

Town of Cheswold
1856



State of Delaware
1787

**Town of Cheswold
Minutes of the Monthly Town Council Meeting
691 Main Street
Cheswold, Delaware 19936
Monday – May 3, 2021
6:00 p.m.
Council Members Only**

ZOOM Teleconference

1-929-205-6099 Meeting ID: 9728359352#
<https://us02web.zoom.us/j/9728359252>

The following persons were in attendance in person:

Mayor Santo Faronea
Vice Mayor Michael Wysong
Secretary/Treasurer Theon Callender
Councilperson Judith Johnson
Councilperson Mark Moxley
Councilperson Maxwell Amoako

Police Department: Chief Chris Workman (*via Zoom*) **Administration:** Town Clerk Shadina Jones (*via Zoom*)
Code Enforcement Officer: Mike Callender

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 30, 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 April 23, 2021. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Faronea at 6:02 pm and immediately followed by the Pledge of Allegiance and a Moment of Silence.

PROPERLY POSTED: Ms. Callender noted that the meeting posted was properly posted on April 23, 2021.

ROLL CALL:

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

REVIEW of AGENDA

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

REVIEW of PEVIOUS MONTHS MINUTES

Mayor Faronea 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 Moxley 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:

April 5, 2021 – Monthly Town Council Meeting

TREASURER'S REPORT:

The Vice Mayor requested Council to review the following Treasury Reports and to make any necessary statements and/or to make a motion to approve reports:

- a. The Treasurer's Reports for the **Month of March 2021**, is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	APRIL 2021
Cash Receipts	\$ 67,497.80
Cash Disbursements	\$ 62,141.01
Positive Monthly Cash Flow	\$ 5,356.79

ADMINISTRATION	April 2021
Cash Receipts	\$ 24,572.82
Cash Disbursements	\$ 35,692.35
Negative Monthly Cash Flow	(\$ 11,119.53)

POLICE DEPARTMENT	April 2021
Cash Receipts	\$ 7,818.87
Cash Disbursements	\$ 26,067.37
Negative Monthly Cash Flow	(\$ 18,248.50)

PUBLIC WORKS	April 2021
Cash Receipts	\$ 35,106.11
Cash Disbursements	\$ 381.29
Positive Monthly Cash Flow	\$ 34,724.82

b. The Treasurer’s Report, (Account Balances), for the Month of April 2021, is as follows:

as of:	April 2021
Capital Account	\$ 29,960.23
Cheswold Heritage Day Account	\$ 4,793.57
Eide Grant Fund Account	\$ 7,528.93
Public Safety Account	\$ 42,828.39
General Fund Account	\$ 124,880.03
Land Use Applicant’s Account	\$ 62,408.88
Litigation Account	\$ 11,293.78
Municipal Street Aid Account	\$ 53,185.48
Salle Grant Fund Account	\$ 3,247.83
DelDOT Projects	\$ 150,374.00

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>					

The Mayor asked for a motion to approve the Treasurers Report, including Requisitions and Proposed Purchases.

A motion was so made by Councilperson Amako and with a second from Councilperson Johnson and a unanimous roll call vote, the motion passed.

c. **2021-2022 BUDGET REVIEW** – *Secretary/Treasurer Callender*

Ms. Callender asked the Mayor and Council if everyone had received and reviewed the budget information as forwarded to them by Town Clerk Jones and if anyone had any questions, issues or concerns. When none were immediately expressed Ms. Callender asked if everyone was prepared to take a vote on the budget.

Vice Mayor Wysong expressed surprise at being asked to vote on the budget at this time and indicated that he had not received the information he felt necessary to permit him to make an informed vote. Ms. Callender explained that the information he requested previously, via email, was not available as it was not our practice to fill in the Requested column in the Edmunds accounting system and she would be glad to answer any questions or concerns that he may have. Mr. Wysong asked if Transfer Fees were the result of homes being built, and if so he didn't understand why the recommended budget revenue number was not significantly increased for 2021-2022. Ms. Callender responded that Transfer Fees are the result of homes being sold, and there is no guarantee that an increase in homes built will immediately result in the number of homes sold. Additionally, it was thought that the Alston's Walk development would be building and selling homes by now, but currently nothing is happening. And Nobles Pond has not optioned to annex their adjacent properties into Cheswold.

Mr. Wysong indicated that he desired to see what the revenue intake and expenses paid had been to date, so he could compare it to what the Administrator, (Ms. Callender), was recommending. Ms. Callender responded that he had not asked for that originally, however, she would request Ms. Jones to send a copy to him. She additionally explained with the support and assistance of Chief Workman, that the comparison of revenues and expenditures to-date is what they do, before the Administrator Recommended column is filled in. And due to the Town being so small, those reviews and discussions happen orally and then the budget columns are completed. He also stated that the Public Works total should be \$42,300. Ms. Callender explained that was a human error that would be corrected by Edmunds.

Vice Mayor Wysong added that he is concerned that the Town does not have a negative budget. Ms. Callender explained that the Town Charter, fortunately, does not require a balanced budget.

Councilperson Amoako stated that the vote should probably take place as the fiscal year for the Town begins July 1 and the budget must be approved by June 30. Ms. Callender agreed but stated that it can be reviewed and voted on at the June meeting. No other Council members requested copies of the report to be sent to Vice Mayor Wysong.

TAX COLLECTOR'S REPORT – Town Clerk Shadina Jones
Month of April 2021

TAX REPORT: FISCAL YEAR 2020 – 2021

Total Amount Billed: \$157,085.40

Total Amount Paid: \$147,506.36

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	\$ 2,577.00	\$ 421.99
02/29/2021	\$ 491.50	\$ 44.65
03/31/2021	\$ 3,070.30	\$ 661.23
04/30/2021	\$ 376.39	\$ 105.26
05/31/2021		
06/30/2021		

b. DELINQUENT TAXES – Town Clerk Shadina Jones

Ms. Jones reported that collections were light for the month and it is planned to contact Kent County to obtain the tax report for fiscal year 2021 -2022 this month. It is anticipated that the taxes will be forwarded for payment collection by June 30, 2021.

A motion was made by Councilperson Moxley to accept the Tax Report as submitted and a second was made by Councilperson Amoako. A unanimous roll call vote resulted in the passage of the motion.

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

Chief Workman presented the following April 2021 report:

Memorial – The officers of the Cheswold Police Department express their condolences to the family, friends and co-workers of Cpl. Keith Heacock, of the Delmar Police Department who was killed in the line of duty while responding to a disturbance complaint in the early morning hours of April 25, 2021.

Officers will be wearing mourning bands for the month of May in honor of Cpl. Heacock and all of the law enforcement officers who have lost their lives in the line of duty.

POLICE DEPARTMENT REPORT – “continued”

Additionally, the Department will be travelling to Bridgeville to meet other law enforcement departments to attend the funeral service of Cpl. Heacock on May 10.

Training - In 2020 we updated our policies and procedures regarding officer’s interactions with persons in crisis. As a result all officers must attend the National Alliance on Mental Illness, 40-hour, Crisis Intervention Team (CIT) Training in order to provide better understanding and service to our community when experiencing times of crisis. Chief Workman and Mst Cpl Simms will be attending this course June 14-18th.

Firearms Qualifications - Officers will be scheduled for the first firearms qualifications of the year for the month of May.

Budget – The 2021 -2022 budget has been submitted to the Mayor and Council for review. Mayor Faronea asked Chief Workman if we purchased police vehicles and the Chief explained that we participate in a lease to own arrangement that permits the Town to pay yearly for three, (3), or four, (4), years and then purchase the vehicle for a \$1.00 at the end of the term.

TRAFFIC

Traffic Violations Charged –

Officers issued 115 traffic summons’s during the month of April. These are the number of violations issued. (One traffic stop could equal 2 violations, eg. Speeding, no driver’s license)

Actual Traffic Stops - 125

Graphs depicting traffic stops made in April and dispositions, by ethnic and gender:

Male Traffic Stops

African American – 32
Caucasian – 37
Latino – 8
Other/Undetermined - 1

Female Traffic Stops

African American – 18
Caucasian – 26
Latino – 3
Other/Undetermined - 0

POLICE DEPARTMENT REPORT – “continued”

<u>Summons</u>	<u>Dispositions</u> <u>Verbal Warnings</u>	<u>Written Warnings</u>
African American – 36	African American – 6	African American – 8
Caucasian – 48	Caucasian – 9	Caucasian – 6
Latino – 11	Latino – 0	Latino – 0
Other/Undetermined - 1	Other/Undetermined - 0	Other/Undetermined - 0

In an effort to expand transparency it is added to the monthly report to show who our officer’s stop for violations and how they complete the stop.

Anyone interested in obtaining a copy of the associated graphs may send an email request to Cheswold.office@comcast.net or apply in person at Town Hall.

Monthly Activity Report –

Officers responded to or completed reports for 208 Incidents for the month of April.

Monthly Incident Report – Is on file at Town Hall and is available upon request.

A motion was made by Councilperson Moxley to accept the Police Department report as presented and a second was provided by Councilperson Amoako. The motion passed with a unanimous roll call vote of the Council.

IF YOU DON’T CALL WHO WILL – CALL 9-1-1

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</u> <u>ISSUED</u>	<u>NEW</u> <u>VIOLATIONS</u>	<u>CLOSED</u> <u>VIOLATIONS</u>	<u>BUSINESS</u> <u>LICENSES</u> <u>ISSUED</u>	<u>BUILDING</u> <u>INSPECTIONS</u>
April 2021	18	1	2	6	0

PUBLIC WORKS REPORT - *continued*

Code Enforcement Properties

- **30 New Street – UPDATE:** The Town was recently notified that this property was going up for Sheriff’s sale. This will possibly afford the Town an opportunity to recoup some of the overdue taxes and expended funds used for demolition and cleaning up the lot. The County has been informed of the debt to the Town. **PENDING**
- **33 New Street – PENDING: NO CHANGE.**
- **53 School Lane – UPDATE:** This property is in the process of having its’ application for a single family home reviewed. There have been some issues with inadequate information on the plot plan that seemingly have been corrected. **PENDING**
- **77 School Lane – UPDATE:** The property is currently in the application process for the purpose of having a home placed upon it. A plot plan has been presented to the Town and we are still awaiting their application and fee payment. **PENDING**
- **179 Commerce St. – ONGOING:** On March 30, 2021, the office received a visit from Alan Angel of Kent County Levy Court, inquiring about the property and the sink hole. A-Del erected a temporary fix to the broken storm line there in order to continue with their installation of the water main and hydrants along Commerce St. The active storm line was broken at multiple locations including the crossing and in order to prevent a possible collapse during their installation, A-Del effected these repairs. The exact nature and purpose of Mr. Angels visit is unclear being Kent County Levy Court has not jurisdiction in Cheswold. **ON-GOING**

VIOLATIONS:

- Nobles Pond Lot #290 – Heel heights revision

CONSTRUCTION PROJECTS:

- **Stonington** – Construction on the four model homes completed and all are open for tours and five, (5), more permits have been issued.
- **Alston’s Walk – NO CHANGE** Pre-construction meeting is pending.

PUBLIC WORKS REPORT - *continued*

Town Maintenance

- **Fire Prevention Project** – The water/fire hydrant installation has been completed including the stormwater pipe repair underneath School Lane. Paving took place last week between Monday and Thursday and was fully completed on Friday. The last items to be completed are a walk through with all representatives to generate a punch list of outstanding items for A-Del. And for them to clear all equipment from the staging area and return the site to its' previous condition or better.
- **Town Signs** – The installation of Resident Parking and other signs throughout Town will continue along Commerce St., New and West Streets.

Vice Mayor Wysong made a motion to accept the Public Works report as presented. A second to the motion was made by Councilperson Johnson and it passed with a roll call vote.

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

- Revision of Land Use Ordinance** – Article 4 continues to be in progress.
- 2020 Comprehensive Plan** – Ms. Callender reported that she completed the legislative revisions required by the feedback from the PLUS review, by making the necessary corrections and/or associated changes and providing a written list of the requested revisions and how they were revised. A response is pending from the Office of State Planning Coordination.
- Commission Personnel** – Ms. Callender informed the Mayor and Council that two, (2), members of the Planning Commission have given notice of their intent to leave the board.

Commissioner Barbara Cooper has decided to sell her home in Nobles Pond and will be leaving very soon. Ms. Cooper brought a wealth of knowledge, information and experience to the Commission in her abilities as a Master Code Professional and will be greatly missed. Fortunately, Mr. David Naples, our Building Inspector and a Master Code Professional has volunteered to take her place on the Planning Commission.

In addition, Planning Commission Chairperson Barry Jones, Sr., has informed that he will be resigning his position at the end of the year. Barry has served the Commission well for more than five, (5), years and is the Commissioner with the most seniority and Commission experience.

Ms. Callender requested the Mayor and Council to begin a search for someone to fill the seat to be left vacant by Mr. Jones.

ORDINANCES for REVIEW/APPROVAL – Town Administrator Sam Callender

ORDINANCES:

NOTHING TO REPORT

RESOLUTIONS: 01-15-16-081 All Hazard Mitigation Plan

Ms. Callender presented the above titled and numbered resolution to the Council, in association with receiving certain federal assistance for risks from and vulnerabilities to, natural technological and terrorist threats and to make recommendations on mitigating the effects of such hazards on the Town in cooperation with Kent County.

A motion to approve the Resolution was made by Councilperson Wysong and a second by Councilperson Moxley. A unanimous roll call vote passed the motion.

PROCLAMATIONS:

NOTHING TO REPORT

OLD BUSINESS:

Mayor Faronea requested a review of the open Town projects:

- **New Infrastructure** – Ms. Callender – Team meetings on hold until direction is received for American Rescue Plan.
- **Economic Development Plan & Cheswold Business and Merchant’s Association** - Mayor Faronea asked Councilperson Amoako if he would accept responsibility for this project and Mr. Amoako accepted.
- **Activities Committee** – Councilperson Johnson – Suggested that Heritage Day may be held when the Park makes its grand opening. Mayor Faronea informed Ms. Johnson that he will talk to her about some ideas he has for the Committee.
- **Park Committee** – Vice Mayor Wysong Informed the Council that we were denied for the park grant from U.S. Congresswoman Rochester. There were 150 applications and each Congress person was only allotted 10 grants.

OLD BUSINESS: *"continued"*

Councilperson Amoako inquired as to why there are no provisions for a basketball court at the park. He explained the problems that he and others encounter in Parkers Run with children using the street as their court. Vice Mayor Wysong responded that he was informed at one time that a basketball court may result in an element that is not wanted or needed in time and asked the Chief for his thoughts.

Chief Workman stated that they have little to no issues at the half court that it is in the park now.

Ms. Callender interjected that Vice Mayor Wysong had obtained that impression from her based on her experiences that basketball courts set up in the neighborhood for neighborhood children eventually attracted older teenage and young adults and problems.

Chief Workman suggested that only a half court be installed or left at the park instead of a full court. Vice Mayor Wysong promised to take a basketball court into design consideration.

- **Community Garden** – Vice Mayor Wysong asked if anyone had heard from Mr. Jones, Jr., during the month and Ms. Callender responded that Ms. Jones, after last month's meeting had requested Mr. Jones, Jr., to come in and speak with her about his ideas for raising funds for the garden, but he did not and did not call, e-mail or text her.

Ms. Callender also shared that she discussed the feasibility of raising funds for the garden through a Go Fund Me account with the Town Attorney and had been advised that he does not recommend it. Although there is nothing in the Charter prohibiting it, there is also nothing granting permission to do so. Go Fund Me is so new that there is no case law to support it or ban it, but he said towns that are going bankrupt would probably have used it if it is permissible to do so.

Vice-Mayor Wysong asked if there is anything to stop Mr. Jones from collecting on his own and then donating the collection to the Town. Ms. Callender responded no, however the solicitation cannot be on behalf of the Town or use any Town letterhead or references to the Town as a part of the collection. In addition, Mr. Jones would have to understand once the funds were donated to

OLD BUSINESS: *"continued"*

the Town they will become Town funds and will be used for anything the Town deems necessary,, which may include the garden and may not depending on the financial status of the Town at the time.

- **Fire Prevention Project** – Mrs. Callender stated that the project was complete as reported earlier by Mike Callender. However, he and Shadina Jones were working with the Chamber of Commerce to conduct a ribbon cutting ceremony to be held in the Town park in June.
- **Protest Plan Team** – Team Leader Chief Chris Workman – The Chief reported that he has forwarded a document to the Mayor and Town Administrator for review.
- **MPO Participation** – Mayor Faronea stated that he will be attending his first MPO meeting, via ZOOM, on May 5 and will provided a report.
- **AMERICAN RESCUE PLAN ACT** – Mrs. Callender reported that she submitted the 2019-2020 approved budget as required. She was also informed that the Town must have a valid DUNS number which she re-activated.
- **COVID-19 RETURN to WORK GUIDELINES** – Ms. Callender raised the concern for providing a guideline for returning to work for COVID-19 situations now, instead of waiting until a situation arises. She shared the results of a survey completed by various Town Managers/Administrators in Delaware concerning the issue.

Chief Workman explained the importance of having a guideline that addresses all employees that may be affected by exposure to COVID-19. He also provided additional information on the Families First Coronavirus Response Act, (FFCRA), which expired on March 31, 2021, and was a benefit to all employers seeking tax relief for paying employees out of work due to the pandemic.

Ms. Callender suggested that due to the size of our workforce we should continue to pay employees as we did under FFCRA and Chief Workman suggested that we review the guideline at the end of the year.

A motion was made by Councilperson Moxley with a second from Councilperson Amoako that Chief Workman and Ms. Callender prepare a guideline that provides for employees to be paid under the guidelines of the FFCRA and for the Council to review the guideline for sustainability at the end of the year. A unanimous roll call vote passed the motion.

NEW BUSINESS:

- **Delaware Recycles**

Ms. Callender shared re-cycling information received from Mr. Greg Williams of DNREC. Delaware endorses a single stream re-cycling system where all traditional recyclables such as cans, cardboard, cartons, glass bottles and jars, paper, and plastics are placed in the same container, (can or dumpster), separate from the trash.

Everyone is encouraged to obtain specific information at DE.gov/recycling

COMMUNITY COMMENTS:

Nothing to Report

COUNCILPERSON COMMENTS:

Vice-Mayor Michael Wysong – *Asked if there were any updates about a Spring Clean-Up. Ms. Jones responded that she had reached out to her contact and is waiting for a response.*

Secretary/Treasurer Theon Callender – *NOTHING to REPORT*

Councilperson Judith Johnson – *Reported that she will be out of Town from June 12 – June 16. She also asked what is the height requirement for fences in Town. Code Officer Mike Callender responded that it is 6 feet, Councilperson Amoako asked if it is the same for Parkers Run and Mr. Callender responded that it's 6-1/2 feet according to their HOA, but it cannot exceed the Town's ordinance height, so it's 6 feet.*

Councilperson Mark Moxley – *NOTHING to REPORT*

Councilperson Maxwell Amoako – *Provided information that Maturity Maturity sends seniors to work for organizations and the Center pays the senior for four years. Ms. Callender thanked him and agreed to follow -up.*

MAYOR FARONEA'S COMMENTS – *Informed the Council that Ms. Jones and Ms. Callender are not in a position to perform secretarial duties for Council members. So Council members with projects should understand they are required to make their own phone calls, copies, contacts and what may be needed to make their project a success. Ms. Callender added that Ms. Jones and she remain available to provide guidance; answer questions; provide contact names, numbers and addresses if needed.*

The Mayor also shared his plan to conduct an introduction to the Council and Staff of the Town of Cheswold to the residents of Nobles Pond. A date of Thursday, June 24 was suggested and the Mayor will confirm as soon as possible. He also expressed his desire to have Chief of Police Workman, Town Clerk Jones, Public Works Director Callender, and Fire Chief Dempsey attend.

Motion to Adjourn

A motion was made by Councilperson Callender seconded by Councilperson Moxley to adjourn at 7:47 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 – May 5 2021