

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
Monday - November 2, 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

Via Zoom:

Admin: Shadina Jones, Town Clerk
Town Engineer: Thomas Wilkes, P.E.

Excused:

Public Works: Michael Callender – Code Enforcement Officer

Community Attendee:s Mr. Max Amoako – Parkers Run
Ms. Tina Bradbury – Stonington (*Via Zoom*)
Mr. Welton Satchell – Kent County Levy Court Candidate (*3^d District*)

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 October 21 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 6:05 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.

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

REVIEW of PEVIOUS 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 Councilperson 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:

September 8, 2020 – Monthly Town Council Meeting
October 5, 2020 – No Minutes; Meeting Cancelled Due to Lack of Quorum

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 September & October 2020, is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	September 2020	October 2020
Cash Receipts	\$ 69,399.48	\$ 56,743.05
Cash Disbursements	\$ 44,778.90	\$66,902.24
Positive Monthly Cash Flow	\$ 24,620.58	(\$10,429.89)

ADMINISTRATION	September 2020	October 2020
Cash Receipts	\$ 33,856.18	\$52,617.89
Cash Disbursements	\$ 27,738.30	\$41,902.13
Positive Monthly Cash Flow	\$ 6,117.88	\$10,715.76

POLICE DEPARTMENT	September 2020	October 2020
Cash Receipts	\$ 23,281.44	\$ 3,412.48
Cash Disbursements	\$ 16,490.60	\$ 24,357.91
Positive Monthly Cash Flow	\$ 6,730.84	(\$ 20,945.43)

PUBLIC WORKS	September 2020	October 2020
Cash Receipts	\$ 12,261.86	\$ 443.68
Cash Disbursements	\$ 550.00	\$ 642.90
Positive Monthly Cash Flow	\$ 11,711.86	(\$ 200.22)

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

as of:	September 2020	October 2020
Capital Account	\$ 30,939.98	\$ 30,946.55
Cheswold Heritage Day Account	\$ 4,795.92	\$ 4,793.57
Eide Grant Fund Account	\$ 1,206.72	\$ 1,192.72
Public Safety Account	\$ 42,779.60	\$ 42,788.69
General Fund Account	\$ 132,665.08	\$ 136,198.69
Land Use Applicant's Account	\$ 47,637.44	\$ 48,972.78
Litigation Account	\$ 827.27	\$ 814.80
Municipal Street Aid Account	\$ 45,822.75	\$ 58,156.31
Salle Grant Fund Account	\$ 232.34	\$ 633.34
DelDOT Projects	\$ 150,000.00	\$ 150,000.00

TREASURER'S REPORT - *"continued"*:

A motion to approve the Treasurers Report, including the Requisitions and Proposed Purchases, was made by Vice Mayor Faronea and Councilperson Mxxley 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>
R1-00015	Police	Lawman Supply	Ammo	\$535.29	General Fund
R1-00023	Police	The Emblem Source	Patches	\$320.00	Donations
R1-00024	Police	Advantech, Inc.	Cameras	\$7,050.00	Violent Crimes
R1-00025	Public Works	Tractor Supply	Tailgate Sprd.	\$949.00	General Fund

b. Proposed Purchase/s -

<u>Req. #</u>	<u>Dept.</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By:</u>
TBD	Police	Guardian Tracking	Perf. Mgmt. Prog.	\$1,134.00	Public Safety

TAX COLLECTOR'S REPORT – *Town Clerk Shadina Jones*
Month of September & October 2020

TAX REPORT: FISCAL YEAR 2020 – 2021

Total Amount Billed: \$157,085.40

<u>As of:</u>	<u>Current Year:</u>	<u>Past Due Paid:</u>
07/31/2020	\$ 580.01	\$ 199.21
08/31/2020	\$ 37,604.14	\$ 300.77
09/30/2020	\$ 26,157.93	\$ 819.55
10/31/2020	\$ 22,650.37	\$ 546.30
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*

Ms. Jones reported that there are 28 tax accounts that exceed \$1,000.00, but she has been successful in collecting two accounts that were overdue by \$6,000 and \$4,000. She has also reached out to other Town Clerks to receive recommendations for Tax Attorneys.

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

Note: The following is a compilation of the October 4 and November 2, 2020 Police Department Reports

Grant: The Cheswold Police Department was awarded \$3,500 from the Criminal Justice Councils' administering of the FY2019 Byrne Grant. Currently, we are looking into a few options for the use of these funds in critical needs areas.

- **2019 Byrne Grant** – The Cheswold Police Department has been sent an application to expand its body worn camera program and has submitted a request to purchase five, (5), additional cameras.
- **Violent Crimes Grant** – Additional cameras have been approved and are being scheduled for installation. It is hoped they will be installed prior to the winter months.

Vehicle Break-Ins During the month of September we continued to have vehicle break-ins and property stolen that is left in vehicles. Please remember to lock your doors and take out all valuables from your car. Leaving car keys, purses and wallets in open vehicles are an invitation to theft and you should protect yourself, by being sure to lock your vehicles, at all times.

Training – All Cheswold Police officers completed their firearms training last month. While the COVID-19 pandemic lingers, it is very difficult to arrange in class training for officers. Currently, the Department is pursuing on-line training through the Police One Academy. This system has a variety of training classes available in an on-line format. Supervisors can select the topic and assign officers to complete the subject matter, on a monthly basis.

Guardian Tracker – The Cheswold Police Department is arranging to add Guardian Tracking software as part of their daily routine. This software will allow expand reporting processes, including an early warning system for responses to resistance; recording and tracking disciplinary issues; and much more. It will assist in streamlining employee performance monitoring and follow up.

OTHER POLICE BUSINESS:

- **Proposed Temporary Full Time Employee** – Chief Workman requested the agreement of the Council in hiring a temporary full time employee who needs approximately four, (4), months and (2), two days to be certified for a full pension. The employee is currently part time and the part time rate of \$20.00 per hour will continue if approval to temporary full time is received.

POLICE DEPARTMENT REPORT – “*continued*”

OTHER POLICE BUSINESS:

- Proposed Temporary Full Time Employee - “*continued*”

Note: The meeting continued without a vote. However, Councilperson Wysong brought it to the attention of the Council that a vote was needed and had not occurred. A vote was conducted later in the meeting, with a motion to approve the hire by Vice Mayor Faronea and a second from Councilperson Wysong.. The motion was approved after a unanimous roll call vote of the Council.

- Promotion

Chief Workman informed the Mayor and Council that he has scheduled the promotion of Senior Corporal Klein to the position of Sargent for the December Town Council Meeting. The expansion of the Department to three, (3), full time officers and six, (6), part-time officers and the associated increase in administrative responsibilities was cited as the need for the promotion at this time.

The budget was approved for the promotion in June 2020.

Traffic Summonses –

Officers issued 83 traffic summons’ s during the month of September.
Officers issued 165 traffic summons’ s during the month of October.

Monthly Activity Report –

Officers responded to or completed reports for 161 Incidents for the month of September.
Officers responded to or completed reports for 177 Incidents for the month of October.

Monthly Incident Reports – September and October 2020 reports are available at Town Hall.

PUBLIC WORKS REPORT – *Code Enforcement Officer Michael Callender*

Mike Callender was on vacation, so the report was made by Town Administrator Sam Callender

- **Status Report** –

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
September 2020	6	1	0	7	0
October 2020	5	1	0	8	0

CODE ENFORCEMENT PROPERTIES

Note: The following is a compilation of the October 4 and November 2, 2020 Police Department Reports

- **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. **NO CHANGE**

- **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. **NO CHANGE**

Violations:

- **Nobles Pond** –
 - Lot #403 Revision of Screen Porch on Deck in lieu of Slab
 - Lot #294 Revision for Foundation Wall Height

PUBLIC WORKS REPORT – *“continued”*:

Construction Projects:

• **Stonington –**

October : The Town Engineer, Building Official and Code Enforcement Officer conducted a pre-construction meeting with DBF Engineers and Nichols Excavation on Sept. 25, 2020 to discuss the progress that has taken place thus far at the site, as well as future construction of the sewer, storm water inlets and water service.

Mechanisms for communication with the Town regarding construction progress, inspection and bonding were also discussed. The final street paving will be the portion of the project that is bonded.

September: Nothing new to report. Site work has ceased at this time and a stockpile of stone has been delivered to the site for road construction. The Town has not yet heard from Ryan Homes as to when the construction of the first four, (4), model homes will begin.

• **Alston’s Walk –**

October: Site clearing began on Sept. 24, 2020 and is nearly complete. The site has been staked, but there are currently no perimeter controls in place. The Code Enforcement Officer will be contacting the Town Engineer regarding a pre-construction meeting as the contractor will soon want to begin pulling out root mat and begin site grading.

September: Tree clearing of the site has been completed and all related debris removed. Perimeter controls have been installed and the next steps will be to lay out and begin installing the infrastructure to include sewer, storm water management and water service.

Town Maintenance:

The Public Works Department is requesting the purchase of a tailgate spreader in preparation for the coming winter. (The purchase was approved during the Treasury Report portion of the meeting).

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

a. Status of 2020 Comprehensive Plan

Ms. Callender reported that the Plan is complete. There were a couple of revisions required for a couple of maps, but the Plan is ready for Public review.

A Public Hearing will be held prior to the December Town Council meeting to obtain community feedback of the Plan and if all goes well, the Council will vote on the Ordinance to approve the 2020 Comprehensive Plan and it will be submitted to PLUS for review and potential approval by the Office of the Governor.

b. Final Plan Review – Alexis Properties: Application #2020-09-28-087

Ms. Callender introduced Mr. Brian Turner, Engineer Intern of Mountain Consulting. She reminded the Council that PC Memo 2020-005 had been forwarded to them and indicated that the Planning Commission recommended the approval of the Final Plan.

Mr. Turner presented the plan as the proposed erection of a 6,000 square foot building at 5083 N. Dupont Highway, owned by Mr. Peter Nau and consisting of 2.105 acres, which is Zoned C-2, (Highway Commercial). The Map ID is 4-03-04600-01-0800-000. The project will include a parking lot, landscaping and stormwater management facilities.

Vice Mayor Faronea made a motion to approve the Final Plan application as submitted, including the landscaping and lightning plans. Councilperson Wysong made a second to the motion.. A roll call vote resulted in the unanimous approval of the Final Plan.

ORDINANCES for REVIEW

• **Ordinance 06-16-15-055 2020 Comprehensive Plan**

As a result of the Public Hearing being moved to December, a motion was made by Ms. Callender to remove the review of the Ordinance from the meeting, until after the Public Hearing. A second to the motion was made by Councilperson Wysong and the motion passed with a unanimous roll call vote.

RESOLUTIONS for REVIEW – Land Use Administrator Sam Callender

• **Resolution 05-24-16-082 Rev. 1 Monetary Singular Approval Levels**

Ms. Callender stated that the current monetary singular approval levels were insufficient to support the effective and efficient processing of purchases and payments of bills in a timely manner. She introduced a resolution to raise the monetary singular approval levels to a maximum of \$5,000.00.

RESOLUTIONS for REVIEW – *“continued”*

Resolution 05-24-16-082 Rev. 1 Monetary Singular Approval Levels – *“continued”*

A motion was made by Councilperson Wysong to approve the resolution and the stated raises and Vice-Mayor Faronea made a second to the motion. The motion passed with a roll call vote of the Council members.

PROCLAMATIONS for REVIEW

Councilperson Mike Wysong presented a Proclamation to make Saturday, November 28, 2020, SMALL BUSINESS DAY, in the Town of Cheswold. The Council agreed that it was a good idea and a great first step toward creating a relationship with the business owners within Town.

Ms. Callender made a motion to approve the proclamation as presented and Council Wysong made a second to the motion. The Council voted by roll call unanimously to approve.

It was also agreed that the Proclamation would be delivered to retail business owners and posted on the Town’s social media accounts.

OLD BUSINESS:

- **Old Town Water Project** – *Town Administrator Sam Callender*

Ms. Callender reported that for the sake of clarity the project will now be called the Cheswold Fire Prevention Project. She also announced that a contractor has been selected and if all goes as planned the project will begin within the last two weeks of November or the first of December.

Notices of the project will be hand delivered to each home in the affected area and letters will be sent to all property owners within the affected area. In addition, a public meeting is scheduled to be held on Wednesday, November 18, 2020, at the Cheswold Fire Hall at 6 pm, and via Zoom to answer any questions that a resident or owner may have. The meeting will be led by Town Engineer, Tom Wilkes, Project Coordinator Greg Coury and Town Administrator Sam Callender. It is hoped that the entire Council will attend.

NEW BUSINESS:

a. Proposal to Hire Town Engineer Thomas Wilkes, P.E., Carroll Engineering

Town Administrator Callender acknowledged that Mr. Thomas Wilkes, P.E., has served in the position of Town Engineer for a few years and has changed engineering firms. As a result, she presented a motion to hire Mr. Wilkes again as Town Engineer at the Carroll Engineering firm. Councilperson Wysong made a second to the motion. A roll call vote of the Council passed the motion.

b. Proposed Tutor Service

Ms. Callender stated that she felt that all Council members recognize that there are issues with the current internet schooling process and that perhaps some of Cheswold's students may not be receiving all the support that they require to advance.

After discussions with her husband, a certified K-8 and up to Algebra 2, teacher, he offered to provide free tutoring. He is willing to conduct 2 sessions from 5 pm to 6 pm and 6 pm to 7 pm on Tuesday and Wednesday. Students must reside in Cheswold and sessions will be held at Town Hall. Parents may observe via Zoom.

The Council agreed that it is a good idea and Ms. Callender will create the sign-up and notification procedure.

Vice Mayor Faronea made a motion to approve the Tutor Service and Councilperson Wysong made a second. The motion passed with a unanimous roll call vote.

c. Need for Police Oversight/Observation During Election

Chief Workman reported that the Mayor and the Election Board had requested what if any intervention was scheduled for Election Day on the part of the Police Department. The Chief explained that the Department would be performing their normal duties and the intent is not to give the public the feeling of an overwhelming police presence.

d. Town Projects Requiring Action

The Mayor informed the Council that he would send this list out to them and ask for volunteers.

Councilperson Wysong stated his interest in the Park Committee and he Business Cooperative and Mrs. Callender noted that she would be responsible for the Land Use Ordinance Revision Team and the Fire Hydrant Project, (Cheswold Fire Prevention Project)

NEW BUSINESS: *"continued"*

d. Town Projects Requiring Action *"continued"*

- New Infrastructure
- Economic Development Plan
- Activities Committee
- Park Committee
- Business Cooperative
- Land Use Ordinance Revision Team
- Fire Hydrant Project – Old Town
- New Street Housing Project Team
- Protest Plan Team
- Weatherization Assistance Program
- MPO Participation

Ms. Callender informed the Council, that Councilperson Wysong, upon his own initiative, which she personally greatly appreciated, had already developed documents associated with creating a Cheswold Business and Merchants Association.

The Mayor re-iterated that he would send the list out via email and that Council members could select the projects in which they have an interest.

e Kent County Public Hearing – GodPlay, Inc. d/b/a Bendover, 5455 Dupont Highway

Ms. Callender shared a notice from Kent County Levy Court announcing the date and time of a Public Hearing to receive comment on the appeal of an administrative decision regarding the determination that a business is an Adult Entertainment Establishment.

The meeting is to be held on Thursday, November 19, 2020 at 6:00 pm, at Kent County Levy Court, 555 Bay Road, Dover, Delaware.

It was agreed that the Mayor and Council should attend.

Mr. Max Amoako, of Parkers Run requested to express his feelings about the Bendover business and was given permission. He stated that the business distresses his family, because his daughter consistently asks for the meaning of the name and he feels that it is not a proper representation for the apex of our Town.

He also informed us that he has a degree in economics.

NEW BUSINESS: *"continued"*

f. 2018 International Code Council Ordinance Updates

Ms. Callender informed the Mayor and Council that she will be updating the International Code Council Residential; Building; Property Management and other codes to the 2018 standards in the coming months.

g. Council Training – Mayoral and Council Responsibilities and Authorities

The Mayor and Council engaged in a question and answer training session concerning:

- Purpose of the Town Council
- Section 5 – Council Terms
- Section 5 – Residential Requirements

COMMUNITY COMMENTS:

NOTHING to REPORT

COUNCILPERSON COMMENTS:

Vice-Mayor Santo Faronea – ***NOTHING to REPORT***

Secretary/Treasurer Theon Callender – ***NOTHING to REPORT***

Councilperson Judith Johnson – ***NOTHING to REPORT***

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

Councilperson Michael Wysong – Asked if the Town ever had a Christmas tree. Chief Workman and Ms. Callender responded yes and that carols were sung and after the tree was lit, everyone went to Immanuel Methodist Church for hot chocolate, coffee, cookies and cake.

COUNCILPERSON COMMENTS:

Councilperson Michael Wysong – *“continued”*

Councilperson Wysong wanted to know why was it not done every year. It was explained that with the other responsibilities held by those involved, there was insufficient time and energy and human resources to do it.

Vice Mayor Faronea suggested that it be done again this year and Ms. Callender stated that anyone who desired to take it as a project should do so. Ultimately, both gentlemen agreed to make a Christmas tree lighting their project.

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

The Mayor repeated that he would send out the project list for everyone to review and to pick a project that interests them.

Motion to Adjourn

A motion was made by Councilperson Callender seconded by Councilperson Johnson to adjourn at 7:41 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 9, 2020