

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – November 5, 2018
6:00 p.m.
Cheswold Town Hall
691 Main Street
Cheswold, Delaware 19936

The following persons were in attendance:

Mayor Robert Sine
Vice Mayor Larence Kirby
Secretary/Treasurer Theon Callender
Councilperson Santo Faronea

Excused: Councilperson Mark Moxley
Absent: Councilperson Judy Johnson

Police Department: Chief Christopher Workman
Public Works: Code Enforcement Officer Mike Callender;

Planning Commission: 0 Other Town Employees: 0 # Residents: 0 Visitors: 0

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 18, 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 29, 2018. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Sine, at 6:00 pm.

The Pledge of Allegiance and Moment of Silence immediately followed and were led by Mayor Sine.

TOWN of CHESWOLD
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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 Faronea. 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:

October 1, 2018 - Monthly Town Council Meeting

A motion to accept the Monthly Town Council minutes, as presented was made by Councilperson Faronea 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 Treasurer's Report was not ready for review at the time of the meeting but was subsequently submitted to Mayor and Council via email, after the meeting and will be reviewed for approval at the December Council meeting. The submitted report was as indicated below and the Mayor and Council were made aware that the July through September reports had been corrected to reflect bank reconciliations.

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

Monthly Cash Flow Comparisons

| TOWN of CHESWOLD | October 2018 |
|-----------------------------------|----------------------|
| Cash Receipts | \$ 54,463.82 |
| Cash Disbursements | \$ 62,159.14 |
| Negative Monthly Cash Flow | (\$ 7,695.32) |

| ADMINISTRATION | October 2018 |
|-----------------------------------|----------------------|
| Cash Receipts | \$ 28,971.96 |
| Cash Disbursements | \$ 30,652.17 |
| Negative Monthly Cash Flow | (\$ 1,680.21) |

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TREASURER'S REPORT *"continued"*:

| POLICE DEPARTMENT | October 2018 |
|-----------------------------------|-----------------------|
| Cash Receipts | \$ 12,291.22 |
| Cash Disbursements | \$ 26,932.59 |
| Negative Monthly Cash Flow | (\$ 14,641.37) |

| PUBLIC WORKS | October 2018 |
|-----------------------------------|---------------------|
| Cash Receipts | \$ 13,200.64 |
| Cash Disbursements | \$ 4,574.38 |
| Positive Monthly Cash Flow | \$ 8,626.26 |

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

| As of: | October 2018 |
|-------------------------------|---------------------|
| Capital Account | \$ 30,251.40 |
| Cheswold Heritage Day Account | \$ 4,942.71 |
| Eide Grant Fund Account | \$ 1,083.32 |
| Fire Company Account | \$ 41,245.23 |
| General Fund Account | \$ 235,284.45* |
| Land Use Applicant's Account | \$ 27,395.25 |
| Litigation Account | \$ 24,452.78 |
| Municipal Street Aid Account | \$ 51,488.80 |
| Salle Grant Fund Account | \$ 196.83 |

***The October General Fund Balance for the Town in the Bank Statement reflects a balance of \$385,284.45; however, \$150,000 of that balance is dedicated to the Old Town Water Project as it was received from State Funds can only be used for the Water Project.**

The September General Fund Balance for the Town in the Bank Statement also reflected a balance of %150,000 greater than that shown in the September Treasury report.

d. Requisitions -

| <u>Req. #</u> | <u>Department</u> | <u>Vendor</u> | <u>Item</u> | <u>Amount</u> | <u>To Be Paid By</u> |
|---------------|-------------------|------------------|------------------|---------------|----------------------|
| R9-00026 | Police Dept. | Tire Auto Center | Tires-2012 Dodge | \$647.00 | General Fund |

e. Proposed Purchases -

| <u>P.O. #</u> | <u>Department</u> | <u>Vendor</u> | <u>Item</u> | <u>Amount</u> | <u>To Be Paid By</u> |
|--------------------------|-------------------|---------------|-------------|---------------|----------------------|
| NOTHING TO REPORT | | | | | |

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TAX COLLECTOR'S REPORT

a. Month of October 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 | \$ 15,520.22 | \$ 2,554.16 |
| 10/31/2018 | \$ 1,607.35 | \$ 167.39 |
| 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 as presented by the Mayor and Council as presented.

b. DELINQUENT TAXES – Town Administrator Sam Callender

In the absence of Town Clerk Shadina Jones, Ms. Callender reported that a revised email has been forwarded to the Town Attorney's office listing the most outstanding tax delinquencies. In addition, Ms. Jones is following protocol and sending notices of delinquencies to property owners who are Approaching the point of being referred to the Attorney.

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

- **Training**

On November 5, 2018, Chief Workman and Sr. Cpl. Kline will be attending the Domestic Violence Law Enforcement Training Conference at DelTech.

- **SALLE/EDIE**

The SALLE and EDIE Grant requests for 2019 have been submitted with a bulk of the SALLE allocation directed towards training and the EDIE allocation towards drug investigation over time.

- **2017 CJC Byrne Grant**

The Cheswold Police Department has applied for the 2017 Byrne Grant of \$3,200 for the purchase of cradle point routers for each patrol vehicle in order to increase the connectivity of officers to their laptops without losing an internet signal.

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POLICE DEPARTMENT REPORT – “continued”

- **Traffic Summons** –
Officers issued 169 traffic summonses during the month of October.

- **Monthly Activity Report** -
Officers responded to or completed reports for 117 Incidents for the month of October 2018. No incidents were handled by outside agencies.

- **Monthly Incident Report – October 2018**

| | | |
|----------------------------|--------------------------|----------------------------|
| 911 Disconnects = 6 | Fireworks = 0 | Rape = 0 |
| Accidents-H/R = 0 | Fraud = 2 | Relay = 1 |
| Accidents-Dept = 0 | Fugitives = 9 | Repossessions = 1 |
| Accidents PD = 0 | Harassment = 0 | Resisting Arrest = 0 |
| AED/CPR = 0 | Lock Jock = 0 | Robberies = 0 |
| Alarms = 5 | Lost Property = 1 | Sex Crimes = 0 |
| Alcohol Violations = 0 | Lost/Stolen Tag = 0 | Shoplifting = 1 |
| Animal Complaints = 0 | Loud Party = 0 | Shots Fired = 0 |
| Assaults = 0 | Medical Transport = 0 | Solicitation = 0 |
| Assigned in Error = 0 | Megan’s Law = 0 | Stolen Vehicle = 0 |
| Assist Other Agencies = 32 | Mental Patient = 0 | Suspicious Noise = 0 |
| BOLO = 1 | Misc. Investigation = 0 | Suspicious Person/s = 7 |
| Burglary = 0 | Missing Person = 1 | Suspicious Vehicle/s = 0 |
| Burning = 0 | Noise Complaint = 0 | Terroristic Threat/s = 0 |
| Check on Welfare = 0 | Offensive Touching = 4 | Thefts = 0 |
| Civil Dispute = 0 | Open Burning = 0 | Traffic Hazards = 0 |
| Court Violation = 2 | Open Door/Window = 0 | Traffic Hazard/Service = 1 |
| Criminal Impersonation = 0 | Ordinance Violation = 0 | Traffic Violations = 16 |
| Criminal Mischief = 0 | Overdose = 0 | Trespass = -1 |
| Curfew = 0 | Parking Violation = 0 | Unassigned = 0 |
| Custody Dispute = 0 | Pay Job/Special Duty = 0 | Unfounded = 0 |
| Death Investigation = 0 | Pedestrian Stop = 0 | Vehicle/s – Abandoned = 0 |
| Disorderly = 1 | PFA Service = 0 | Vehicle/s – Disabled = 0 |
| Domestics = 6 | PFA Violation = 0 | Vehicle/s – Recovered = 0 |
| Drugs = 3 | Property Checks = 2 | Vehicle/Unauthzd Use = 0 |
| Dumping = 0 | Psychiatric Incident = 1 | Warrant Service = 0 |
| DUI = 0 | Public Assistance = 12 | Weapon – Gun = 0 |
| Fight = 0 | Pursuit = 0 | Welfare Check = 1 |

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

The Police Department Report was accepted as presented.

Vice Mayor Kirby asked how the transition to 24/7 was transpiring. The Chief responded that it is going well and of course some adjustment is required to a change.

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PUBLIC WORKS REPORT – Code Enforcement Officer Mike Callender

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

| | <u>PERMITS ISSUED</u> | <u>NEW VIOLATIONS</u> | <u>CLOSED VIOLATIONS</u> | <u>BUSINESS LICENSES ISSUED</u> | <u>BUILDING INSPECTIONS</u> |
|--------------|---------------------------|---------------------------|------------------------------|---|---------------------------------|
| October 2018 | 15 | 2 | 1 | 13 | 2 |

b. **CODE ENFORCEMENT PROPERTIES**

1. **10 & 24 Wellington Way** – Both neighbors have seemingly mitigated the sump pump discharges across the sidewalk and the issue has been abated. **COMPLETE**
2. **30 New Street** - Have received two, (2), demolition estimates:
 - o **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**
 - o **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-September 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. **244 Fulton Street** – There was a complaint lodged against the property owner regarding the conditions of the roof, ceiling and interior walls at this residence. The property owner was issued a Notice of Awareness regarding the conditions, which were promptly corrected. **COMPLETE**
5. **179 Commerce Street** – The property owner has been sent a certified letter that the grandfathered lot status has expired, per Land Use Ordinance Article 5, Section C-1, and the property must now be restored as a single family dwelling as required by the Zoning Code. There has also been a sink hole noted on the premises. There has been no response from the property owner. **PENDING**

Violations

1. **Villages of Nobles Pond** – Lots 229 has failed its final C of O inspection for this reporting period and been fined accordingly. As of this date it has not corrected the issues.
2. **Stonington** – The last communication with the property owners regarded the continual upkeep of the property to include cutting of the grass, sewer plate risers and pot hole maintenance.

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PUBLIC WORKS REPORT – “*continued*”

Mayor Sine asked if the missing siding and shutter will be replaced. Mr. Callender reported that they have been included in the repair contract. (See Town Hall Construction Repair – below)

Construction Repairs

- **Main Street, (Rte. 42), Sidewalk** – 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** – It was reported that the repairs required at Town Hall have been completed to include the roof, siding, lights, addition of awings and replacement shutters.
- **School Lane** – Reports of potholes on School Lane have necessitated review and potential repair. Currently investing and will be contacting asphalt companies to gather estimates. White’s Custom Paving; Rock Bottom Paving; Dr. Sealcoat and Affordable Asphalt are all being considered for the job depending on the cost estimate. Upon receipt of all estimates a decision will be made on the selection of a contractor.

PLANNING COMMISSION REPORT – *Land Use Administrator Sam Callender*

2020 Comprehensive Plan: The University of Delaware-IPA is scheduled to conduct their first session with the Planning Commissioners on Tuesday, November 13, 2018 at 6:00 pm, in the Craft Room of Nobles Pond at 13 Nobles Pond Crossing. As this is a training session all Council members are invited to attend.

ORDINANCES - *Town Administrator Sam Callender*

NOTHING to REPORT

RESOLUTIONS - *Town Administrator Sam Callender*

NOTHING to REPORT

PROCLAMATION- *Town Administrator Sam Callender*

NOTHING to REPORT

Old Business:

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

Discussion concerning compensation types to encourage Council participation was conducted. Ms. Callender volunteered to obtain and forward information on financial compensation to Mayors and Council members in other municipalities for discussion at next month’s Council meeting.

ONGOING

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

Next Steps - **PENDING**

c. Main Street Crossing - *Vice Mayor Larence Kirby* -

The Vice Mayor is continuing to obtain a resolution which he confirmed he has been and will continue to pursue with Senator Dave Lawson. Pending DelDOT response.

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New Business

NOTHING to REPORT

Community Comments/Concerns

NOTHING to REPORT

COUNCILPERSON COMMENTS:

Vice Mayor Larence Kirby – *Informed the Mayor and Council that he has met with Mr. Bill Bush, one of the candidates for the House Representative seat in District 29 and feels assured should Mr. Bush win the interests of Cheswold will have an advocate.*

Secretary/Treasurer Theon Callender – *NOTHING to REPORT*

Councilperson Judith Johnson – *ABSENT*

Councilperson Santo Faronea – *NOTHING to REPORT*

Councilperson Mark Moxley– *EXCUSED*

MAYOR'S COMMENTS: *NOTHING to REPORT*

Motion to Adjourn

A motion was made by Councilperson Callender, seconded by Councilperson Faronea to adjourn at 6:26 p.m. A roll call vote on the motion resulted in a unanimous vote to approve and the meeting was adjourned.

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