

**Monthly Town Council Meeting
Monday, September 10, 2018**

PROPERLY POSTED: Based on the dates of the posting of the meeting and the agenda, Mayor Sine acknowledged that the meeting had been properly posted.

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 revised was made by Vice Mayor Kirby 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:

- August 6, 2018 - Public Hearing
- August 6, 2018 - Monthly Town Council Meeting

A motion to accept the Monthly Town Council minutes, as presented was made by Councilperson Johnson and Vice Mayor Kirby 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, which were read by him:

- a. The Treasurer's Reports for the **Month of August, 2018**, is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	August, 2018
Cash Receipts	\$ 143,091.99
Cash Disbursements	\$ 58,498.52
Positive Monthly Cash Flow	\$ 84,593.47

ADMINISTRATION	August, 2018
Cash Receipts	\$ 135,852.08
Cash Disbursements	\$ 37,144.64
Positive Monthly Cash Flow	\$ 98,707.44

POLICE DEPARTMENT	August, 2018
Cash Receipts	\$ 4,756.84
Cash Disbursements	\$ 15,361.20
Negative Monthly Cash Flow	(\$ 10,604.36)

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TREASURER'S REPORT "continued":

PUBLIC WORKS	August, 2018
Cash Receipts	\$ 2,483.07
Cash Disbursements	\$ 5,992.68
Negative Monthly Cash Flow	(\$ 3,509.61)

c. The Treasurer's Report, (**Account Balances**), for the **Month of August, 2018**, is as follows:

As of:	August, 2018
Capital Account	\$ 30,248.34
Cheswold Heritage Day Account	\$ 2,617.41
Eide Grant Fund Account	\$ 1,103.32
Fire Company Account	\$ 41,238.33
General Fund Account	\$ 238,639.03
Land Use Applicant's Account	\$ 30,537.48
Litigation Account	\$ 33,450.34
Municipal Street Aid Account	\$ 52,971.44
Salle Grant Fund Account	\$ 259.54

A motion to approve the Treasurers Report was made by Councilperson Moxley. Councilperson Johnson made a second to the motion and a roll call vote on the motion resulted in a unanimous vote to approve.

d. Requisitions -

Req. #	Department	Vendor	Item	Amount	To Be Paid By
R9-00012	Police Dept.	Applied Concepts Inc.	Stalker Radio	\$3,223.50	OHS Grant
R9-00016	Police Dept.	Motorola Solutions	Mobile Radio	\$3,316.49	SLEAF Grant

Approved for Record Purposes Only

e. Proposed Purchases -

P.O. #	Department	Vendor	Item	Amount	To Be Paid By
NOTHING TO REPORT					

f. Line Item Increase Request

Department	Line Item	Line Item Title	2018-2019 Approved Budget Amt.	Requested Increase Amount	Revised Budget Amount
Police Dept.	02-612-001	Maint. - Chevy Tahoe	\$1,000.00	\$1,200.00	\$2,200.00

A motion to approve the Line Item Increase Amount was made by Councilperson Moxley. A second to the motion was made by Councilperson Johnson and the motion passed with a unanimous vote of the Council.

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TAX COLLECTOR'S REPORT

a. Month of August 2018

TAX REPORT: FISCAL YEAR 2018 - 2019

Total Amount Billed: \$150,827.40

Payments as of:

	Current Year: Past Due Paid:	
07/31/2018	\$ 22,750.94	\$ 212.72
08/31/2018	\$ 98,852.23	\$ 1,841.46
09/30/2018		
10/31/2018		
11/30/2018		
12 /31/2018		
01/31/2019		
02/29/2019		
03/31/2019		
04/30/2019		
05/31/2019		
06/30/2019		

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

b. DELINQUENT TAXES – Town Clerk Shadina Jones

Nothing New to Report

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

- **Shift Changes**

Beginning October 2018, the Cheswold Police Department will be testing a new schedule covering 24/7. This schedule will be evaluated during the last quarter to determine sustainability and to make any necessary adjustments.

- **Buses/School Children**

The end of summer is fast approaching and as we come to the end of the month, school will be starting. Please remember to stop for school buses and watch and wait for children in the morning and afternoon hours.

- **Chief's Award**

For the first time since its creation the Chief's award will be presented to a recipient at this month's Council meeting. The Chief's Award is presented for an act/s of achievement by an Officer bringing public acclaim to the police profession through programs to further police efficiency or contribution to the welfare and advancement of the profession.

TOWN of CHESWOLD

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POLICE DEPARTMENT REPORT – “continued”

- **Training -**
Officers will be completing their yearly firearms qualifications in October. Chief Workman will be attending the yearly IACP Conference, October 6-9, 2018; Sr. Cpl. Susan Kline will be attending the FBI-LEEDA Public Affairs Officers Course, Sept. 17-21 and Cpl. Simms will be attending the FBI-LEEDA Executive Leadership Training, Oct. 22-26.
- **Violent Crimes Grant -**
The Cheswold Police Department has been awarded \$14,172.15 for this fiscal year. We are requesting the use of these funds to purchase AXON Body Cameras, along with the associated storage, software and warranty costs for the next three years.
- **Office of Highway Safety Grant -**
The Delaware Office of Highway Safety approved a grant for the Cheswold Police Department to purchase a new Stalker Dual DS Radar Unit for a police vehicle at the cost of \$3323.50. We would like to thank the OHS for their continued support of Delaware Law Enforcement and providing the funds for overtime and equipment that helps to promote traffic safety and reduce traffic collisions and deaths.
- **SLEAF Grant -**
The Cheswold Police Department was awarded a \$3,327.44 grant from SLEAF for the purchase of a new Motorola Radio Unit to replace an outdated and poorly operating unit. This unit was purchased and placed in the police department 2018 Dodge Charger.
- **Traffic Summons -**
Officers issued 240 traffic summonses during the month of August.
- **Monthly Activity Report -**
Officers responded to or completed reports for 147 incidents for the month of August 2018. A total of fifteen, (15), incidents were handled by outside agencies after hours or not dispatched.

Vice Mayor Kirby asked the Chief if any progress has been made in identifying the suspect who robbed the Shore Stop, last month, and escaped by running behind it and through the Parkers Run development. The Chief responded that the investigation is on going.

- **CHIEF’S AWARD -**
Chief Workman explained that the Chief’s Award has been implemented as part of his position as the new Chief of the Cheswold Police Department since 2013, to recognize officers for their achievements. And the Chief’s Award is to recognize an act or achievement determined by the Chief of Police that recognizes an officer for taking initiative, working hard and bringing integrity and honor to themselves and the Town of Cheswold Police Department.

Recently promoted Senior Corporal Susan Kline was presented with the first Chief’s Award, after he expounded the positive attributes leading to her selection, including a specific case from Feb. 2018 and her academic and Department achievements. **CONGRATULATIONS**

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POLICE DEPARTMENT REPORT – “continued”

• **Monthly Incident Report – August 2018**

911 Disconnects = 5	Fireworks = 0	Rape = 0
Accidents-H/R = 0	Fraud = 0	Relay = 0
Accidents-Dept = 1	Fugitives = 3	Repossessions = 2
Accidents PD = 1	Harassment = 0	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 7	Lost Property = 1	Sex Crimes = 0
Alcohol Violations = 0	Lost/Stolen Tag = 0	Shoplifting = 0
Animal Complaints = 0	Loud Party = 0	Shots Fired = 1
Assaults = 2	Medical Transport = 0	Solicitation = 0
Assigned in Error = 1	Megan’s Law = 1	Stolen Vehicle = 1
Assist Other Agencies = 28	Mental Patient = 0	Suspicious Noise = 0
BOLO = 0	Misc. Investigation = 0	Suspicious Person/s = 1
Burglary = 0	Missing Person = 0	Suspicious Vehicle/s = 3
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 2	Offensive Touching = 0	Thefts = 2
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 0
Court Violation = 0	Open Door/Window = 1	Traffic Hazard/Service = 3
Criminal Impersonation = 1	Ordinance Violation = 0	Traffic Violations = 23
Criminal Mischief = 0	Overdose = 0	Trespass = -0
Curfew = 0	Parking Violation = 0	Unassigned = 0
Custody Dispute = 0	Pay Job/Special Duty = 4	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s – Abandoned = 0
Disorderly = 1	PFA Service = 0	Vehicle/s – Disabled = 0
Domestics = 5	PFA Violation = 0	Vehicle/s – Recovered = 0
Drugs = 10	Property Checks = 23	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 0	Warrant Service = 2
DUI = 0	Public Assistance = 7	Weapon – Gun = 0
Fight = 0	Pursuit = 0	Welfare Check = 5

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

The Police Department Report was accepted as presented.

PUBLIC WORKS REPORT – Code Enforcement Officer Mike Callender

a. **Status Report** – The following report was submitted to the Mayor and Council:

	PERMITS ISSUED	NEW VIOLATIONS	CLOSED VIOLATIONS	BUSINESS LICENSES ISSUED	BUILDING INSPECTIONS
August 2018	3	7	5	7	0

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PUBLIC WORKS REPORT – “continued”

b. CODE ENFORCEMENT PROPERTIES

1. **10 & 24 Wellington Way** - Responded to a call from a neighbor regarding sump pump water discharge across the sidewalk. Spoke to both home owners individually regarding a solution and notified them to remove the PVC piping. It appears that one property 24 Wellington has mitigated the issue and 10 Wellington continues to experience discharge. **PENDING**
2. **30 New Street** - Have received two, (2), demolition estimates:
 - **Sunnyfield Construction - \$8,750.00**
If asbestos abatement survey is required additional - \$600.00
If asbestos is present additional - \$1,000.00
Could total - **\$10,350.00**
 - **Gateway Construction - \$16,800.00**
Asbestos abatement survey and potential removal are included in estimated cost.

Note: *The above estimates are from 2016. Have received legal opinion that property can be demolished, however financial cost is an obstruction at this time-August 2018.* **ON HOLD – PENDING FINANCING**

3. **33 New Street** – All attempts to contact Doug Wiseman, the property owner, have been and unsuccessful. Two Notices of Violation have been mailed to the last known address. The overgrown weeds and grass at this property have been cut by Mr. Ziegenhorn. In discussion with new Attorney concerning possible Town options. **PENDING**
4. **176 Boggs Run** – Property has been purchased by SS investments and is undergoing rehabilitation. The property owners are nearing completion of the rehab project. **INSPECTION**
5. **179 Commerce Street** – Plans are being drawn for submission to Town Building Official for the permit process. **PENDING**
6. **179 Commerce Street** – The property owner was contacted regarding boarding up the first floor windows and doors, as it was reported that unauthorized entry was being made upon the premises. **COMPLETE** This property per Section 5-4 C1 of the Land Use Ordinance places this property in a non-conformance land use status. **PENDING**

c. Violations

1. **illages of Nobles Pond** – Lots 56; 77; 101; 213; 234; 240; 417 & 419 have failed initial inspections for this reporting period and been fined accordingly.
2. **Stonington** – On August 6, 2018, a meeting was held at the Cheswold Town Hall between representatives of the Stonington property; the Town Building Inspector and the Town Code Enforcement Officer regarding the lack of upkeep and the current conditions of the property in the development. Multiple concerns were raised and have thus far begun to be addressed by the property owners/developers. It was also communicated to the Town that a re-start of home building will begin soon.

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PUBLIC WORKS REPORT – “*continued*”

Construction Repairs

Main Street, (Rte. 42), Sidewalk Repair – There has been no further correspondence of which this office is aware regarding the sidewalk across from the Post Office. Continuing to wait for a response from DelDOT.

Town Hall Repairs

There has been a noticeable leak in the roof of Town Hall on the Police Department side of the building and around both outside entry doors. Emergency measures have been taken to have a tarp placed over the roof until the repairs can be implemented. Also having the insurance adjuster consider payment through property insurance coverage.

Introduction of Town Maintenance Technician

Mr. Callender introduced Mr. Matt Magula as the new Town of Cheswold Technician. Matt is married, has a son and is a Air Force vet. He has been doing an excellent job in maintaining the Town Hall, the Town and fits in well with office personnel. We are glad to have him and look forward to working with him.

PLANNING COMMISSION REPORT – *Land Use Administrator Sam Callender*

2020 Comprehensive Plan: Ms. Callender informed the Mayor and Council that she reviewed the credentials of Mr. Alan Kovitz, who was recommended to coordinate our 2020 Comprehensive Plan efforts instead of the University of Delaware IPA. And that after surveying other DE municipal Town Managers and Administrators as well as Town Clerks, she continues to recommend the U of D as the best qualified for the requirements of the plan. The U of D worked with the State Office of Planning Coordination to develop the requirements for Comprehensive Plan at its inception and continues to provide training and certification to and for municipal planners.

After further discussion, Mrs. Callender made a motion to approve the hire of the U of D for approximately \$10,000 to update and develop the 2020 Comprehensive Plan. Vice Mayor Kirby made a second to the motion and the motion passed with a unanimous vote of the Town Council.

ORDINANCES - *Town Administrator Sam Callender*

NOTHING to REPORT

RESOLUTIONS - *Town Administrator Sam Callender*

Res. 09-10-18-088 to hold Public Hearing on Proposed Annexation of 5867 North Dupont Highway, Map Id 4-00-03704-01-3200-00001 based on recommendation of Planning Commission Memo 18-004.

A motion was made by Vice Mayor Kirby to approve the resolution noted above and with a second from Councilperson Johnson and a unanimous Town Council vote, the motion passed.

PROCLAMATION- *Town Administrator Sam Callender*

NOTHING to REPORT

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Old Business:

a. Town Charter Update – Vice Mayor Kirby

The Council agreed to the following changes to be included in the proposed Town Charter update:

Delete: Section 6.5 Filling Vacancies on Council

Add: Section 6.5.1 - Vacancies on Council

In case of a vacancy on the Council, the remaining Council members shall elect another qualified person to serve until the next Town election at which time the voters shall elect a candidate to serve the remainder of the term if any; provided that if the vacancy occurs within thirty, (30), days of the annual Town election, the remaining council members shall elect a person to fill the remainder of the term.

Discussion: Filling Vacancies on Council

After agreement of this change Ms. Callender suggested that the Council should begin to consider ways to entice residents of Cheswold to run for Council and to recognize that unfortunately, it may take monetary enhancements to make that happen. She also suggested that perhaps a graduated release from Town taxes based on years of service could be considered.

Vice Mayor Kirby stated that we have a full Council at this time, so this really isn't a concern at this time. Ms. Callender responded that she understood that the Council is full now, but that we don't know what the future but the past indicates that it is difficult to find candidates to fill vacant positions. So, the sooner we start thinking about how to do it, the better. And that she's just asking that the Council start *thinking* about it.

Vice Mayor Kirby stated that he was concerned about the quality of persons that would be attracted based on the monetary offer. She agreed that it disturbs her too, but on the opposite side of the coin, only two members of the current Council were actually elected to fill the position. And perhaps a monetary enhancement would result in an election and then the people would make the decision.

Mr. Kirby then stated that perhaps a survey of the Council should be done to get feedback on everyone's thoughts. Mrs. Callender agreed and asked Mr. Kirby if he was going to create the survey. He agreed to do so.

b. Town of Cheswold vs. Cheswold Business Park – Town Administrator Sam Callender

Ms. Callender reported that the Council will have to soon decide how to re-zone the Park. But if all goes well, the M-1 Zone will be grandfathered to the occupied properties.

c. Habitat for Humanity - Vice Mayor Larence Kirby

Being removed until such time as it is appropriate to discuss again.

e. Main Street Crossing - Vice Mayor Larence Kirby

Attempting to convince DelDOT that a 4 way crossing exists.

VOTE to MOVE to EXECUTIVE SESSION:

A motion was made by Secretary/Treasurer Callender at 6:40 pm to move to Executive Session to conduct preliminary discussions on a site acquisition. A second was made by Councilperson Moxley. And the motion passed with a unanimous vote of the Town Council.

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RETURN to MOVE to GENERAL SESSION:

The Mayor and Council returned to the general Town Council session at 6:45 pm and continued the regularly scheduled meeting.

VOTE on PROPERTY ACQUISITION:

A motion was made by Secretary/Treasurer Callender to approve the purchase of the land discussed in the Executive Session. A second to the motion was made by Councilperson Moxley and the Town Council voted unanimously to pass the motion. Ms. Callender with the assistance of the Town Attorney will proceed with the acquisition.

New Business

NOTHING to REPORT

COUNCILPERSON COMMENTS:

Vice Mayor Larence Kirby – *Nothing to Report*

Secretary/Treasurer Theon Callender – *Nothing to Report*

Councilperson Judith Johnson – *Nothing to Report*

Councilperson Santo Faronea – Excused

Councilperson Mark Moxley– *Nothing to Report*

MAYOR'S COMMENTS: *Nothing to Report*

Motion to Adjourn

A motion was made by Councilperson Callender, seconded by Vice Mayor Kirby to adjourn at 6:46p.m. A roll call vote on the motion resulted in a unanimous vote to approve and the meeting was adjourned.

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