



**TOWN of CHESWOLD
MINUTES of PUBLIC HEARING
Monday – August 6, 2018
Cheswold Fire Hall
371 Main Street
Cheswold, Delaware 19936
6:00 p.m.**

The meeting was called to order by Mayor Robert W. Sine at 6:00 p.m., followed by the Pledge of Allegiance and a Moment of Silence.

The Mayor noted that the meeting was properly posted on July 11, 2018, and the agenda properly posted on July 28, 2018.

The Mayor then requested the Town Clerk, Ms. Shadina Jones to complete a roll call of the Council. The following is the result of the roll call:

Vice Mayor Larence Kirby - Present
Secretary/Treasurer Theon Callender – Present
Councilperson Judith Johnson– Present
Councilperson Santo Faronea – Present
Councilperson Mark Moxley – Present

Ms. Jones presented a quorum of Council to the Mayor and the meeting continued.

The Mayor requested the Council to review the agenda and either accept it or recommend changes. The agenda was accepted as presented.

Secretary/Treasurer then provided a synopsis of the following:

- **Purpose of Public Hearings in General** – is to obtain public comment from residents and/or concerned persons on a specific item or issue
- **Purpose of this Public Hearing** – is to review and obtain public comment on the following proposed Ordinances:
 - 08-05-11-024 Revision of 2012 International Residential Code
 - 05-04-15-009 Establishment of Residential Rental Property Registration, Inspection and Permitting Code
 - 07-08-18-051 Combination/Revision and Inclusion of Plumbing and Electrical Fee Schedules

TOWN of CHESWOLD
MINUTES of PUBLIC HEARING
Monday – August 6, 2018

- **Conduct of this Public Hearing**
 - Comments will be accepted from the Public that only address the items of issue of the Public Hearing
 - Speakers will be allocated three, (3), minutes to make their comments
 - The Council may ask questions of the speakers. Time spent answering the questions will not be deducted from the speakers allocated three, (3), minutes.
 - The Council will answer questions, at their discretion.
 - Persons deemed to be causing disruption will be asked to leave by the Sargent-at-Arms, (Police Chief Chris Workman)

ITEMS for COMMENT

Mayor Robert Sine presented the following application synopsis:

- a. **08-05-11-024 Revision of 2012 International Residential Code**
- b. **05-04-15-009 Establishment of Residential Rental Property Registration, Inspection and Permitting Code**
- c. **07-08-18-051 Combination/Revision and Inclusion of Plumbing and Electrical Fee Schedules**

The Mayor then opened the meeting for Applicant and Public Comment on the items in the order previously presented:

- **08-05-11-024 Revision of 2012 International Residential Code**

The 2012 International Residential Code duly adopted by the Town Council of the Town Cheswold on February 9, 2017 requires the installation of sprinklers in one, (1), and (2), family residential dwellings per Section R313.2. This revision indicates that sprinklers will not be required in one, (1), and (2), family residential dwellings.

PUBLIC COMMENTS

1. **Chief Josh Dempsey**, Cheswold Fire Company commended the Town of Cheswold for implementing the 2012 International Residential Code. He acknowledged that the Town is growing and as a firefighter covering Cheswold, that a price cannot be put on a life. He asked the Council to keep the Section of the IRC requiring sprinklers to be installed in one, (1) and (2), family residences.
2. **Mr. William Levy**, 133 Greenheather Lane, Clayton Delaware introduced himself as a former Fire Chief and instructor at the Fire School, as well as Chairperson of the Sprinler Coalition. He stated that there are tons of evidence indicating the value of sprinklers. He also informed that the construction of homes today is different from those of yesterday. He continued to say that without earlier water suppression, a dangerous atmosphere exists in fires for firefighter and concluded by requesting that the regulation be maintained in the Code.

TOWN of CHESWOLD
MINUTES of PUBLIC HEARING
Monday – August 6, 2018

3. **Mr. Paul Eichler**, 866 Monroe Terrace, Dover, Delaware and a member of the Sprinkler Coalition stated that as a fire fighter, he has participated in fires in Cheswold and that life and property safety cannot be priced. Additionally, he stated that there have already been eight, (8), fatalities in 2018. He suggested that sprinklers add to a reduction in stormwater run-off; and groundwater and air pollution reduction. He followed with the fact that smoke detectors do not assist in fire suppression. An acknowledgment that builders are required to provide the option of sprinklers to the homebuyers was made, as well as a note was made that the City of Newark, Delaware has required the installation of sprinklers in new one, (1) and two, (2) family dwellings for ten, (10) years with no decline in their construction market. He also mentioned that the City of Wilmington, Delaware is considering including the requirement in their code.

4. **Mr. Justin Olear**, 13 Nobles Pond Crossing, Cheswold, Delaware, is the Project Manager for Regal Builders for the Age Defined Community currently under construction at that address. He began by thanking the firefighters for their service to the property owners, residence and community. And followed by providing a three, (3) page handout, (attached), that included the following:
 - a. Regal Builder Position Statement
 - b. National Association of Home Builder Flyer – “Say No to Sprinkler Mandates”
 - c. Sample Sprinkler Requirements Document (Required by HB133 of 2015)

Mr. Olear informed the Mayor and Council that the State of Delaware is one of the most advanced in construction material protection of residential homes today. In addition, they have and are complying with the State mandate to provide written documentation of their offer to provide sprinklers to their new homebuyers and to-date not one of their buyers have opted to purchase.

5. **Mr. John Waters**, Haverstown, Pennsylvania stated that he retired from the fire service after 37 years of service and that his initial interest in firefighting was initiated after his own home burned down in 1969. He is a Field Service Coordinator for the National Fire Sprinkler Association. He presented a prepared speech on the connection of fires to the age of the residence; the materials used in construction; and the quality of the construction. He also explained that the cost of a sprinkler system versus the cost of the infrastructure and the potential loss of material items is ultimately the decision of the home buyer. Mr. Waters informed the Mayor and Council that flashovers are the greatest dangers to firefighters and that sprinkler systems greatly reduce the severity of flashovers and provided a handout that graphed Fire Department Response Times vs. Flashovers. (attached)

6. **Mr. Mike Wilson** is the State Coordinator of Delaware for the National Fire Sprinkler Association and offered NFSA information and materials on sprinklers and fire safety supplied by local contractor; fire officials and others.

TOWN of CHESWOLD
MINUTES of PUBLIC HEARING
Monday – August 6, 2018

At the conclusion of Mr. Wilson’s statement, Mayor Sine asked if there were any other public comments to be made on the International Residential Code. No one responded. Mayor Sine then asked for Public Comments on the following Ordinances:

- **05-04-15-009 Ordinance for the Establishment of Residential Rental Property Registration, Inspection and Permitting Code in the Town of Cheswold**

It is the intent of the Town of Cheswold that landlords renting a residential property or properties, within the corporate limits of the Town of Cheswold, provide and maintain public health safety, and welfare of renters, insofar as they are affected by the continued habitation of leased properties. The health, safety and welfare of the occupants of leased dwellings are of the utmost importance to the Town, as are the neighborhoods in which dwellings units are located. This Ordinance defines the establishment of the policies, procedures and administration of registering rental properties and obtaining an associated rental permit.

PUBLIC COMMENT

There were none.

- **05-04-15-009 Ordinance for the Combination/Revision and Inclusion of Plumbing and electrical Fee Schedules in the Town of Cheswold**

The purpose of this Ordinance is to combine all Town of Cheswold Fee Schedules in a centralized location; recodify fees and processes, (permits), associated with the building, addition, alteration and/or demolition of any building structure, or goods and services provided within the Town of Cheswold; inclusion of plumbing and electrical fees and the inclusion of re-inspection fees.

PUBLIC COMMENT

There were none.

CLOSE of PUBLIC COMMENT

The Mayor then closed the hearing for the receipt of public comment.

COUNCIL COMMENT

There were none.

ADJOURNMENT

At 6:27 pm, a motion was made by Councilperson Callender to adjourn the Public Hearing. A second to the motion was made by Councilperson Johnson and the vote carried with a unanimous vote.