

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – November 4, 2019
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 Judy Johnson
Councilperson Mark Moxley

Excused: Councilperson Santo Faronea

Police Department: Chief Christopher Workman; Sr. Cpl. Susan Kline

Public Works: Michael Callender

Admin: Shadina Jones, Town Clerk

Residents: Mr. & Mr. Michael Fredriksen – Fox Pointe Development

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 31, 2018, 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 28, 2019. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Sine, at 6:01 pm, and was followed immediately by the Pledge of Allegiance and a Moment of Silence also led by the Mayor.

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.

TOWN of CHESWOLD
P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

REVIEW of AGENDA

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. Vice Mayor Kirby made a motion to approve as presented and a second was made by Councilperson Johnson. A unanimous vote of the Town Council approved the motion.

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.

A motion to accept the Town Council minutes, 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 the minutes as follows:

October 7, 2019 – Town Council
 October 7, 2019 – Public Hearing

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 October 2019**, are as follows:

Monthly Cash Flow Comparisons

| TOWN of CHESWOLD | October 2019 |
|-----------------------------------|-----------------------|
| Cash Receipts | \$ 26,055.54 |
| Cash Disbursements | \$ 48,839.21 |
| Negative Monthly Cash Flow | (\$ 22,783.57) |

| ADMINISTRATION | October 2019 |
|-----------------------------------|---------------------|
| Cash Receipts | \$14,147.69 |
| Cash Disbursements | \$14,473.46 |
| Negative Monthly Cash Flow | (\$ 325.77) |

| POLICE DEPARTMENT | October 2019 |
|-----------------------------------|----------------------|
| Cash Receipts | \$ 7,350.91 |
| Cash Disbursements | \$ 34,157.83 |
| Negative Monthly Cash Flow | (\$26,806.92) |

| PUBLIC WORKS | October 2019 |
|-----------------------------------|---------------------|
| Cash Receipts | \$4,557.04 |
| Cash Disbursements | \$ 207.92 |
| Positive Monthly Cash Flow | \$4,349.12 |

TREASURER'S REPORT - "continued":

b. The Treasurer's Report, (Account Balances), for the Month of October 2019, is as follows:

| As of: | October 2019 |
|-------------------------------|---------------|
| Capital Account | \$ 30,813.30 |
| Cheswold Heritage Day Account | \$ 5,278.41 |
| Eide Grant Fund Account | \$ 3,164.73 |
| Fire Company Account | \$ 42,604.45 |
| General Fund Account | \$ 183,706.34 |
| Land Use Applicant's Account | \$ 45,973.40 |
| Litigation Account | \$ 29,911.67 |
| Municipal Street Aid Account | \$ 52,103.55 |
| Salle Grant Fund Account | \$ 2,725.25 |
| DelDOT Projects | \$ 150,000.00 |

A motion to approve the Treasurers Report was made by Councilperson Johnson and Vice Mayor Kirby made a second to the motion. A roll call vote passed the motion unanimously.

c. Requisitions -

| <u>Req. #</u> | <u>Department</u> | <u>Vendor</u> | <u>Item</u> | <u>Amount</u> | <u>To Be Paid By</u> |
|---------------|-------------------|-----------------------|------------------|---------------|----------------------|
| R0-00014 | Police | Motorola | Mobile Unit | \$3,635.43 | SLEAF Grant |
| R0-00016 | Police | Municipal Emerg. Svc. | Replacement Vest | \$ 994.00 | EDIE & BPV Grant |
| R0-00017 | Police | Lawmen Supply | Ammunition | \$ 668.00 | General Fund |

A motion to approve the above requisitions was made by Vice Mayor Kirby. Councilperson Moxley made a section to the motion and a unanimous roll call vote passed the motion.

d. 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 | | |

TAX COLLECTOR'S REPORT

a. Month of October 2019

TAX REPORT: FISCAL YEAR 2019 - 2020

Total Amount Billed: \$157,443.60
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TAX COLLECTOR’S REPORT - “continued”:

| Payments as of | Current Year: Past Due Paid: | |
|----------------|------------------------------|-------------|
| 07/31/2019 | \$ 35,901.88 | \$ 280.39 |
| 08/31/2019 | \$ 87,119.35 | \$ 3,483.53 |
| 09/30/2019 | \$ 20,500.29 | \$ 122.05 |
| 10/31/2019 | \$ 1,095.22 | \$ 168.11 |
| 11/30/2019 | | |
| 12 /31/2019 | | |
| 01/31/2020 | | |
| 02/29/2020 | | |
| 03/31/2020 | | |
| 04/30/2020 | | |
| 05/31/2020 | | |
| 06/30/2020 | | |

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

b. DELINQUENT TAXES – *Town Clerk Shadina Jones*

Ms. Jones reported the following to the Secretary/Treasurer prior to the meeting:

- \$54,000 is the total due in back taxes
- There are three properties in legal action with the Attorney

POLICE DEPARTMENT REPORT – *Chief Christopher Workman:*

Grants- Grant applications for SALLE and EDIE have been submitted to the State for approval. These grant requests include funds to be used for training and surveillance and for overtime for officers to conduct surveillance and investigations as needed throughout the year.

Training- Officers are scheduled to complete firearms training this month, which will include low light training and certification and deployment of patrol rifles and shotguns for duty.

Sr. Cpl. Kline will be attending the COPS Law Enforcement Wellness and Trauma Conference in Oakbrook, Il. This training is sponsored by the Delaware Concerns of Police Survivors Chapter. We would like to thank Eleanor Allione and of the members of COPS for choosing a member of our Department to participate in this conference.

Holidays – With the plethora of holidays fast approaching, please be sure to be aware of your surroundings while shopping and milling around during the holiday season. Be especially aware of scams and being approached by those you don’t know presenting opportunities that are too good to be true.

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POLICE DEPARTMENT REPORT – “continued”:

Thanksgiving/Christmas – If you know of any needy families this holiday season, please contact Chief Workman and give him their information. The Department is looking to provide holiday meals for those less fortunate at this time.

Traffic Summonses –

Officers issued 161 traffic summons’ s during the month of October.

Monthly Activity Report –

Officers responded to or completed reports for 152 Incidents for the month of October.

Monthly Incident Report –

Available for view at Town Hall

PUBLIC WORKS REPORT – Code Enforcement Officer Michael Callender

- **Status Report** –

| | <u>PERMITS ISSUED</u> | <u>NEW VIOLATIONS</u> | <u>CLOSED VIOLATIONS</u> | <u>BUSINESS LICENSES ISSUED</u> | <u>BUILDING INSPECTIONS</u> |
|--------------|---------------------------|---------------------------|------------------------------|---|---------------------------------|
| October 2019 | 1 | 1 | 3 | 9 | 0 |

CODE ENFORCEMENT PROPERTIES

- **21 Commerce Street – ABATED**
- **33 New Street – PENDING:** No Change.
- **53 School Lane – PENDING:** A 3RD Notice of Violation was sent to the property owner regarding the weeds, grasses and trees and the stockpile of topsoil located on the property. There has been no response from the property owner.
- **179 Commerce St. – ONGOING:** Code Enforcement Officer received a phone call from a builder regarding plans being drawn up to affect repairs to the structure. There has been no additional communication.

Violations:

- **Villages of Nobles Pond – PENDING:** No new violations have been issued this month.
- **Parkers Run** – Notice of violation issued to 13 Truman Court for an unregistered vehicle that is parked on the street.

• **PLANNING COMMISSION REPORT** – *Land Use Administrator Sam Callender*

2020 Comprehensive Plan:

- a. **Survey** – Mrs. Callender reported that the results of the Survey had been compiled and that of the approximate 1200 surveys distributed, only 35 responses had been returned for a 3% return rate. Of the 35 responses, 32 responses indicated they owned their own homes; 1 respondent was a renter and 2 respondents failed to indicate whether they owned or rented. The neighborhood responses were as follows:

NOBLES POND = 10
FOX POINTE = 6
MAIN STREET = 2

PARKERS RUN = 8
BLANK = 5
BLANTON'S = 1

STONINGTON = 2
OLD TOWN = 0
Route 13 = 1

Ms. Callender read some of the responses to the questions on the survey in preferred order and explained that the Council should begin to take action by developing plans on the concerns expressed by those who responded. She suggested that the Council review the totaled survey results and be ready to discuss them at next month's meeting.

- b. **Preliminary Plan Reviews** – Ms. Callender informed the Mayor and Council that she was going to present Appl. #2019-06-06-075 for the Alston's Walk development Preliminary Plan Review as the Land Use Administrator and as such would not be participating in the vote to approve or deny the Plan.

The Alston Walk Development proposes to construct 83 townhouse units with parking and open space. The Planning Commission requested that sufficient overflow parking be provided and Davis, Bowen and Fridel, the Engineers for the Development agreed to accommodate the request. Based on the Preliminary Plan Review completed by the Planning Commission and evidenced by PC Memo 22019-003, the Commissioners recommended approval of the Plan contingent upon the requirements specified in the Memo.

Without expression of questions or concerns about the Plan, Vice Mayor Kirby made a motion to approve it and Councilperson Johnson made a second to the motion. A roll call vote of the qualified voters approved the Preliminary Plan contingent upon the recommendation of the Town of Cheswold Thomas Wilkes, P.E., based on comments of his October 9,, 2019 review correspondence to Mr. Jamie Schehler, P.E., attorney for the applicant, receipt of plans including 63 overflow parking spaces; sufficient open space, and written approvals from the State Fire Marshall, DelDOT; Delmarva; Tidewater, Kent County Sewer and any or all other applicable utility or government agencies.

At the conclusion of the voting, Mrs. Callender returned to her position as Secretary/Treasurer and a voting member of the Town Council.

ORDINANCES for APPROVAL - *Town Administrator Sam Callender*

NOTHING to REPORT

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Meeting Notice Posted: *December 31, 2018*

November 4, 2019

Agenda Posted: *October 28, 2019*

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RESOLUTIONS for REVIEW/APPROVAL - Town Administrator Sam Callender
NOTHING to REPORT

PROCLAMATIONS for REVIEW/APPROVAL - Town Administrator Sam Callender
NOTHING to REPORT

OLD BUSINESS:

a. Town of Cheswold vs. Cheswold Business Park – Town Administrator Sam Callender
Next Steps – **NO CHANGE REMAINS AS PENDING**

b. Water to Old Town/Fire Hydrant Project - Town Administrator Sam Callender:

Ms. Callender reported that Mr. Greg Coury, of Tidewater and Project Coordinator had met with four, (4), property owners in association obtaining easements for their properties to construct water lines. If they agree, they will be paid a nominal fee for the right given to Tidewater, dependent upon the area of property employed for the water line. In one instance the easement will permit Tidewater from having to cross a gas main twice.

Councilperson Moxley asked where the lines will be placed and Code Enforcement Officer Mike Callender shared a map of the locations with him.

NEW BUSINESS:

a. Special Recognition Statement – Vice Mayor Larence Kirby

Vice Mayor Kirby expressed the thanks and appreciation of the Mayor, Council and residents of the Town of Cheswold for the outstanding representation of the Town by the participation of Chief Chris Workman and Officer Eric Ketterer in the charitable Polar Bear Plunge held at Cape Henlopen. Certificates of Appreciation were presented to both the Chief and Officer Ketterer by Mayor Bob Sine.

b. Ms. Barbara Cooper Potential Planning Commission Candidate – Town Admin. Sam Callender

Mrs. Callender made a motion to add Ms. Barbara Cooper, former Master Code Official for the City of Wilmington, as a member of the Planning Commission. Ms. Cooper is a recent retiree and new resident to the Nobles Pond development. She will be an asset to the Committee and bring the group to its full staffing level. Mayor Sine asked for a motion to appoint her and it was so moved by Councilperson Callender. Vice Mayor Kirby made a second to the motion and a roll call vote passed the motion.

COMMUNITY COMMENTS:

Mr. Michael Fredriksen of Fox Pointe Drive, in the Fox Pointe Development and accompanied by his wife voiced his strong appreciation and support for the Cheswold Police Department. He was assured that the bullet proof vest mentioned during the Treasury report was for a replacement vest. He said he wanted to be sure that all officers had vests and it was explained that they all do. He also asked where donations should be dropped off and the Chief responded here at Town Hall.

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COUNCILPERSON COMMENTS:

Councilperson Larence Kirby – *Notified all attendees that the Veterans Association would be hosting Veteran Day Services at the War Memorial Plaza in New Castle and at the Kent County Veterans Memorial Park in Dover.*

Councilperson Theon Callender – *Thanked Mr. & Mrs. Fredriksen for their attendance at the Council Meeting and their support of the Police Department.*

Councilperson Judith Johnson – *Nothing to Report*

Councilperson Santo Faronea – *Excused*

Councilperson Mark Moxley– *Also appreciated Mr. & Mrs. Fredriksen for attending Council Meetings.*

MAYOR'S COMMENTS:

Mayor Sine joined his thanks and appreciation to Mr. & Mrs. Fredriksen for their support of law enforcement and the Police Department of Cheswold. He also thanked the Police Department for projecting a sense of community relations while representing the Town.

Motion to Adjourn

A motion was made by Councilperson Callender, seconded by Councilperson Johnson to adjourn at 6:37 p.m. A roll call vote on the motion resulted in a unanimous vote to approve. The meeting adjourned immediately thereafter.

Submitted by:

Secretary/Treasurer Sam Callender
November 14, 2019

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