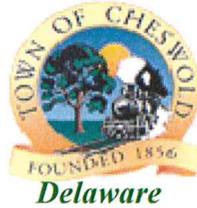


*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Monday – July 1, 2013**  
**7:30 p.m.**  
**Cheswold Fire Hall**

**The following persons were in attendance:**

**Mayor Donald Tinari**  
**Councilperson Theon Callender**  
**Councilperson Mildred Johnson**  
**Councilperson Sherry Lambertson**  
**Vice Mayor Bob Sine**

**Absent: Councilperson Justin Curley**

**Police Department: Corporal Louis Simms**

**Planning Commission: 0**

**Town Employees: 0**

**# of Cheswold Fire Company Present = 1**

**# of Cheswold Residents Present = 1**

**# of Visitors = 0**

**Notice:**

Notice of this meeting has been made in accordance with the Delaware Open Meetings Act, by properly posting June 21, 2013, copies of the agenda, with a FOIA compliant revision on June 27, 2013, (to add Item "e", to New Business – Public Hearing Resolution), on the Official Bulletin Board 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 [www.cheswold.delaware.gov](http://www.cheswold.delaware.gov); and was filed with the Clerk of the Town of Cheswold. In addition, copies of the agenda were available for pick-up in the Town Hall.

**MEETING:**

The meeting was called to order by Mayor Donald Tinari, at 7:40 pm and was immediately followed by the Pledge of Allegiance and Moment of Silence.

**Monthly Town Council Meeting  
Monday, July 1, 2013**

**ROLL CALL:**

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

A motion to accept the agenda as presented was made by Vice Mayor Bob Sine and a second was made by Councilperson Sherry Lambertson. The votes on the motion were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes  
Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**Review of Previous Month's Minutes:**

At the request of the Mayor, the Council reviewed the following minutes of the previous month:

June 3, 2013 – Town Council Monthly Meeting  
June 18, 2013 – Monthly Town Council Workshop Meeting

Vice Mayor Sine made a motion to accept all the minutes as presented and Councilperson Sherry Lambertson made a second to the motion. The votes on the motion were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes  
Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**TREASURER'S REPORT:**

- a. The Treasury Report, (Comparisons between Receipts and Disbursements), for the Month of **May, 2013** were not presented at last month's meeting as a result of Secretary/Treasurer Callender being absent from the meeting due to eye surgery.

The Treasury Report for the month of **MAY, 2013** was presented as follows:

<b>TOWN of CHESWOLD:</b>	
<b>CASH RECEIPTS:</b>	<b>\$ 23,388.33</b>
<b>CASH DISBURSEMENTS:</b>	<b>\$ 27,025.70</b>
<b>NEGATIVE MONTHLY CASH FLOW:</b>	<b>\$ 3,637.37</b>

**TREASURER'S REPORT "cont'd":**

<b><u>ADMINISTRATION:</u></b>	
Cash Receipts:	\$ 18,839.88
Cash Disbursements:	\$ 21,028.18
Negative Monthly Cash Flow:	\$ 2,188.30

<b><u>POLICE DEPARTMENT:</u></b>	
Cash Receipts:	\$ 4,300.27
Cash Disbursements:	\$ 1,775.76
Positive Monthly Cash Flow:	\$ 2,524.51

<b><u>PUBLIC WORKS:</u></b>	
Cash Receipts:	\$ 248.18
Cash Disbursements:	\$ 4,221.76
Positive Monthly Cash Flow:	\$ 3,973.58

b. The Treasury Report for the **Month of JUNE, 2013** was as follows:

<b><u>TOWN of CHESWOLD:</u></b>	
CASH RECEIPTS:	\$ 13,555.40
CASH DISBURSEMENTS:	\$ 33,223.38
<b>NEGATIVE MONTHLY CASH FLOW:</b>	<b>\$ 19,667.98</b>

<b><u>ADMINISTRATION:</u></b>	
Cash Receipts:	\$ 8,058.65
Cash Disbursements:	\$ 27,441.76
Negative Monthly Cash Flow:	\$ 19,383.11

<b><u>POLICE DEPARTMENT:</u></b>	
Cash Receipts:	\$ 4,721.75
Cash Disbursements:	\$ 5,254.26
Positive Monthly Cash Flow:	\$ 532.51

<b><u>PUBLIC WORKS:</u></b>	
Cash Receipts:	\$ 775.00
Cash Disbursements:	\$ 527.36
Positive Monthly Cash Flow:	\$ 247.64

Monday, July 1, 2013

**TREASURER'S REPORT "cont'd":**

**ACCOUNT BALANCES as of: JUNE 30, 2013**

<b>GENERAL FUND:</b>	<b>\$ 28,605.21</b>
<b>MUNICIPAL STREET AID</b>	<b>\$ 23,138.70</b>
<b>SALLIE FUND:</b>	<b>\$ 182.78</b>
<b>EIDE FUND:</b>	<b>\$ 3,578.54</b>
<b>CAPITAL SCHOOL DISTRICT:</b>	<b>\$ 15,280.24</b>
<b>FIRE DEPARTMENT:</b>	<b>\$ 3,312.70</b>
<b>FULTON ST. 09-P-PROG-36</b>	<b>\$ 81.51</b>
<b>APPLICANT'S (LAND USE):</b>	<b>\$ 2,023.89</b>
<b>IMPACT (CAPITAL) ACCOUNT:</b>	<b>\$ 6,972.92</b>
<b>POLICE DEPARTMENT:</b>	<b>\$ 22,668.14</b>
<b>PUBLIC WORKS DEPARTMENT:</b>	<b>\$ 3,092.92</b>
<b>LITIGATION:</b>	<b>\$ 20,828.46</b>

**c. Requisitions**

Nothing to Report

A motion to accept the Treasury Report as presented was made by Councilperson Sherry Lambertson. Councilperson Mildred Johnson made a second to the motion and the votes were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**d. Proposed Purchases**

Secretary/Treasurer Theon Callender asked the Council if they had reviewed the documentation previously forwarded to them regarding the potential purchase of a new accounting systems, that is designed to bring the multiple functions of the finances associated with the Town into a universal manageable system and process.

The total cost of the system is \$28,200, which includes the training and installation. In addition, there will be a \$10,703 annual maintenance fee. The vendor is Edmunds & Associates, from Northfield, New Jersey and approximately 15 other municipalities in Delaware use them as a vendor and have provided outstanding evaluations of their product, services and Company.

The question posed by the Council is whether any portion of the system can accommodate credit card payments for Business Licenses and Permitting? And can users make payments from a credit card machine into the new system at the Town Hall location? There was also discussion about making partial payments on the system rather than making the total payment at one time.

The answers to these questions and responses to these concerns will assist the Council in making a final decision concerning the purchase of credit card payment machine for taxes, business licenses, permits, fines, etc. Mrs. Callender agreed to obtain answers to the questions and responses to the concerns in for the July Workshop meeting.

**Monthly Town Council Meeting  
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**TREASURER'S REPORT "cont'd":**

**d. Proposed Purchases "continued"**

A motion to purchase the Edmunds Municipal Accounting System was made by Vice Mayor Bob Sine and with a second from Councilperson Sherry Lambertson, the votes were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

*NOTE: Mayor Tinari stated that he intends to investigate a means to disburse the funds from the Capital School District Account to the Town, in light of the fact that the Council has repealed the Ordinance establishing the collection of such funds.*

**Tax Collector's Report:**

a. Treasurer Callender provided the following report for the **Month of May and June, 2013:**

**TAX REPORT: FISCAL YEAR 2012 - 2013**

Total Amount Billed: **\$ 131,186.40**

Payments as of:

07/30/2012:	\$39,777.89
08/27/2012:	\$65,726.74
09/30/2012:	\$ 5,909.65
10/31/2012:	\$ 1,438.08
11/30/2012:	\$ 1,949.54
12/31/2012:	\$ 1,149.49
01/31/2013:	\$ 1,318.72
02/28/2013:	\$ 2,037.75
03/31/2013:	\$ 1,706.26
04/30/2013:	\$ 3,223.01
05/31/2013:	\$ 1,296.61
06/30/2013:	\$ 608.52

Total Payments Received as of **05/31/2013:** **\$126,142.26**

Payments Due: **\$ 5,044.14**

A motion was made by Vice Mayor Bob Sine to accept the April May and June Tax Reports as presented and with a second from Councilperson Sherry Lambertson, the votes on the motion were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

*NOTE: Mayor Tinari requested the receipt of a Delinquent Tax Payer Report and Secretary/Treasurer Callender promised to provide it at the Town Council Workshop.*

**Monthly Town Council Meeting  
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**Police Department Report – Corporal Louis Simms**

In the excused absence of Chief Chris Workman, Corporal Simms reported that the June Police Department Report had been forwarded to the Council under separate cover and that the Chief would review it with Council at the Workshop meeting.

He also reported that the major instances during the month of June were a molestation report in the Fox Pointe Development; that a fugitive had been arrested in Town during the Firefly celebration weekend and that a marijuana seizure, as a result of a traffic stop had also netted a suspect with a large “Bowie” type knife on his person.

**Cheswold Fire Company Report – Fireman Neese:**

Mr. Neese provided the following information and made the specified requests:

- a. The ambulance fund raising drive is still underway
- b. If anyone makes a complaint about receiving a second request from the fund drive and they have already made a donation, please explain that it takes approximately 2 weeks for the donation to process with the Company sending out the requests. So sometimes the report of a donation and the second request for a donation cross in the mail.
- c. Controlled burning is still in effect.
- d. Please keep the 18 families of the firefighters who lost their lives in Prescott, Arizona, in your prayers.

**Public Works Report – Mayor Donald Tinari:**

**a. Water System for Old Town**

The Mayor reported that the results of the water sampling of the few homes in Old Town participating in the sampling have been received and that all the wells tested safe from e-coli, but a couple had a high concentration of iron. These concentrations however, are considered somewhat normal for Cheswold.

A significant question that remains to be answered is whether the Town should continue to pursue completing the grant application.

A meeting to address this question is set for Tuesday, July 2, 2012, 2:00 p.m., with the Ms. Angela Tighlman of the USDA, Mr. Tom Wilkes - Town Engineer, Mayor Donald Tinari and Secretary/Treasurer Theon Callender.

The Council should be able to make a decision about completing the grant application, based on the feedback from that meeting.

**PENDING**

**b. Town Hall Parking Lot – Secretary/Treasurer Theon Callender**

Mrs. Callender informed the Council that Town Engineer Tom Wilkes has requested that a change order to re-survey the measurement and exact location of the Town Hall be conducted. As of this meeting, he has not been permission to conduct a re-survey as the site of the Town Hall was marked and spotted by him originally. In addition, the funds allocated for this project did not include an allowance for a re-survey change order. Mr. Wilkes and Mrs. Callender will continue to try and resolve this issue.

**PENDING**

**Monthly Town Council Meeting  
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***Planning Commission Report – Secretary/Treasurer Theon Callender***

**a. Fee Schedule Revision**

The Commissioners are continuing to review the fee revisions associated with the Land Use Ordinance and expect to have it completed for submission to the Council for approval, for the August Town Council meeting.

**PENDING**

**b. Parkers Run Sub-Division Approval Request**

Mrs. Callender explained to the Council that Rocky Gorge LLC, wishes to re-sub-divide some of the remaining lots in the Parkers Run Development to provide for larger lot sizes for a new home building contractor.

They also requested the option to retain the current lot sizes until such time as the new builder sells and builds their first home. At which time the new sub-division plan will be officially recorded.

The Planning Commission has reviewed and orally recommended their request for approval by the Town Council and if the recommendation is received in writing, the request will be added to the Town Council Workshop agenda for approval.

*NOTE: Subsequent to this meeting, an approval letter for this request was forwarded to the Town Council from the Planning Commission on July 1, 2013.*

**COMPLETE**

**Old Business:**

**a. 1<sup>ST</sup> Annual Cheswold Pride Day – Councilperson Sherry Lambertson**

Ms. Lambertson provided the information that the following items have been either already obtained or promised in association with Pride Day:

- (1) DNA Kits – Police Department
- (2) Coloring Books – Police Department
- (3) Pencils – Police Department
- (4) Toy Badges – Police Department
- (5) Soda – Cheswold Liquors
- (6) Water – Redners; Canteen
- (7) Games – Mrs. Rose Duggins & Mrs. Sam Callender
- (8) Banner – Mrs. Sam Callender

She promised to provide additional information at the next Council meeting.

**PENDING**

**b. Credit Card Implementation – Mayor Donald Tinari**

Mayor Tinari stated that he has provided the Council with all the information necessary to make a decision about implementing a credit card system and requested to do so. He also added that he recommends M&T.

Councilperson Lambertson acknowledged the time and effort expended by the Mayor in reviewing the available options, however she stated that it was difficult to compare the experiences of the City of Wilmington to the anticipated success of the Town of Cheswold due to the difference in population and land mass size.

**Monthly Town Council Meeting  
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**b. Credit Card Implementation** *“continued”- Mayor Donald Tinari*

Ms. Lambertson asked the Mayor if he had any feedback from Towns or Cities of comparable size to Cheswold. The Mayor committed to finding an answer to that question.

Vice-Mayor Bob Sine made a motion to make a decision at the Town Council Workshop based on the answers from the Edmunds Accounting System and the feedback from small Towns using credit card machines and that if the decision is to purchase a credit card system that it be on a 6 month use contingency. Councilperson Lambertson made a second to the motion and the votes were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**PENDING**

**c. Retail Benefits** – *Secretary/Treasurer Theon Callender*

Mrs. Callender explained to the Council that she requires additional time to absorb and adequately present the benefits and details of the Retail Benefits program and requested to table this discussion until the Workshop meeting.

Vice-Mayor Bob Sine made a motion to table this report until the Workshop meeting and with a second from Councilperson Mildred Johnson, the votes were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**PENDING**

**New Business :**

**a. Cheswold Chatter** – *Secretary/Treasurer Theon Callender*

Mrs. Callender reported that the Chatter has been written and copies made; and they are ready for distribution, depending on the weather.

The following articles are included in the newsletter:

- (1) 1<sup>st</sup> Annual Cheswold Pride Day
- (2) Council Meetings; Dates; Times and Locations
- (3) Health Alert – Mosquito Control
- (4) Noise and Trash Ordinance Public Hearing Notice
- (5) GED Testing Changing
- (6) Police Pad
- (7) 1<sup>st</sup> Annual Cheswold Pride Day Flyer

**COMPLETE**

**b. Proposal to Close Town Hall on Friday, July 5, 2013** - *Secretary/Treasurer Theon Callender*

As Town Hall will be closed on Thursday, July 4, 2013 in celebration of Independence Day, Mrs. Callender requested the approval of the Council to close Town Hall on Friday, July 5, 2013.

Vice-Mayor Bob Sine made a motion to that affect, and Councilperson Callender made a second and the votes on the motion were as follows:

**Monthly Town Council Meeting  
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***New Business "continued" :***

**b. Proposal to Close Town Hall on Friday, July 5, 2013**

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**COMPLETE**

**c. Leyland Village - Secretary/Treasurer Theon Callender**

Mrs. Callender reported that Leyland Village, formally known as Blanton Trailer Park, has been taken over by Artisan Bank and they expect to begin renovating the property and trailers in the very near future.

**COMPLETE**

**d. Balloon Payment on Ryan Loan - Secretary/Treasurer Theon Callender**

Mrs. Callender requested and made a motion that this item be tabled until the Workshop, as a result of a scheduled meeting between M&T bank representatives, Mayor Tinari and her on Tuesday, July 2, 2013.

Vice-Mayor Bob Sine made a second to the motion and the votes were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**PENDING**

**e. Resolution #06-27-13-050; Public Hearing on Noise & Trash Ordinance -**

*Secretary/Treasurer Theon Callender*

Mrs. Callender read and made a motion to approve a Resolution to conduct a Public Hearing to receive public comment on the proposed Noise and Trash Ordinances.

Vice-Mayor Bob Sine made a second to the motion and the votes were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.

**f. Town Council Workshop Agenda ; Tuesday, May 21, 2013– Mayor and Council**

- (1) Parkers Run Sub-Division Approval Request – *Secretary/Treasurer Theon Callender*
- (2) Water System for Old Town – *Mayor Donald Tinari*
- (3) 1<sup>st</sup> Annual Cheswold Pride Day – *Councilperson Sherry Lambertson*
- (4) Police Department – *Chief Chris Workman*
- (5) Credit Card Implementation Project – *Mayor Donald Tinari*
- (6) Retail Benefits Program – *Secretary/Treasurer Theon Callender*
- (7) Any Other Pertinent Pending or New Issues– *Secretary/Treasurer Theon Callender*

**COMPLETE**

**Monthly Town Council Meeting  
Monday, July 1, 2013**

**Community/Comments & Concerns:**

Nothing to Report

**Council Member Comments:**

- a. Councilperson Mildred Johnson – Nothing to Report
- b. Councilperson Sherry Lambertson – Nothing to Report
- c. Secretary/Treasurer Theon Callender - Nothing to Report
- d. Vice Mayor Robert Sine – Nothing to Report

**Mayor's Comments:**

Nothing to Report

**Adjournment:**

At 8:50 p.m., Councilperson Callender made a motion to adjourn and with a second from Vice-Mayor Bob Sine the votes on the motion to adjourn were as follows:

Councilperson Theon Callender – Yes  
Councilperson Sherry Lambertson – Yes

Councilperson Mildred Johnson – Yes  
Vice Mayor Robert Sine - Yes

The motion carried with a unanimous vote.