

Town of Cheswold
1856



State of Delaware
1787

Town of Cheswold
Minutes of the Monthly Town Council Meeting
VIRTUAL MEETING
Cheswold, Delaware 19936
Monday - January 4, 2021
6:30 p.m.
ZOOM Teleconference
1-929-205-6099 Meeting ID: 9728359352#
<https://us02web.zoom.us/j/9728359252>

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

Absent: Councilperson Judith Johnson

Police Department: Chief Chris Workman

Community Attendee:: 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.

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: The Mayor noted that the meeting posted on December 30, 2020 and was properly recorded as late due to the vacation of the Town Secretary.

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 and 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 MINUTES

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 Faronea 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:

December 7, 2020 – Monthly Town Council Meeting
December 7, 2020 – 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:

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

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	December 2020
Cash Receipts	\$ 43,219.53
Cash Disbursements	\$ 110,448.09
Negative Monthly Cash Flow	(\$ 67,228.56)

ADMINISTRATION	December 2020
Cash Receipts	\$ 13,413.22
Cash Disbursements	\$ 56,092.17
Negative Monthly Cash Flow	(\$ 42,678.95)

POLICE DEPARTMENT	December 2020
Cash Receipts	\$ 6,366.15
Cash Disbursements	\$ 51,983.92
Negative Monthly Cash Flow	\$ 45,617.77

TREASURER'S REPORT - *"continued"*:

PUBLIC WORKS	December 020
Cash Receipts	\$ 23,440.15
Cash Disbursements	\$ 2,372.00
Positive Monthly Cash Flow	\$ 21,068.15

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

as of:	December 2020
Capital Account	\$ 30,959.48
Cheswold Heritage Day Account	\$ 4,793.57
Eide Grant Fund Account	\$ 1,172.72
Public Safety Account	\$ 42,806.57
General Fund Account	\$ 122,674.64
Land Use Applicant's Account	\$ 64,284.15
Litigation Account	\$ 21,791.79
Municipal Street Aid Account	\$ 57,537.04
Salle Grant Fund Account	\$ 328.39
DelDOT Projects	\$ 150,382.00

The Mayor asked for a motion to approve the Treasurers Report, including Requisitions and Proposed Purchases. Councilperson Wysong asked why there was such a large negative cash flow for the month of December. Secretary/Treasurer Callender explained that on the Administrative Side of the house - \$10,000 was spent for liability insurance; \$6,276.40 was spent on health insurance and \$7,000 was spent on Attorney fees; \$7, 206.76 was expended on payroll taxes and \$7,935.00 on professional fees. And payroll taxes were \$7,206.75. In the Police Department, \$14,100 was spent from the from the Violent Crimes Grant; \$3,495.00 from the Bryne Grant;, \$5,104.85 was expended from the CJC Grant and \$3,979.20 was spent on the Pension Plan Councilperson Moxley accepted an abbreviated version of these expenses.

He then made a motion to accept the Treasurers Report, including Requisitions and Purposed Purchases as presented and with a second from Vice Mayor Faronea and a unanimous roll call vote, the motion passed.

Secretary/Treasurer Callender also informed the Mayor and Council that she had approved a requisition exceeding her \$5,000 limit because it was a Police Department CERF grant requiring expedition for upgrades to the 2020 Tahoe in the amount of \$5,104.85. And grant fund purchases are approved by the grantor and municipal approval is used only to placate our accounting system. It is reported to Council however, to be sure that everyone knows what is happening.

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>
<i>NOTHING TO REPORT</i>					

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>
<i>NOTHING TO REPORT</i>					

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	\$ 4,213.87	\$ 2,247.33
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 NEW TO REPORT

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

Chief Workman presented a report of the yearly accomplishments of the Police Department.

“As we begin the year of 2021, we have seen a lot of things change, and we all had to adapt and make do as Covid-19 caused us to do things different. The Cheswold Police Department has taken big steps over the past year to not only embrace these changes but make attempts to lead the way with some significant changes to policies, training and community policing.

One of the biggest things is that while we lost one full time officer, we have added five (5) part time officers to the department over the past year which has allowed us to continue to cover the Town in a 365/24/7 basis. These officers brought years of experience and knowledge to the department and have already made impacts within the community. We will begin the year with a full-time Sergeant in charge of patrol and investigations – a first for this department.

Our policies and procedures in regards to our response to resistance, reporting methods for responses to resistance, search warrants and others have been reviewed and updated to reflect the state and federal changes, and have also been placed on our web page for anyone to review.

The department, along with their yearly training in firearms, CPR/AED & CEW weapons, completed 293 hours in areas of de-escalation and reasonable use of force, anti-bias for law enforcement, community policing, leadership, stress management, ethical decisions in law enforcement, civil rights, understanding autism disorder, missing persons with Alzheimer’s, LGBTQ+ for Law Enforcement, Child Forensic Interviewing and much , much more.

We have added new software that, among other uses, provides as an early warning system for officer behavior and allows us to identify and correct any behaviors that could lead to possible problems later. This would include proactive measures such as training, extra supervision or even dismissal if necessary.

The department has utilized grant funds to secure an online training system that can be utilized in conjunction with our early warning procedures and also provide for training , for over 1000 courses, that officers can take anywhere and anytime.

We also added five, (5), more body cameras, giving us a total of ten (10), so that all officers are issued their own body camera and are responsible for recording all interactions while on duty.

Seven, (7), new street cameras were added to the Town wide system to assist us investigating crimes, traffic accidents and other issues that may arise.

We were able to continue our community outreach in 2020 and provided five (5) meals for needy families on Thanksgiving and were able to provide six (6) meals for families at Christmas time, with the assistance of community partners and personal donations.

We look forward to the New Year and the opportunities it brings. Stay Safe!”

POLICE DEPARTMENT REPORT – “continued”

Community Engagement - Since 2013 we have added our monthly crime statistics to the police department’s web page.

In the New Year we will be adding statistical information to our web page as it pertains to traffic and pedestrian stops. With the new software we spoke of earlier officers began to familiarize themselves with the use of the software and we have the officer collecting statistical information regarding any stops of citizens, including those who only get warnings or are stopped for informational purposes. We have not decided if this will be on a monthly basis or on a 6- month basis.

The department also has plans for a new partnership with Autism Delaware and local business owners in April 2021.

Training – In 2021 we will continue to focus on specific training in areas that will provide a greater focus on law enforcement and interactions with those with special needs, emotional disturbed individuals and de- escalation along with the yearly COPT Requirements and some emphasis on issue brought about in the Presidents Interim Report on 21st Century Policing released in 2015.

Yearly Hours

Nine officers 10,150.5 hours in 2020 of that time officers worked 97 hrs of overtime and 121.5 hrs of comp time.

Officers used 506 hours of vacation, 128 sick time hours, 68 personal hours and 27 comp time hours.

Traffic Summonses –

Officers issued 65 traffic summons’s during the month of December

NOTE: The normal end of year stats will be included in next month’s report.

PUBLIC WORKS REPORT – *Code Enforcement Officer Michael Callender*

Mr. Callender presented the following report to members of the Council via e-mail prior to the meeting:

- Status Report –

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
December 2020	5	0	0	6	1

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** – Pumice Rd.; Igneous Rock Rd.; Opal Dr.; and Feldspar Rd., have been paved with base paving. Work is progressing and construction is pending a January start.
- **Alston’s Walk** – Nothing new to report. Pre-construction meeting is pending.

Town Maintenance: Pending receipt of two pallets of snow and ice melt and the order of a spreader in anticipation of coming adverse weather.

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

- a. **Revision of Land Use Ordinance** – Article 4 in progress
- b. **2020 Comprehensive Plan** – To be forwarded for PLUS review on January 9, 2021

ORDINANCES for APPROVAL – Land Use Administrator Sam Callender

Ms. Callender presented the following Ordinances for Council approval:

- **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.

Without questions or expressions of concern, a motion was made by Vice Mayor Faronea to approve all three, (3), ordinances as presented. Councilperson Moxley made a second to the motion and it passed with a unanimous roll call vote.

RESOLUTIONS:

NOTHING TO REPORT

PROCLAMATIONS:

NOTHING TO REPORT

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

OLD BUSINESS:

Mayor Kirby conducted a review of the open Town projects:

- **New Infrastructure** – Ms. Callender reported that the Committee met on December 17, 2020 and determined that before efforts can be expended on an infrastructure type, a construction location must be obtained. The Committee is discussing possible locations and is scheduled to meet again on Tuesday, January 5, 2021 at 2:00 pm.
- **Economic Development Plan & Cheswold Business and Merchant’s Association** – Mayor Kirby explained that these two committees will be combined as their interests have many commonalities. He expects to forward flyers to local business owners and merchants in February.
- **Activities Committee** – Vice Mayor Faronea reported that he has not yet made contact with Chairlady Councilperson Johnson, but he does have some additional ideas to share with her concerning proposed Town activities.
- **Park Committee** – Councilperson Wysong shared information that he received while attending a University of Delaware Living Lab Webinar on December 16. (Summary attached). He also provided the opportunity for Mr. Barry Jones, Jr. to present additional information concerning his idea for a Community Garden in the Town Park.
 - **Community Garden** – Mr. Jones informed the Council that he met with the Fence Authority and received an estimate for the construction of a fence and gate around the park. He obtained two, (2), estimates – both to provide:
 - 4’ high Three Rail treated split rail fencing with 14 ga. Welded wire and one, (1) single gate and one, (1), double gate set in concrete, with the difference being:
 - 540’ - \$9,157.46
 - 272’ - \$5,156.06

Mr. Jones also stated that he will meet with Councilperson Moxley to discuss other attributes of the Community Garden.

Fire Prevention Project – Mrs. Callender reported that installation of the water distribution lines is scheduled to start on Monday, January 11, 2021. She added that she and Town Engineer Tom Wilkes are also exploring the possibility of originating a change order to extend the water line west on School Lane to the park. If this order occurs it will solve the problem of providing water not only to the Park, but also provide additional options for homeowners on School Lane and service the Community Garden should it become a reality.

OLD BUSINESS: *"continued"*

- **Protest Plan Team** – Team Leader Chief Chris Workman recognized his members as Mayor Larence Kirby and Vice Mayor Santo Faronea. He stated that he will begin investigating existing municipal protest plans and attempt to draft a Cheswold plan for review and content participation by his team, before the next Council meeting.
- **MPO Participation** – Mayor Kirby accepted responsibility for representing the Town at MPO meetings and committed to attendance when he is notified of meetings.

NEW BUSINESS:

NOTHING TO REPORT

COMMUNITY COMMENTS:

NOTHING to REPORT

COUNCILPERSON COMMENTS:

Vice-Mayor Santo Faronea – *stated that he read that Ronny's is closing and therefore we may be at a disadvantage in getting a Christmas tree to plant. It was suggested that he try Coleman's Tree Farm in Odessa.*

COUNCILPERSON COMMENTS: *"continued:"*

Secretary/Treasurer Theon Callender – *Happy New Year to everyone and a wish for health, happiness, family and finances. She also expressed her excitement in finally having teams and committees committed to projects for the development of the Town.*

Councilperson Judith Johnson – ***ABSENT***

Councilperson Mark Moxley – *Happy New Year and the best to everyone.*

Councilperson Mike Wysong – *Requested Mr. Jones, Jr. to forward his contact information to him and stated that he will contact the University of Delaware to set up a meeting for the Living Lav.*

MAYOR KIRBY'S COMMENTS – *stated that he echoes everyones comments about finally dusting off 2020.*

Motion to Adjourn

A motion was made by Councilperson Callender seconded by Councilperson Wysong to adjourn at 7:02 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 – January 14, 2021