

Town of Cheswold
1856



State of Delaware
1787

**Town of Cheswold
Minutes of the Monthly Town Council Meeting
Cheswold Fire Hall
371 Main Street
Cheswold, Delaware 19936
Monday – December 10, 2020
6:30 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 Mark Moxley
Council person Mr. Michael Wysong

Excused: Councilperson Judith Johnson

Police Department: Chief Chris Workman
Sargent Susan Kline

Administration:

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

Community Attendees: Mr. & Mrs. Barry & Karen Jones, Sr. – Parkers Run
Mr. Barry Jones, Jr.

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 November 30, 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 6:30 pm. As the Pledge of Allegiance and a Moment of Silence had been conducted during the 6:00 pm Public Hearing, at which the same quorum of Council members were in attendance, it was omitted at this time.

ROLL CALL:

Mayor Kirby noted that a quorum of Council members continued to be in attendance as was called in the Public Hearing and noted in these minutes.

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 Callender made a motion to amend the agenda to add a Proposal for a Community Garden under New Business, to be presented by Mr. Barry Jones, Jr. Vice Mayor Faronea made a second to the motion. A unanimous roll call vote of the Town Council approved the motion and the agenda was so amended.

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 Vice Mayor Faronea 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:

November 2, 2020 – Monthly 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 November 2020**, is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	November 2020
Cash Receipts	\$ 81,462.38
Cash Disbursements	\$ 67,748.24
Positive Monthly Cash Flow	\$ 13,714.14

ADMINISTRATION	November 2020
Cash Receipts	\$ 71,552.86
Cash Disbursements	\$ 34,302.99
Positive Monthly Cash Flow	\$ 37,249.87

POLICE DEPARTMENT	November 2020
Cash Receipts	\$ 3,266.34
Cash Disbursements	\$ 32,352.28
Negative Monthly Cash Flow	\$ 29,085.94

PUBLIC WORKS	November 020
Cash Receipts	\$ 6,643.18
Cash Disbursements	\$ 1,092.97
Positive Monthly Cash Flow	\$ 5,550.21

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

as of:	November 2020
Capital Account	\$ 30,952.91
Cheswold Heritage Day Account	\$ 4,793.57
Eide Grant Fund Account	\$ 1,182.72
Public Safety Account	\$ 42,797.48
General Fund Account	\$ 122,960.76
Land Use Applicant's Account	\$ 66,357.72
Litigation Account	\$ 25,303.33
Municipal Street Aid Account	\$ 57,537.27
Salle Grant Fund Account	\$ 623.34
DelDOT Projects	\$ 150,382.00

A motion to approve the Treasurers Report, including the Requisitions and Proposed Purchases, was made by Vice Mayor Faronea and Councilperson Moxley made a second to the motion. A roll call vote passed the motion unanimously.

TREASURER'S REPORT - "continued":

c. Requisitions –

<u>Req. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
NOTHING TO REPORT					

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>
NOTHING TO REPORT					

TAX COLLECTOR'S REPORT – Town Clerk Shadina Jones
Month of November 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
08/31/2020	\$ 37,604.14	\$ 300.77
09/30/2020	\$ 26,157.93	\$ 819.35
10/31/2020	\$ 22,650.37	\$ 546.30
11/30/2020	\$ 53,231.64	\$ 2,565.43
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 current tax payments continue to trickle in and the balance due is \$16,861.31. Nothing has changed concerning late payments from last month's report.

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

Chief Workman acknowledged the promotion of Sr, Cpl. Susan Kline to the position of Sargent, which occurred at a ceremony, held between the Public Hearing and the Council Meeting.

POLICE DEPARTMENT REPORT – “continued”

Grants: The Chief provided the following status on grants:

- **2019 Byrne Grant** – The Cheswold Police Department has purchased and put into operation, five, (5), new cameras made [possible with this grant.
- **Violent Crimes Grant** – Additional cameras have been approved and are being scheduled for installation.

Guardian Tracker - The Cheswold Police Department is currently working on adding the Guardian Tracking software into its’ daily routine. The addition of this software will allow the Department to do many things, including an early warning system for responses to resistance, disciplinary issues, inventory and much more. This system will streamline current processes for easy access and follow up by the Department.

Policies – The Cheswold Police Department is in the process of updating and reviewing policies due to changes in departmental procedures. The non-procedural policies of the Department are available on the web site.

Traffic Summonses –

Officers issued 195 traffic summons’ s during the month of November.

Monthly Activity Report –

Officers responded to or completed reports for 163 Incidents for the month of November.

Monthly Incident Report – November 2020 report is available 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>
November 2020	6	0	0	3	0

PUBLIC WORKS REPORT – *“continued”*:

CODE ENFORCEMENT PROPERTIES

- **33 New Street – PENDING: NO CHANGE.**
- **53 School Lane – PENDING:** 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:** As agreed we continue to receive timely responses from Mr. Dowd through his attorney. No progress has been made toward rehabbing the property. **NO CHANGE**

Violations: *NOTHING TO REPORT*

Construction Projects:

- **Stonington** – A proof roll on the first three roads to be stoned has been performed and the curbing has been installed. Ryan Homes has since erected ENS, (erosion and sediment), measures of the first four, (4), model homes.
- **Alston’s Walk** – The clearing is complete.

Town Maintenance: *NOTHING TO REPORT*

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

a. Revision of Land Use Ordinance – Ms. Callender reported that the Planning Commissioners are actively involved with reviewing and revising the Ordinance an Article at the time.

ORDINANCES for APPROVAL

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

Secretary/Treasurer Callender made a motion to approve the 2020 Comprehensive Plan as a result of not receiving any negative public comment on its’ passage at the Public Hearing held at 6 pm, prior to the Council meeting. Councilperson Wysong made a second to the motion, and it passed with a unanimous roll call vote.

ORDINANCES for REVIEW – Land Use Administrator Sam Callender

Ms. Callender presented the following Ordinances for Council review:

- **Ordinance 11-16-20-060 Ordinance for the adoption of the 2018 Building Code of the International Code Council - Purpose:** To provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Town of Cheswold; providing for the issuance of permits and collections of fees thereof.
- **Ordinance 11-16-20-061 Ordinance for the adoption of the 2018 Residential Code of the International Code Council - Purpose:** To provide for the standards for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings, (townhouses), not more than three stories in height with separate means of egress as herein provided, and provides for the issuance of permits and collections of fees thereof.
- **Ordinance 11-16-20-062 Ordinance for the adoption of the 2018 Property Maintenance Code of the International Code Council -- Purpose:** To provide for the standards for regulating and governing the condition and maintenance of all property, buildings and structures' by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and uses; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Town of Cheswold; providing for the issuance of permits and collections of fees thereof, and each and all of the regulations , provisions, penalties, conditions and terms of said Property Maintenance Code, except those so noted in the adopted Ordinance.

RESOLUTIONS for APPROVAL – Land Use Administrator Sam Callender

- **Resolution 11-28-20-096 Public Hearing for the Adoption of the 2018 Residential, Building, Property Maintenance ICC Codes**

Ms. Callender made a motion to approve the Resolution for a Public Hearing to be held on Monday, January 7, 2021 at 6 pm, via ZOOM to receive public comment on the passage and implementation of the 2018 Residential, Building and Property Maintenance ICC Codes within the corporate limits of the Town of Cheswold. Vice Mayor Faronea made a second to the motion and it passed with a an unanimous roll call vote.

OLD BUSINESS:

Mayor Kirby conducted a review of the open Town projects in an effort to obtain Council participation in serving as Project leads and participants.

- **Proposed Tutor Service** – Ms. Callender reported that to date only one applicant has applied to participate in the free tutoring service. And that the start of the service has been put on hold due to the latest restrictions requested by the Governor.
- **New Infrastructure** – Ms. S. Callender volunteered to coordinate the efforts of an Infrastructure Committee, which will consist of Chief Workman; Vice Mayor Faronea; Councilperson Wysong; Town Clerk Jones and Code Enforcement Officer M. Callender as the members.
- **Economic Development Plan** – Mayor Kirby agreed to tie-in an Economic Plan with the Cheswold Business and Merchant’s Association.
- **Activities Committee** – Ms. Callender stated that Councilperson Johnson for all intents and purposes was currently the Chair of the Activities Committee. Vice Mayor Faronea volunteered to participate on the Committee.
- **Park Committee** – Councilperson Wysong volunteered to chair this Committee. Subsequent to a presentation by Mr. Barry Jones, Jr., Mr. Jones Jr., also joined this Committee and promised to bring other volunteers.
- **Cheswold Business and Merchant’s Association** – Mayor Kirby and Councilperson Wysong are the founding members of the Association. Mayor Kirby reported that he participated in a meeting with Mr. Jeremy Rothwell of Smyrna, who assisted Harrington in 2018 in the development of their Association. The Mayor said that Mr. Rothwell advised that an Association is similar to a HOA and to get started two, (2), or (3), strong local merchants are required. He also said that the Central Delaware Chamber of Commerce provided the same type of direction.
- **Land Use Ordinance Revision Team** – Ms. Callender stated that this team was currently active and its members consisted of the Town Engineer, Planning Commissioners and the Land Use Administrator.
- **Fire Hydrant Project – Old Town** – The project is now known as the Cheswold Fire Prevention Projecct and the team members are the Town Engineer; Town Administrator; Town Clerk; Code Enforcement Officer and Building Inspector.
- **New Street Housing Project Team** – There were no volunteers.

OLD BUSINESS: "continued"

- **Protest Plan Team** – This team which is designed to provide a plan for protest policies and procedures will consist of Mayor Kirby; Chief Workman; Code Enforcement Officer M. Callender and Town Administrator S. Callender.
- **Weatherization Assistance Program** – Ms. Callender reported that Planning Commissioner Barbara Cooper volunteered to serve as the lead for this program.
- **MPO Participation** – Mayor Kirby volunteered to serve as the Town representative to the MPO.

Kent County Public Hearing – GodPlay, Inc. d/b/a Bendover, 5455 Dupont Highway
Mayor Kirby requested Councilperson Wysong to provide information associated with the Public Hearing held by Kent County Board of Adjustments. *(See attached for details)*

Council Charter Training – Town Administrator asked the Council if it was okay to table the training to provide time for the proposal to be presented under New Business. And it was agreed.

NEW BUSINESS:

a. Town Christmas Tree – Councilperson Wysong reported that he, Vice Mayor Faronea and Code Enforcement Officer Callender attempted to acquire a 6' Christmas tree suitable for planting from Ronnies. It was anticipated that the cost of the tree would be between \$135 to \$150, however when they attempted the purchase no suitable trees were available. So it was suggested that the tree project be tabled until next year and it was agreed to do so.

b. Community Garden Proposal – Mr. Barry Jones, Jr.

Town Administrator Callender introduced Mr. Jones, Jr. to the Mayor and Council as the son of Mr. & Mrs. Barry Jones, Sr., long time residents of Parkers Run. She also introduced Mr. Jones, Sr., as Chairperson of the Cheswold Planning Commission.

Mr. Jones, Jr. presented a proposal to the Mayor and Council to implement a Community Garden in the Town park located on School Lane.

The impetus for his proposal is based on the population growth of Cheswold over the past eight, (8), years, as well as the proliferation of fast food options available due to the Towns close proximity to U.S. Route 13.

NEW BUSINESS: *"continued"*

When combined with a poverty rate of 24.52%, the need for organically community produce presents itself. This garden will serve as a place of dietary, agricultural and anthropological education.

The proposal requests approximately 17,000 sq. ft., which will provide a model that utilizes volunteers from the community to maintain and tend the garden. The garden will be open to the public during May through September on two, (2), weekends each month.

The required infrastructure and utility is as follows:

1. **Storage Shed** – access to the existing shed or the addition of a storage facility
2. **Fencing** - Small fence to line the perimeter of the garden. (Pierce Fencing can provide a quote)
3. **Signage** – Will reflect name of the garden
4. **Inspection** – Water service access

Through questioning the Council was informed that the garden would be organic and that no chemicals will be used.

Following the presentation Councilperson Moxley made a motion to approve Mr. Jones, Jr., moving forward with the Community Garden. Vice-Mayor Faronea made a second to the motion and a roll call vote resulted in its passage.

COMMUNITY COMMENTS:

NOTHING to REPORT

COUNCILPERSON COMMENTS:

Vice-Mayor Santo Faronea – *asked Chief Workman about the feasibility of implementing an Auxiliary Police Unit in the Cheswold Police Department to assist with traffic control during such events such as election days.*

Chief Workman explained that this past Election Day was an anomaly. That typically the Board of Elections arranges for traffic control with the Fire Company. And there is really no need for civilian intervention.

COUNCILPERSON COMMENTS: *"continued:"*

Secretary/Treasurer Theon Callender – *informed the Mayor and Council that in association with the Governor's newest concerns about COVID-19, Town Hall will be closed to the public and administration will be working from home, from Monday, December 14, 2020 until Monday, January 11, 2021.*

In addition, she informed that the Delaware River Bay Authority would be conducting a virtual Public Information Meeting, on Wednesday, December 16, 2020 at 6 pm. She promised to send a copy of the notice to the Mayor, Council and Mr. Barry Jones, Sr.

Councilperson Judith Johnson – ***EXCUSED***

Councilperson Mark Moxley – *thanked Mr. Jones, Jr., for his presentation and committed to work with him on the Community Garden project.*

Councilperson Mike Wysong - ***NOTHING to REPORT***

MAYOR KIRBY'S COMMENTS – ***NOTHING to REPORT***

Motion to Adjourn

A motion was made by Councilperson Callender seconded by Vice Mayor Faronea to adjourn at 7:37 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 – December 16, 2020