

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Tuesday – November 7, 2017
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 Judith Johnson

Absent: Councilperson Matthew Asinger

Police Department: Chief Christopher Workman

Planning Commission: 0 Town Employees: 0 # Residents: 0 Town Contractor: `

Town Contractor – Aquilio Andreas – Town Engineer

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 October 30, 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 6:03 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.

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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 approve as presented was made by Vice Mayor Kirby and a second was added by Chairperson 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 October 2, 2017 - Monthly Town Council Meeting

A motion to accept the minutes of the previous month, 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 October, 2017** is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	October, 2017
Cash Receipts	\$ 29,513.55
Cash Disbursements	\$ 57,254.30
Negative Monthly Cash Flow	(\$ 27,740.75)

ADMINISTRATION	
Cash Receipts	\$ 17,735.33
Cash Disbursements	\$ 24,789.03
Negative Monthly Cash Flow	(\$ 7,053.70)

POLICE DEPARTMENT	
Cash Receipts	\$ 4,496.32
Cash Disbursements	\$ 26,605.32
Negative Monthly Cash Flow	(\$ 22,109.00)

PUBLIC WORKS	
Cash Receipts	\$ 7,281.90
Cash Disbursements	\$ 6,859.95
Positive Monthly Cash Flow	, \$ 1,421.95

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TREASURER'S REPORT "continued":

(Account Balances), for the Month of October, 2017 is as follows:

As of:	October, 2017
Capital Account	\$ 30,221.16
Cheswold Heritage Day Account	\$ 3,689.27
Eide Grant Fund Account	\$ 4,135.56
Fire Company Account	\$ 41,204.00
General Fund Account	\$ 309,504.64
Land Use Applicant's Account	\$ 32,307.13
Litigation Account	\$ 25,454.25
Municipal Street Aid Account	\$ 46,375.08
Salle Grant Fund Account	\$ 298.53

b. Requisitions -

Req. #	Dept.	Vendor	Item	Amount	To Be Paid By
R8-00029	Police	Axon	Axon Taser	\$1,720.00	Violent Crimes Grant
R8-00030	Police	Brandywine Smyrna, Inc.	Radiator/Fan-Dodge	\$1,339.20	General Fund
R8-00031	Police	Motorola Solutions	Portable Radio +	\$2,878.13	Violent Crimes Grant

A motion to approve the Treasurers Report was made by Councilperson Johnson and a second was added by Vice Mayor Kirby and a motion to approve the Requisitions was made by Vice Mayor Kirby with a second from Secretary/Treasurer Callender. Both motions were approved by a unanimous roll call vote of the Council present.

c. Proposed Purchase/s -

Dept.	Vendor	Item	Amount	To Be Paid By:
Admin.	KCI Engineering	Inventory & Insp. MS4	\$13,139.00	General Fund

Mr. Andreas - Town Engineer, informed the Mayor and Council that Remington, Vernick & Beach, (RVB), were capable of providing the same service as KCI Engineering for the MS4 project and requested the opportunity to present a proposal of services and costs. As RVB is the Town's contracted engineering firm, it was decided to put this decision to purchase on hold, until such time as a comparison can be made between the proposals.

TAX COLLECTOR'S REPORT

a. Month of October, 2017

TAX REPORT: FISCAL YEAR 2017 - 2018

Total Amount Billed: \$142,672.80

Payments as of:

Current Year: Past Due Paid:

07/31/2017	\$ 13,625.28	\$ 672.75
08/31/2017*	\$ 99,029.63	\$ 1,467.92
09/30/2017	\$ 4,294.26	\$ 485.02
10/31/2017	\$ 649.17	\$ 66.41

*August amounts corrected to reflect late accounting posting.

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TAX COLLECTOR'S REPORT – “continued”

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

a. Delinquent Taxes

Mayor Sine and Town Administrator Callender reported that the process for collecting delinquent taxes through the lien process was discussed with Town Engineer Fred Townsend. His firm of Schmittinger and Rodriquez will charge \$100.00 per hour to handle liens and their time and court filing fees can be added to the overall charge of handling the lien.

After Council discussion, it was decided to forward delinquent taxes over \$2,000 to the office of Mr. Townsend for lien processing.

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

Chief Workman presented the following report:

- **Office of Highway Safety Conference**

Chief Workman and Cpl. Kline will be attending the State of Delaware's Office of Highway Safety Conference in Dover, DE., from November 7th through November 9th, 2017.

- **DEA Drug Take Back Day**

Drug Take Back Day was held on October 28th, and there were 15 lbs. of unused prescription drugs dropped off for disposal at the Cheswold Police Department.

- **Holiday Season –**

The Holiday Season is coming upon us and it is time to remind all of our residents to lock their car doors and garages. Also be mindful of your surroundings and make sure that you park in well-lit areas when shopping.

And with the cold weather approaching, **please do not leave your cars running unattended and unlocked.**

- **Occupational Health–Worker**

The Cheswold Police Department requested to utilize BayHealth as their Occupational Health Provider for all work related testing and health care needs, (i.e., Workers Compensation). Information provided by BayHealth was included in the Police report. Currently there is not a standard provider named, but the Department has used BayHealth for drug testing.

NOTE: Subsequent to this meeting, Mrs. Callender confirmed and notified Chief Workman that BayHealth is a certified participant in the Town's insurance program with DFIT, (Delaware Founders Insurance Trust), and Workers Compensation is a part of the program.

- **Street Camera Program**

Chief Workman reviewed and discussed the initialization of a street camera program and long term solutions for payment, as it pertains to adding to current equipment. Advantech is our current contractor and suggests we employ a starting point approach, with the 1st camera being located at the Town Hall location with a light of sight down Main Street and eventually finish the program with cameras at Main and Commerce and Commerce and New and New St. and West St.

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POLICE DEPARTMENT REPORT – “continued”

- **Street Camera Program** – “continued”

The cost of installation for the first camera is \$10,000 and subsequent cameras are \$7,500.00. There is \$6,300 left in the Violent Crimes Grant which may be used to cover half the payment of the first camera, with the Town paying the balance. After Mayoral and Council discussion, it was decided to discuss this in the future, when perhaps additional grant funds will be available to assist with the costs or the Town is in a better financial situation to cover its share of the costs.

- **Parking**

Over the coming weeks the Police Department will begin making contact with residents in an attempt to curtail the parking of vehicles on curbs and sidewalks which seems to be becoming an issue in the Parkers Run Development.

NOTE: *Attached is a copy of the flyer addressing this situation which the Department will begin sharing.*

- **Traffic Summons** –

Officers issued 245 traffic summonses and 19 warnings during the month of October.

- **Monthly Activity Report**

Officers responded to or completed reports for 157 Incidents for the month of October, 2017.

A total of six, (6), incidents were handled by outside agencies after hours or not dispatched.

- **Monthly Incident Report – October, 2017**

911 Disconnects = 0	Fireworks = 0	Rape = 0
Accidents-H/R = 1	Fraud = 0	Relay = 0
Accidents-PD = 0	Fugitives = 9	Repossessions = 1
Accidents PI = 0	Harassment = 1	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 0	Lost Property = 0	Sex Crimes = 0
Alcohol Violations = 0	Lost/Stolen Tag = 0	Shoplifting = 1
Animal Complaints = 0	Loud Party = 0	Shots Fired = 1
Assaults = 0	Loitering = 0	Solicitation = 0
Assigned in Error = 0	Megan’s Law = 0	Stolen Vehicle = 1
Assist Other Agencies = 17	Mental Patient = 0	Suspicious Noise = 0
BOLO = 1	Misc. Investigation = 0	Suspicious Person/s = 1
Burglary = 0	Missing Person = 0	Suspicious Vehicle/s = 1
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 0	Offensive Touching = 1	Thefts = 1
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 0
Court Violation = 0	Open Door/Window = 0	Traffic Hazard/Service = 2
Criminal Impersonation = 0	Ordinance Violation = 0	Traffic Violations = 52
Criminal Mischief = 3	Overdose = 0	Trespass = 1

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Curfew = 0	Parking Violation = 0	Unassigned = 2
Custody Dispute = 0	Pay Job/Special Duty = 0	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s - Abandoned = 0
Disorderly = 4	PFA Service = 0	Vehicle/s - Disabled = 0
Domestics = 1	PFA Violation = 0	Vehicle/s - Recovered = 0
Drugs = 10	Property Checks = 10	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 1	Warrant Service = 0
DUI = 3	Public Assistance = 0	Weapon - Gun = 0
Fight = 0	Pursuit = 0	Welfare Check = 5

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

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PUBLIC WORKS REPORT – *Secretary/Treasurer Sam Callender*

The report was not presented at the meeting, as Mrs. Callender failed to obtain it from the Code Enforcement Officer, but is printed here as promised at the meeting:

:

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
October, 2017	7	3	2	3	0

• **CODE ENFORCEMENT PROPERTIES**

- **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. Town Administrator Callender has discussed this property with Town Attorney
- Fred Townsend and the decision has been reached to proceed with the demolition process as directed by the ICC Residential Code. As a result, a certified letter of Notice of Violation and Condemnation has been sent to the owner of record. Unless the owner adheres to the directions of the Notice, the Town will follow through with a letter of Condemnation and Demolition. **IN PROGRESS**
- **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. A second letter of Violation has been mailed to the last known address this office has on file. The overgrown weeds and grass have been graciously cut by Mr. Ziegenhorn. Continued failure of this owner to respond will result in a lien being placed on the property and ultimately it will become a possession of the Town. **NO CHANGE - PENDING**
- **102 New Street** – The property owner has been notified that there is a fence violation that requires abatement. No action has been taken against the violation to date. - **PENDING**

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• **PUBLIC WORKS REPORT** – “continued”

- **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. A Notice of Violation and fines will be issued. **PENDING**
- **77 School Lane** – The property owner has been sent a 2nd Notice of Violation, as well as a letter concerning cleanup of this property. **PENDING**
- **176 Boggs Run** – The mortgage company owning the property now has another contractor responsible for rehabilitating the property. The Code Enforcement has been in contact with them to inform them that the property has not yet been abated to the satisfaction of the Town and will therefore remain in a condemned state. **PENDING**
- **179 Commerce St.** – This property has been released by the Fire Marshal’s office and is currently in the process of demolition. A meeting has been requested by one of the contractors with a structural engineer. **PENDING**
- **215 Commerce St.** - Repairs are still in progress for the upstairs apartment. Contact will be made with the property owner this week, concerning a completion date. **PENDING**
- **Blanton Mobile Trailer Park:**
 - **30 Leyland Lane** – This residence has been issued a 2nd Notice of Violation regarding the exterior of the property. Code Enforcement is working with the Park owners to apply pressure to the home owner to clean-up the property. **PENDING**
- **Town Hall**
 - **Parking Lot** – Town Engineer Andreas reported that the lot should be complete within a week or two. The landscaping is complete and the light poles should be placed next week, followed by the completion of the concrete and parking space markings and buffer installation. **PENDING**
 - **Office Re-design** – Renovations are nearly complete. All that remains is the completion of the kitchen area. **NO CHANGE - PENDING**
- **Construction Repairs**
 - **Main Street Sidewalk** – Need for railroad crossing update affects the repair of the sidewalk. Both State Senator Lawson and State Representative Pardee have agreed to seek funding to update the railroad crossing. **NO CHANGE - ON HOLD**

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

- a. **2020 Comprehensive Plan Update** – Commissioners are working on the 2020 Plan Update through the development of a community questionnaire. Representatives from the Office of State Planning Coordination are scheduled to visit a Planning Commission meeting in February, 2018 to provide information and guidance about the Comprehensive Plan. . **IN PROGRESS**
- b. **Project Reviews** – the Commissioners are scheduled to review a Concept Plan for the Cheswold Fire Co., who is seeking to extend their parking lot located on the south side of Main Street. They will also be reviewing the Final Plan for additional construction at Sentinel Storage, which is located on the west side of Holly Oak Lane. **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. **NO CHANGE - RESPONSE PENDING**

- b. **STATUS of PENDING PROJECTS:**

- 1. **Town Charter Update** – *Vice Mayor Larence Kirby*

- The following is a reflection of the Charter Sections reviewed by Vice Mayor Kirby and Secretary/Treasurer Callender and presented to the Council as possible items for revision. At each Council meeting two, (2), sections will be added to the agenda and reviewed, discussed and action decided upon.

- a. **Section 2 – Current Territorial Limits**

- From:** Remove entire written description of territorial limits

- To: Section 2 – Metes and Bounds**

- The boundaries of the Town of Cheswold are hereby established and declared as recorded on the official map of record in the Recorder of Deeds Office for Kent County of the State of Delaware as presently existing and as hereinafter amended.

- After discussion between the Mayor and the Council, the decision was made to contact Dave Edgell, from the Office of State Planning Coordination and to review seminar documents to determine the extent of requirements for making this change to the Charter as recommended by Dave's Office. The benefit of making the change is that the Charter will never have to be changed again to reflect the correct boundaries of the Town, as all annexations and boundary changes will be recorded in the Kent County Recorder of Deeds along with the associated boundary maps. The down side of this change is the associated engineering costs required to complete the task.*

- b. **Section 4.2.2 (i) – Enumeration of Powers**

- From:** for slum clearance and redevelopment, urban renewal, revitalization, or rehabilitation of blighted areas or removal of dangerous buildings,

- To:** redevelopment, urban renewal, revitalization, or rehabilitation of blighted areas or removal of dangerous buildings.

- After discussion between the Mayor and the Council decided that the suggested change should be accepted.*

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13. OLD BUSINESS – “continued”

c. Water to Old Town – PENDING RESPONSE FROM STATE REP COMMITTEE

NEW BUSINESS:

a. Review and Potential Vote on Final Plan Application 2017-07-31-056

Plan proposes to construct a new 10,800 square foot storage building on the site fronting on Holly Oak Lane. All other necessary approvals have been acquired including a recommendation to approve from the Planning Commission in Memo #17-004.

A motion to approve the Final Plan was made by Vice Mayor Kirby and a second was received from Secretary/Treasurer Callender. The motion passed with a unanimous vote of those shown as in attendance.

COMMUNITY COMMENTS:

NOTHING TO REPORT

COUNCILPERSON COMMENTS:

Vice Mayor Larence Kirby – *Suggested that the Town contact the Delaware River Bay Authority to determine if it will be feasible to have another Cheswold Day as we did this past June. Mrs. Callender responded she’s not sure if she will be a part of the Committee and the Mayor suggested that we address the suggestion again in March, 2018. Mrs. Callender also explained that the Town usually has an annual celebration that involves more than just presentations and airplanes. So, if the decision is made to do this event, we should really consider the scope of the activities of the day.*

Secretary/Treasurer Theon Callender – *Informed the Mayor and Council that an employee had an on-duty accident, as a result of not jumping out of the way of falling light poles. Fortunately, the injury is not serious and no lost time is involved.*

She also explained that all Town employees responsible for driving Town vehicles have taken an on-line safe driving course provided free of charge by our insurance company, DFIT, and received successful completion certificates. The course is also open to all Town Council representatives.

Councilperson Judith Johnson – *Stated that she would like to take the driving course. Chief Workman told her to come into the office and he will set her up to take it.*

Councilperson Matthew Asinger – **ABSENT**

MAYOR’S COMMENTS: ***NOTHING TO REPORT***

Motion to Adjourn

A motion was made by Councilperson Callender, seconded by Councilperson Johnson to adjourn at 7:10 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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