



**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Monday – December 4, 2017**  
**6:00 p.m.**  
**Cheswold Town Hall**  
**691 Main Street**  
**Cheswold, Delaware 19936**

The following **COUNCIL PERSONS** were **IN ATTENDANCE**:

Mayor Bob Sine  
Vice Mayor Larence Kirby  
Secretary/Treasurer Theon Callender  
Councilperson Judith Johnson

**OTHER ATTENDEES:**

Mr. Christopher Workman – Police Chief  
Ms. Colleen Ostafy – Planning Commission Secretary  
Mr. Aquilio Andreas – Town Engineer  
Mr. Donald Tinari – Resident & Former Mayor  
Mr. Ken Brown – Resident  
Mr. Santo Faronea – Resident  
Mr. Mark Moxley - Resident

**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 November 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 6:05 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 November 7, 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 November, 2017** is as follows:

**Monthly Cash Flow Comparisons**

<b>TOWN of CHESWOLD</b>	<b>November, 2017</b>
Cash Receipts	\$ 4,569.02
Cash Disbursements	\$ 56,817.76
<b>Negative Monthly Cash Flow</b>	<b>(\$ 52,248.74)</b>

<b>ADMINISTRATION</b>	
Cash Receipts	\$ 734.84
Cash Disbursements	\$ 19,515.30
<b>Negative Monthly Cash Flow</b>	<b>(\$ 18,780.46)</b>

<b>POLICE DEPARTMENT</b>	
Cash Receipts	\$ 3,834.18
Cash Disbursements	\$ 20,632.61
<b>Negative Monthly Cash Flow</b>	<b>(\$ 16,798.43)</b>

<b>PUBLIC WORKS</b>	
Cash Receipts	\$ 0.00
Cash Disbursements	\$ 16,669.85
<b>Positive Monthly Cash Flow</b>	<b>, \$ (16,669.85)</b>

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**TREASURER'S REPORT** "continued":

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

As of:	November, 2017
Capital Account	\$ 30,223.65
Cheswold Heritage Day Account	\$ 3,689.27
Eide Grant Fund Account	\$ 1,648.26
Fire Company Account	\$ 41,207.39
General Fund Account	\$ 261,632.62
Land Use Applicant's Account	\$ 30,860.50
Litigation Account	\$ 22,705.21
Municipal Street Aid Account	\$ 45,168.40
Salle Grant Fund Account	\$ 298.53

**b. Requisitions -**

<u>Req. #</u>	<u>Dept.</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
<b>NOTHING TO REPORT</b>					

A motion to approve the Treasurers Report was made by Councilperson Johnson and a second was added by Vice Mayor Kirby. The motion was approved by a unanimous roll call vote of the Council present.

**c. Proposed Purchase/s -**

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

Mr. Andreas - Town Engineer, requested an additional couple of days to supply a proposal for the MS4 project, which he ensured will provide the coverage of the KSI proposal along with an agreement to provide a certified Boundary Map, when the Council requires it for the Charter update. There was no opposition voiced against waiting for the RVB proposal.

**TAX COLLECTOR'S REPORT**

**a. Month of November, 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
11/30/2017	\$665.33	\$ 69.50

\*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**

Mrs. Callender reported that Mrs. Jones had not run the new Delinquent Tax Report. However, when it is run, Ms. Jones will provide a list of the properties to be forwarded to the Town Attorney at Schmittinger and Rodriquez for tax lien to the Council for approval.

Properties with late tax fees exceeding \$1,000.00 will be included in the list.

**POLICE DEPARTMENT REPORT – Chief Christopher Workman:**

Chief Workman presented the following report:

- **Holiday Season**

Please remember to lock your car every night and make sure while shopping for Christmas gifts that you lock them in your trunk. Park in a well lit area and go shopping with another person, whenever possible. Have a Safe and Healthy Holiday Season.

- **COPS GRANT**

The Cheswold Police Department has been awarded the 2017 COPS Hiring Grant, which entitles us to hire one new officer for the department. The Chief will be asking the Mayor and Council to approve the acceptance of the COPS grant and to begin the hiring process immediately.

After discussion, Mrs. Callender made a motion to accept the 2017 COPS Grant. Councilperson Johnson made a second to the motion. The motion passed as presented by a unanimous roll call vote of the Councilpersons shown as present.

- **Shop-with-a-COP –**

Once again this year Cpl. Susan Kline will participate in the Shop-with-a-COP program conducted by the Smyrna PD.

- **Mayoral Thanksgiving Thank You –**

Mayor Sine expressed thanks to the Chief and to the Police Department, as well as to the contributors who made donations for Thanksgiving baskets for those less fortunate, which were delivered by the Police Department. The contributors were Cheswold News and Tobacco, (Dave Holland), Walmart and Mr. Harry Miller of Nobles Pond. The Chief additionally expressed his thanks to Mrs. Colleen Ostafy of Nobles Pond for the delivery of eight, (8), turkeys.

- **Traffic Summons –**

Officers issued 308 traffic summonses and 19 warnings during the month of November.

- **Monthly Activity Report**

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

A total of twelve, (12), incidents were handled by outside agencies after hours or not dispatched.

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**POLICE DEPARTMENT REPORT** – “continued”

• **Monthly Incident Report – November, 2017**

911 Disconnects = 0	Fireworks = 0	Rape = 0
Accidents-H/R = 0	Fraud = 0	Relay = 0
Accidents-PD = 2	Fugitives = 5	Repossessions = 1
Accidents PI = 0	Harassment = 0	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 0	Robberies = 1
Alarms = 3	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 = 1	Loitering = 0	Solicitation = 0
Assigned in Error = 3	Megan’s Law = 0	Stolen Vehicle = 1
Assist Other Agencies = 15	Mental Patient = 0	Suspicious Noise = 0
BOLO = 1	Misc. Investigation = 0	Suspicious Person/s = 5
Burglary = 1	Missing Person = 0	Suspicious Vehicle/s = 4
Burning = 0	Noise Complaint = 1	Terroristic Threat/s = 0
Check on Welfare = 2	Offensive Touching = 0	Thefts = 2
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 0
Court Violation = 1	Open Door/Window = 0	Traffic Hazard/Service = 2
Criminal Impersonation = 0	Ordinance Violation = 0	Traffic Violations = 13
Criminal Mischief = 3	Overdose = 0	Trespass = 0
Curfew = 0	Parking Violation = 0	Unassigned = 1
Custody Dispute = 0	Pay Job/Special Duty = 3	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s – Abandoned = 0
Disorderly = 0	PFA Service = 0	Vehicle/s – Disabled = 0
Domestics = 4	PFA Violation = 0	Vehicle/s – Recovered = 0
Drugs = 13	Property Checks = 11	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 = 4

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

**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:

:

	<b><u>PERMITS ISSUED</u></b>	<b><u>NEW VIOLATIONS</u></b>	<b><u>CLOSED VIOLATIONS</u></b>	<b><u>BUSINESS LICENSES ISSUED</u></b>	<b><u>BUILDING INSPECTIONS</u></b>
<b>November, 2017</b>	<b>5</b>	<b>0</b>	<b>4</b>	<b>3</b>	<b>2</b>

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**PUBLIC WORKS REPORT** – "continued"

• **CODE ENFORCEMENT PROPERTIES**

- **30 New Street** – No change. Electric is disconnected. The building has been condemned by the Town Building Inspector and Code Enforcement Officer. Mrs. Callender has forwarded a certified letter to the owners of record informing them of the condemnation status of the property and the requirement to respond. **IN PROGRESS**
- **33 New Street** – All attempts to contact the owner of this property, Mr. Doug Wiseman, have been unsuccessful. There has been no contact or action for the owner regarding the Notice of Violation has been mailed to the last known address this office has on file. The overgrown weeds and grass at this property have been cut by Mr. Zigenhorn. **IN PROGRESS**
- **102 New Street** – The property owner has abated the prior fence violation within the required time. The Code Enforcement Officer has also spoken with the owner regarding the reports of rubbish and garbage outside the residence. No action has so far been taking against this violation. **PENDING**
- **53 School Lane** – This property has abated all issues that were pending. **CLOSED**
- **77 School Lane** – The property owner has abated the major issues that were pending, though the property can still use some work. The owner has been contacted regarding the disposition of the property, but no attempts at communication have been made with this office. **CLOSED**
- **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.** - This property has been completed all repairs and has received its' Certificate of Occupancy. **CLOSED**
- **Blanton Mobile Trailer Park:**
  - **30 Leyland Lane** – This property has abated the issues that were pending. **CLOSED**

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

- **Nobles Pond**

- **854 Nobles Pond Crossing** – Inspections were conducted on this property regarding repairs from damage caused by a lightning strike which the home suffered. First to assess the extent of the damage and to confirm the completion of the repairs was the Town Building Inspector. **CLOSED**

- **Town Hall**

- **Parking Lot** – Town Engineer Andreas reported that except for parking space signage and markings the lot is complete. A final review is pending. **PENDING**

**Office Re-design** – Renovations are nearly complete. All that remains is the completion of the kitchen area. It was suggested by the Mayor with no disagreement from the Council that the office re-design will be discussed further following project completion.. **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 Paradee have agreed to seek funding to update the railroad crossing. **NO CHANGE - ON HOLD**

**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 –**

- **Final Plan Sentinel Storage West Application 2017-11-03-060**

- By a unanimous vote of the Commissioner present it was recommended that the Town Council approve the Final Plan submission by Sentinel Storage to place a 13,530 square foot storage building on their existing site of metal storage buildings on the west side of Holly Oak Road.

- **Cheswold Fire Company Concept Plan**

- Mr. Troy Adams of Mountain Consulting, LLC, presented a concept plan to extend the existing parking lot on the south side of Main Street, opposite the Fire Company building. The Commissioners provided the non-binding comment that the plan is ready to be submitted to them as a Preliminary Plan and there appear to be no obstacles to it progressing through the Final Plan review and approval.

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**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.*

Vice Mayor Kirby requested time to review the memo defining the process for creating a Boundary Map, prior to making a decision concerning revising the Charter Metes and Bounds section. It was agreed to discuss further at January Council meeting **PENDING**

b. **Section 4.2.31 - Fine Limit**

**From:** May provide for the punishment of a violation of any ordinance of the Town by fine or imprisonment or both, not exceeding \$500.00 or thirty days imprisonment.

**To:** May provide for the punishment of a violation of any Ordinance of the Town by fine or imprisonment or both, as specified by the applicable Ordinance.

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

- c. **Water to Old Town** – Mrs. Callender reported that State Representative Paradee has informed her that Tidewater is a couple of weeks from providing a proposal to provide fire hydrants to Old Town. **PENDING ADDITIONAL RESPONSE FROM STATE REP COMMITTEE**

**NEW BUSINESS:**

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a. Review and Potential Vote on Final Plan Application 2017-07-31-056 – Completed last month – included on this agenda in error.

**Monthly Town Council Meeting**

Meeting Notice Posted: March 15, 2017

**December 4, 2017**

Agenda Posted: November 28, 2017

**NEW BUSINESS: “continued”**

**b. Introduction of Potential Councilmember Candidates =**

Mayor Sine thanked the two candidates for their willingness to volunteer to fill the two vacant slots on the Council. Mrs. Callender introduced them as Mr. Santo Faronea of Nobles Pond and Mr. Mark Moxley of Evan Jarrell Farms. The Mayor asked them why they were interested and to provide some information about themselves.

- **Mr. Santo Faronea** – from Belleville, New Jersey; former Marine; was employed by the pharmaceutical industry; served in the school district and is married. Desires to support the Town with everything that needs to be done.
- **Mr. Mark Moxley** – is from Glasgow in New Castle County, Delaware and is also a former Marine. He is employed by the railroad and lived on Evans Jarrell Farm for two years. He loves it here and would love to see what can be done to help the area improve.

Mrs. Callender explained that there are two open positions. One position is available for placement until March 31, 2018 and the other until March 31, 2019. It was agreed that as Mr. Faronea was the first volunteer that he should hold the seat until 2019 and Mr. Moxley will hold the seat until 2018. At that time, in both cases, three seats on the Council will be open for a vote. Should only those currently holding the position run for the office, then they will continue to hold their seats. Should there be four or more candidates at either time, then an election will be held to fill the seats.

A motion was made by Councilperson Johnson to approve Mr. Faronea and Mr. Moxley, as so stated above, in the position of Councilperson, dependent on the positive results of their background checks. Vice Mayor Kirby made a second to the motion and a roll call approved the motion.

**COMMUNITY COMMENTS:**

**Mr. Ken Brown – Fox Pointe Resident:**

Mr. Brown requested Chief Workman to investigate a vehicle on Commerce and School Lane which he believes had illegal farm tags on it. The Chief resolved the issue after the meeting. **COMPLETE**

**Mr. Donald Tinari – Fox Pointe Resident:**

Mr. Tinari mentioned that he believed an illegal live chicken house was being maintained within Town limits. Subsequent to the meeting, Mrs. Callender reviewed past and current Town Ordinances and discovered that there are no prohibiting the keeping and rearing of chickens or poultry within Town limits. **COMPLETE**

**Ms. Colleen Ostafy – Nobles Pond Activities Chair:**

Ms. Ostafy informed the Mayor and Council that it was her idea to place a collection pot at Nobles Pond for residents to voluntarily contribute for the purchase of lights and light bars for the new Cheswold Police Department vehicle and she expects to deliver the funds soon.

**COUNCILPERSON COMMENTS:**

**Vice Mayor Larence Kirby** – *Welcomed and appreciated the volunteer attitudes of Mr. Faronea and Mr. Moxley.*

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**Secretary/Treasurer Theon Callender** – *Also welcomed the two new Councilpersons and informed them that there are a few projects requiring champions, such as: Park Development; Metes & Bounds update; Boundary Map update; Cheswold Day 2018.*

**Monthly Town Council Meeting**

**Meeting Notice Posted:** March 15, 2017

**December 4, 2017**

**Agenda Posted:** November 28, 2017

**Councilperson Judith Johnson** – *Wanted to know if Cheswold Day could be held in March or April. Mrs. Callender responded that it would be the responsibility of the Chair of the Day and their committee to determine the day and date of the event and it would probably also depend on the scope of the activities to be included. Mrs. Johnson said she wanted time to think about it.*

**Councilperson Matthew Asinger** – Is no longer a Councilperson and was included on agenda in Error.

**MAYOR'S COMMENTS:** *Mayor Sine welcomed the two new Councilpersons and expressed how nice it is to have people volunteer who care about the Town. He expressed his and the Council's willingness to work together for the benefit of the Town.*

**Motion to Adjourn**

A motion was made by Councilperson Callender, seconded by Councilperson Johnson to adjourn at 6:58 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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