Mrs. Callender for the successful DRBA & Cheswold Community Day, held last month. He noted that all attendees seemed to be pleased with the presentations.

Motion to Adjourn

A motion was made by Councilperson Callender, seconded by Councilperson Asinger to adjourn at 6:44 p.m. A roll call vote on the motion resulted in a unanimous vote to approve. The meeting adjourned immediately thereafter.

TOWN of CHESWOLD

P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

TOWN COUNCIL MONTHLY MEETING – JULY 10, 2017
CHESWOLD FIRE HALL
371 Main Street, Cheswold, Delaware
ATTENDEES

Duggins, Ronald	Resident
Marvel, Carol	Resident
Marvel, Fred	Resident
Roberts, Troy	Resident
Tinari, Donald	Resident

TOWN of CHESWOLD

P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

TOWN of CHESWOLD

P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355