

*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Cheswold Town Hall**  
**691 Main Street**  
**Cheswold, Delaware 19936**  
**Tuesday – September 8, 2020**  
**6:00 p.m.**  
**ZOOM Teleconference**  
**1-929-205-6099 Meeting ID: 9728359352#**  
**<https://us02web.zoom.us/j/9728359252>**  
**FACE MASKS ARE REQUIRED**

The following persons were in attendance in person:

Mayor Larence Kirby  
Vice Mayor Santo Faronea  
Secretary/Treasurer Theon Callender  
Councilperson Judith Johnson  
Councilperson Mark Moxley  
Council person Mr. Michael Wysong

**Police Department:** Chief Chris Workman

**Excused:**

**Public Works:** Michael Callender – Code Enforcement Officer  
**Admin:** Shadina Jones, Town Clerk

**Community Attendee:** Ms. Maria Castiglioni – President, Parkers Run HOA

**NOTICE:**

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on January 6, 2020, 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 August 31 2020. Copies of the agenda were available for pick-up at the Town Hall.

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

**MEETING:**

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

**ROLL CALL:**

Mayor Kirby requested Secretary/Treasurer Callender to call the roll. And with all members of the six, (6), person Council present, Ms. Callender presented a quorum to the Mayor and the meeting continued.

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

**REVIEW of AGENDA**

Mayor Kirby 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 Faronea made a motion to accept the agenda as presented. Councilperson Johnson made a second to the motion. A unanimous roll call vote of the Town Council approved the motion.

**REVIEW of PEVIOUS'S MONTHS MEETINGS**

Mayor Kirby 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 Wysong and Councilperson Moxley 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:

August 3, 2020 – Monthly Town Council Meeting  
August 24, 2020 – Special Town Council Meeting

**TREASURER'S REPORT:**

The Mayor requested Council to make any necessary statements or to make a motion to approve the following Treasury Reports:

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

a. The Treasurer's Reports for the **Month of August 2020**, is as follows:

**Monthly Cash Flow Comparisons**

TOWN of CHESWOLD	August 2020
Cash Receipts	\$ 92,996.18
Cash Disbursements	\$ 60,815.03
<b>Positive Monthly Cash Flow</b>	<b>\$ 32,181.15</b>

ADMINISTRATION	August 2020
Cash Receipts	\$ 86,853.34
Cash Disbursements	\$ 33,616.80
<b>Positive Monthly Cash Flow</b>	<b>\$ 53,236.54</b>

POLICE DEPARTMENT	August 2020
Cash Receipts	\$ 342.84
Cash Disbursements	\$ 26,234.45
<b>Negative Monthly Cash Flow</b>	<b>(\$ 20,861.61)</b>

PUBLIC WORKS	August 2020
Cash Receipts	\$ 800.00
Cash Disbursements	\$ 963.78
<b>Negative Monthly Cash Flow</b>	<b>(\$ 163.78)</b>

b. The Treasurer's Report, (**Account Balances**), for the **Month of August 2020**, is as follows:

as of:	August 2020
Capital Account	\$ 30,933.62
Cheswold Heritage Day Account	\$ 4,977.45
Eide Grant Fund Account	\$ 1,206.72
Fire Company Account	\$ 42,770.81
General Fund Account	\$ 99,604.54
Land Use Applicant's Account	\$ 47,627.65
Litigation Account	\$ 4,359.59
Municipal Street Aid Account	\$ 46,430.70
Salle Grant Fund Account	\$ 232.34
DelDOT Projects	\$ 150,000.00

TREASURER'S REPORT - "continued":

A motion to approve the Treasurers Report was made by Vice Mayor Faronea and Councilperson Johnson 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>
R1-00008	Police	Amazon-On Line	Thermometer/Aid Kits	\$801.71	CERF Grant
R1-00011	Police	Amazon-On Line	No Touch Hand Sanitizers	\$999.96	CERF Grant

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>
<i>NOTHING to REPORT</i>					

TAX COLLECTOR'S REPORT – *Town Clerk Shadina Jones*  
*Month of August 2020*

TAX REPORT: FISCAL YEAR 2020 – 2021

Total Amount Billed: \$157,085.40

As of:	Current Year:	Past Due Paid:
07/31/2020	\$ 580.01	\$ 199.21
<b>08/31/2020</b>	<b>\$ 37,604.14</b>	<b>\$ 300.77</b>
09/30/2020		
10/31/2020		
11/30/2020		
12 /31/2020		
01/31/2021		
02/29/2021		
03/31/2021		
04/30/2021		
05/31/2021		
06/30/2021		

b. **DELINQUENT TAXES** – *Town Clerk Shadina Jones*  
 Nothing additional to report

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

**Grant:** The Cheswold Police Department was awarded \$9,500 from the Criminal Justice Councils' administering of the FY2020 Coronavirus Emergency Supplemental Fund. There have been No - Touch hand sanitizing stations and hygiene stations placed in the entry ways of Administration and the Police Department and in the holding area of the Police Department.

Currently we are looking into a fogger for disinfecting of holding area, vehicles and other areas of the building as needed.

**Neighbors App - Reminder:** the Cheswold PD is now part of the Neighbors App. Neighbors allows you, the user, to share photos, videos and information related to local crime and safety incidents so fellow residents can stay informed.

The Cheswold Police Department can view what local residents have posted publicly to Neighbors and can now chime-in with relevant updates or safety alerts to help residents stay informed.

You do not need a Ring device to join Neighbors. Anyone with a smartphone can download the Neighbors App to receive updates and have the option to post photos or videos from any device.

To download, residents can text "jointoday" to 555888 or visit the app store. Feel free to spread the word and make sure to always report criminal activity or emergency situations by dialing 911.

**Violent Crimes Grant** – The Department has placed a request to use \$14,000 of the funds from this grant to add seven(7) more cameras and expand the NVR to 48 channels with this grant along with using the remaining funds for overtime to perform special operations and overtime to limit and investigate violent crimes.

**New Part Time Officer** – the Cheswold Police Department will be welcoming a new part time officer, Albert Wysock, to the ranks in the coming weeks. Mst. Cpl. Wysock is bringing over 30 years of law enforcement experience to the Town.

**COPS Grant** – The Department had applied for and received approval for the extension of the COPS grant until October 2021. The grant was scheduled to expire in Oct 2020, but due to the approval of the grant and filling the spot took almost a year we requested an extension in order to utilize the full three (3) years of the grant.

**TOWN of CHESWOLD**

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

**POLICE DEPARTMENT REPORT – “continued”**

***Cheswold PD Policies and Procedures*** – The Police Department has been in the process of making their policies available online. This process has been in the works for over a year and has been added to the Police Department’s web page at [cheswold.delaware.gov](http://cheswold.delaware.gov) under the police drop down in the menu.

***Replacement Equipment*** – Through the graciousness of the State Health and Human Services Department, the Department was able to obtain two, (2), new AED’s for installation into two, (2), patrol cars. The new units replace those who have become defective over time.

***Traffic Summonses*** –

Officers issued 56 traffic summons’ s during the month of August.

***Monthly Activity Report*** –

Officers responded to or completed reports for 165 Incidents for the month of August.

***Monthly Incident Report*** –

August report is 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>
August 2020	5	0	1	3	0

**CODE ENFORCEMENT PROPERTIES**

- **33 New Street** – **PENDING:** NO CHANGE.
- **53 School Lane** – **PENDING:** The Town has recently contacted the property owner regarding getting this location cleaned up. The property owner was obstinate during a recent conversation, though he did commit to visiting the property to perform some sort of clean-up, he has not yet shown his face. It has been determined that the owner is not going to do anything to keep or maintain this property.

A conversation with the Town Attorney advises that a lien is not feasible and perhaps the property should be condemned. If the Town decides on a lien, he has suggested we contact Christy Carey of his office.

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

- **179 Commerce St. – ONGOING:** The Building Permit for this structure was issued to the contractor and the property owner. The property owner and his attorney are aware and accepted that a Certificate of Occupancy will not be issued until the issue with the sink hole and associated pipe, located on his property is properly abated.

**Violations:**

- **117 Parkers Dr.** – Satisfied its' reinspection fee for failed framing inspection.

**Construction Projects:**

- **Stonington** – The Town has been in contact over the past week with Cliff Munford and Ring Lardner, Engineers for DB&F, regarding setting up a pre-construction meeting.

Mark Janus of Ryan Home, has also indicated that construction of the model homes is due to begin toward the middle of September.

- **Alston's Walk** – No time table has been set for a pre-construction meeting, although Jordan Ashburn of Ashburn Homes has informed the Town that he wishes to begin tree clearance within the next week or two.

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

- a. Status of Draft of 2020 Comprehensive Plan – Ms. Callender reported that for all intents and purposes the Plan has been completed and forwarded to the City of Dover and Kent County Planning Administrators for review and comment.

The Council will be requested to approve a Resolution, (see below), to conduct a Public Hearing to obtain public comment, if any is presented, for inclusion or for revision as may be required.

Originally, it was scheduled to submit the Plan for PLUS review at the end of October, but it may not be possible, dependent upon the response dates of the County and the City of Dover. Therefore, upon the suggestion of Dave Edgell, Kent County Circuit Rider, Ms. Callender forwarded a request for an extension of the December 18, 2020 due date to Ms. Connie Holland, Director – State Office of Planning Coordination, and received such an extension to June 18, 2021.

**ORDINANCES for REVIEW**

*NOTHING to REPORT*

**TOWN of CHESWOLD**

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

**RESOLUTIONS for REVIEW** – *Land Use Administrator Sam Callender*

- **Resolution 07-16-20-095 Public Hearing of 2020 Comprehensive Plan**  
Ms. Callender presented the above Resolution to hold a Public Hearing for the purpose of obtaining public opinions on the 2020 Comprehensive Plan in the form of a motion for approval. Councilperson Moxley made a second to the motion and through a unanimous roll call vote of the Council, the motion passed.

**PROCLAMATIONS for REVIEW**

*NOTHING to REPORT*

**OLD BUSINESS:**

*NOTHING to REPORT*

**NEW BUSINESS:**

- a. **Charter Training** – *Town Administrator Sam Callender*  
Mayoral and Council Responsibility Training was put on hold until next month's meeting.

**COMMUNITY COMMENTS:**

Ms. Maria Castiglioni, President of the Parkers Run Homeowner's Association inquired of Chief Workman the process for the Town and Police Department to acquire the responsibility for the enforcement of traffic and vehicular laws within the Development.

Chief Workman stressed the importance of the Board of the Association understanding that currently the Department can only enforce three, (3), traffic and vehicular laws within the Development:

- Stop Sign Violations
- Speeding Violations
- Driving Under the Influence Violations

He also responded that he has been this question several times and explained and provided the written document required to accomplish the request, which not only includes a submission of the request to him, but an approval by the Town Council.

He went on to advise that the Board should be aware that trying to change a fourteen to fifteen year means of operation on the streets will come with a lot of negative feedback.



**COMMUNITY COMMENTS – “continued”:**

Ms. Castiglioni asked if the Chief and/or the Council felt it best to totally restrict parking on the street in the entire Development; or just on Parkers Drive; or to arrange for parking on one side of the street throughout the Development.

Town Administrator Callender stated that as a resident of the Development, her personal preference was to adhere to the original design of the community, which was to have no street side parking throughout the development, because it provided the safest environment for everyone. However, since street side parking had permitted for so long, to take it totally away will most likely result in some overly negative reactions. So, the best compromise, may be to implement one side of the street parking, that will permit the safe passage of emergency vehicles when necessary.

Ms. Castiglioni then asked how the Board should effect that change: through a vote of all owners; or through a vote of the Board. Ms. Callender responded that is dependent upon the rules of the By-Laws and the Deeds and Covenants of the organization. From her memory, she believes that an Agricultural Board is supposed to be a part of the community and it may be there responsibility to make such decisions.

Ms. Castiglioni agreed to review further.

**COUNCILPERSON COMMENTS:**

**Vice-Mayor Santo Faronea** – *The Vice Mayor asked about the status of 179 Commerce Street. Ms. Callender explained that although the Town is receiving reports from the owner, nothing is progressing due to an issue between the insurance company and the owner. It is her guess that nothing will ever happen, except the building permit may eventually expire and the owner will have to obtain another.*

**Secretary/Treasurer Theon Callender** – *Although not reported at the meeting, the next day, Wednesday, September 9, 2020, Ms. Callender notified all Council members and municipal workers and volunteers; State and County workers of the passing of former Mayor Donald F. Tinari. The Honorable Mr. Tinari served and sacrificed for the Town of Cheswold as Mayor for ten years and then as a Councilperson and consultant. He was a professional and public servant without the tag of being a politician. Through his leadership and guidance the advancement of Cheswold began and we are more than ever grateful.*

**TOWN of CHESWOLD**

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

**COUNCILPERSON COMMENTS** – *“continued”*:

**Councilperson Judith Johnson** – *Ms. Johnson stated that she believes that someone is living in 211 Fulton Street, when no one should be living there. Ms. Callender responded that she thinks that she spoke to the owners of 211 earlier in the day concerning their taxes. Subsequent to the meeting, Ms. Callender discovered that 211 Fulton is owned by a bank, if the property may be rented.*

*Ms. Johnson also stated that the grass behind her house has grown to almost two, (2), feet and the owner needs to cut it. Ms. Callender stated that she believes the property is the Town park and is thus owned by the Town and she will discuss having it cut with Mike Callender, the Code Enforcement Officer. She additionally explained that Mr. Callender is doing his job and the job of the former Maintenance Technician and it makes it difficult for him to keep up with the park.*

*After the meeting, Ms. Callender discussed the situation with Town Clerk Shadina Jones and Mr. Callender and they have agreed to possibly hire a third party to cut the park.*

*Ms. Johnson reminded everyone to remember to vote in the primary on Tuesday, September 15, 2020.*

**Councilperson Mark Moxley** – ***NOTHING to REPORT***

**Councilperson Michael Wysong** – *Asked what the cost will be for the installation of the Town cameras. Chief Workman responded that the installation is included in the overall cost of the equipment.*

**MAYOR KIRBY'S COMMENTS** – *Thanked everyone for what they do for the Town.*

**Motion to Adjourn**

A motion was made by Councilperson Callender seconded by Vice Mayor Faronea to adjourn at 6:48 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 – September 11, 2020*