



**Town of Cheswold
Minutes of the Monthly Town Council Meeting
691 Main Street
Cheswold, Delaware 19936
Tuesday – August 2, 2021
5:30 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 - Excused

Administration: Town Clerk Shadina Jones -Excused

Administrative Clerk: Camryn Tunnell

Public Works: Code Enforcement Office 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 July 26, 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 5:30 pm.

PLEDGE of ALLEGIANCE and MOMENT of SILENCE

Was conducted during the Public Hearing held previous to Town Council meeting.

PROPERLY POSTED: Ms. Callender noted that the meeting posted was properly posted on June 29, 2021.

ROLL CALL:

Mayor Faronea requested Administrative Clerk Camyrn Tunnell 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.

Councilperson Moxley made a motion to accept the agenda as presented and Councilperson Amoako 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:

July 6, 2021 – Monthly Town Council Meeting

TREASURER'S REPORT:

The 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 July 2021**, is as follows:

Monthly Cash Flow Comparisons	
TOWN of CHESWOLD	JULY 2021
Cash Receipts	\$ 108,182.07
Cash Disbursements	\$ 62,948.32
Positive Monthly Cash Flow	\$ 45,233.75

ADMINISTRATION	JULY 2021
Cash Receipts	\$ 77,058.87
Cash Disbursements	\$ 38,419.43
Positive Monthly Cash Flow	\$ 38,639.44

POLICE DEPARTMENT	JULY 2021
Cash Receipts	\$ 3,409.66
Cash Disbursements	\$ 23,801.07
Negative Monthly Cash Flow	(\$ 20,391.41)

PUBLIC WORKS	JULY 2021
Cash Receipts	\$ 27,713.64
Cash Disbursements	\$ 727.82
Positive Monthly Cash Flow	\$ 26,985.72

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

as of:	JULY 2021
Capital Account	\$ 29,970.63
Cheswold Heritage Day Account	\$ 4,791.57
Eide Grant Fund Account	\$ 4,504.90
Public Safety Account	\$ 44,618.21
General Fund Account	\$ 179,636.82
Land Use Applicant's Account	\$ 64,587.50
Litigation Account	\$ 506.53
Municipal Street Aid Account	\$ 51,094.72
Salle Grant Fund Account	\$ 1,689.91
DelDOT Projects	\$ 107,654.00
ARPA	\$ 349,915.75

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					

c. 2021-2022 BUDGET REVIEW/VOTE – Town Clerk Shadina Jones

Ms. Jones submitted the following Budget Summary for fiscal year 2021-2022 for review and approval:

BUDGET SUMMARY

ANTICIPATED REVENUE:

Cash Carry-Over 2019 – 2020 (<i>As of 6/30/21</i>)	\$ 148,176.26
General Fund (<i>Administration</i>)	\$ 434,500.00
Police Department	\$ 86,125.27
Public Works	\$ 206,900.00
Capital Account – Cash Carry-Over (<i>As of 6/30/21</i>)	\$ 29,967.57
Cheswold Heritage Day Account Cash Carry-Over (<i>As of 6/30/21</i>)	\$ 4,793.57
TOTAL	\$ 910,462.67

ANTICIPATED EXPENSE:

General Fund* (<i>Administration</i>)	\$ 597,166.60
Police Department	\$ 343,189.05
Public Works	\$ 22,300.00
Capital	\$ 10,000.00
Cheswold Heritage Day	\$ 1,000.00
TOTAL	\$ 973,655.60

DIFFERENCE \$ -63,192.93

****Includes Vann Litigation Payment of \$45,000***

Councilperson Amoako asked if the car issue with the Chief had been resolved. Mrs. Callender responded yes, it has been.

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

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

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

TAX REPORT: FISCAL YEAR 2021 – 2022

Total Amount Billed: \$160,690.95

Total Amount Paid: \$33,601.18

As of:	Current Year:	Past Due Paid:
07/31/2021	\$ 33,601.18	\$ 867.88
08/31/2021	\$	\$
09/30/2021	\$	\$
10/31/2021	\$	\$
11/30/2021	\$	\$
12 /31/2021	\$	\$
01/31/2022	\$	\$
02/29/2022	\$	\$
03/31/2022	\$	\$
04/30/2022	\$	\$
05/31/2022	\$	\$
06/30/2022	\$	\$

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

POLICE DEPARTMENT REPORT – *Chief Christopher Workman:*

Chief Workman presented the following July 2021 report prior to the meeting:

Chief's Appointment – On July 21, 2021, Chief Workman was appointed as a member of the Board of Governors for the Small & Rural Law Enforcements Executives Association, (SRLEEA).

The Small & Rural Law Enforcement Executives' Association (SRLEEA) is a professional organization of police executives and law enforcement officers representing small, rural & tribal agencies in the United States. The SRLEEA provides an exclusive opportunity for small, rural & tribal police chiefs, sheriffs, and other law enforcement officials to work together to advocate for, strengthen, unite, and raise the capacity of small, rural & tribal law enforcement executives and the communities they serve.

POLICE DEPARTMENT REPORT – “continued”

Hiring – The department has received one application and is currently running background checks on the applicant.

Training – Mst. Cpl Eric Cooper has been scheduled to complete Taser Instructor Training on Aug. 16th in Yeadon, PA. Cost of the training has been provided through grant funds.

State of Delaware Accreditation - On June 2, 2021, the Cheswold Police department with the assistance of the Department of Accreditation initiated the process for the Cheswold Police Department to become a State Accredited Law Enforcement Agency. During this time there will be some policy reviews and changes to help us become more efficient and up-to-date with those procedures.

Violent Crimes Grant V-03-22 – The Cheswold Police Department has received \$20,311.43 in grant funds for the 2022 Violent Crimes Grant. The current proposed items for purchase through the grant is a new camera in the area of Parkers Dr. and Main St to add to our current cameras, upgrade/change of duty weapons from .40 cal to 9mm, ten (10) signal sidearm units which work together with our body cameras to signal the camera when an officers duty weapon is removed from its holster, and the remaining funds to be used for extra overtime patrols and investigations.

Kent County Law Enforcement Grant – Levy Court VP At-Large Terry Pepper and 3rd District Commissioner Allan Angel will be on hand at Town Hall on Tuesday, Aug. 3rd to present The 2021 Grant to the Chief and Town officials at 9:30am.

TRAFFIC

Traffic Violations Charged –

Officers issued 150 traffic summons’s during the month of June. These are the number of violations issued. (One traffic stop could equal 2 violations, eg. Speeding, no driver’s license)

Actual Traffic Stops - 135

Graphs depicting traffic stops made in May and dispositions, were presented to the Council. The following reflects the data depicted on the graphs by ethnic and gender:

POLICE DEPARTMENT REPORT – “continued”

Male Traffic Stops

African American – 38
Caucasian – 43
Latino – 5
Other/Undetermined - 0

Female Traffic Stops

African American – 24
Caucasian – 20
Latino – 3
Other/Undetermined - 1

<u>Summons</u>	<u>Dispositions</u>	<u>Written Warnings</u>
African American – 50	<u>Verbal Warnings</u> African American – 7	African American – 5
Caucasian – 49	Caucasian – 9	Caucasian – 6
Latino – 7	Latino – 0	Latino – 1
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 188 Incidents for the month of June.

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

A motion was made by Vice Mayor Wysong to approve the Police Department report as submitted. A second to the motion was made by Councilperson Anoako and a roll call vote passed the motion.

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 ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
July 2021	10	0	0	12	2

- **30 New Street – UPDATE:** There has been no update on the sale of this property. **PENDING**
- **33 New Street – PENDING:** This property has had a recent inquiry concerning its' sale status.
- **53 School Lane – UPDATE:** This property's second home installation has been completed.
- **77 School Lane – UPDATE:** This office is currently awaiting further communication with the property owner regarding the plot plan.
- **179 Commerce St. –** It has come to the attention of the Town that Mr. Dowd is now in the processing of attempting to give away and/or gift this property to anyone showing an interest in purchasing properties that he is attempting to sell elsewhere. However, he may be omitting pertinent information regarding the current status of this property. **PENDING**

VIOLATIONS: *Nothing to Report*

CONSTRUCTION PROJECTS:

- **Nobles Pond** - Construction continues as usual
- **Stonington** – Construction continues as usual
- **Alston's Walk** – Nothing new to report. There has been limited contact with the property owners related to the upkeep of the property.
- **Parker's Run** – It has come to the attention of the Town that there has been an epidemic of un-permitted above ground pools installed in the community. A list of addresses has been provided to the Town and the Town will contact the HOA to rectify or verify these matters.

Town Maintenance

- **Town Signs** – The installation of Resident Parking and other signs throughout Town will continue along Commerce St. and New Streets.

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

- a. **Revision of Land Use Ordinance** – Article 4 continues to be in progress, and a decision has been made by the Town Engineer and Land Use Administrator to totally revise the Article to reflect the process currently in use.
- b. **2020 Comprehensive Plan** – Ms. Callender reported that the Plan is with the State for submission to the Governor for signature.

ORDINANCES for APPROVAL – *Town Administrator Sam Callender*

Ms. Callender presented the following Ordinances for a vote of approval from the Town Council based on the results of the Public Hearing, held just prior to the Town Council meeting, at which no objections were presented the public:

a. **Ordinance 07-20-10-006** **Ordinance Establishing Business Licenses**

Purpose: This Ordinance was enacted to establish fees, processes and requirements of obtaining a Business License within the corporate limits of the Town of Cheswold, associated with the building, addition, alteration and/or demolition of any building structure, or goods and services provided. And to additionally establish a fair and equitable method of licensing various business types operating within the Town in any given year.

Revision: Section 7 - General Standards of Conduct. Revised Section 7.1.4; inserted Section 7.1.5 to 7.1.7, to be consistent with other revised Ordinances of this Public Hearing.

b. **Ordinance 07-20-10-007** **Ordinance Establishing Building Permits**

Purpose: This Ordinance was enacted to establish the process and requirements of obtaining a building permit and the most appropriate use of wetland associated with the specific details of the forms, fees, fines aligned with the building permit process. The overall Ordinance considers the physical growth, revitalization, preservation and development of the community.

Revision: Section 8 - General Standards of Conduct to be revised to insert Sections 8e -8h, to be consistent with other revised Ordinances of this Public Hearing.

c. **Ordinance 04-08-13-014** **Ordinance for Noise Control**

Purpose: This Ordinance was enacted to protect, preserve and promote the health, safety, welfare, peace and quiet for the citizens of the Town of Cheswold through the reduction, control and prevention of noise. The intent of this Ordinance was to establish standards which will eliminate and reduce unnecessary noise which are physically harmful or otherwise detrimental to the enjoyment of life, property and maintenance of business.

Revision: Section 5.2.6 to be revised to add specific guidelines concerning construction notes. Revised Section 5.2.6.c and added Section s 5.2.6.d to Sections 5.2.6.f, to be consistent with other revised Ordinances of this Public Hearing.

Revision Content of Above Ordinances:

1. Construction shall not be permitted to occur before the hour of 7:00 a.m ., and after the hour of 8:00 p.m., prevailing time, which requires outside lighting or which produces noise which would reasonably be expected to disturb any person in the neighborhood.
2. Construction shall not be permitted to occur on a Sunday, except for instances that are proven necessary for the welfare, health and safety of the public or is interior construction. *(See 4 below)*
3. Construction shall not be permitted to occur on a legal holiday, except for instances that are proven necessary for the welfare, health and safety of the public or is interior construction. *(See 4 below)*
4. Interior construction shall be permitted on Sundays, and legal holidays, but it must cease by 7:00 p.m., except for instances that are proven necessary for the welfare, health and safety of the public, in which cases construction may continue until the issue has been deemed habitable.

d. Ordinance 05-04-15-009 Ordinance for Residential Property Registration and Inspection

Purpose: It is the intent of the Town of Cheswold that landlords renting a residential property or properties, within the corporate limits of the Town of Cheswold provide and maintain publichealth, safety and welfare of renters, insofar as they are affected by the continued habitation of leased properties.

Revision: Remove Section 10 d - " Copy of Criminal Activity Lease Addendum signed by property owner and tenant.", as suggested by the Delaware State Housing Authority to avoid infringement of Federal Fair Housing Law.

e. Ordinance 06-15-20-059 Revision of the Ordinance for the 2020 Comprehensive Plan

Purpose: To meet the requirements of Title 22 §702 of the Delaware Code. The requirements are designed to encourage the most appropriate uses of the physical and fiscal resources of the municipality and the coordination of municipal growth, development and infrastructure investment actions with those of other municipalities, counties and the State through a process of municipal planning.

Revision: The 2020 Comprehensive Plan of the Town of Cheswold will be revised to reflect the legislative changes suggested and required by the Office of State Planning Coordination and documented in Section of Ordinance #06-15-20-059. (*Suggested changes and revisions attached*)

A motion was made by Vice Mayor Wysong to approve all of the revised Ordinances as submitted. Councilperson Moxley made a second to the motion as presented and an unanimous roll call vote of the Council passed the motion.

RESOLUTIONS for APPROVAL:

NOTHING TO REPORT

PROCLAMATIONS:

NOTHING TO REPORT

OLD BUSINESS:

Mayor Faronea requested a review of the open Town projects:

- **New Infrastructure** – Ms. Callender informed the Mayor and Council that Senator Dave Lawson has arranged for the approval of a \$750,000 infrastructure grant from the Joint Committee on Capital Improvement. Ms. Callender will provide some required information to the Controller General in order for the allotment to be processed.
- **Economic Development Plan & Cheswold Business and Merchant’s Association** - Councilperson Amoako has nothing to report.
- **Activities Committee** – Councilperson Johnson suggested that she and the Mayor begin working on a Flea Market as a potential activity. The Mayor agreed. However, Ms. Johnson that the term “Heritage”, be removed from the Cheswold Heritage Day title. When questioned as to why, she responded that she is receiving complaints from “native” Cheswoldians that the persons currently handling Cheswold business, do not have a “heritage” in Cheswold. After some detailed discussion, it was explained that a lot of thought went into the selection of the term “heritage”, and it was chosen, because it is a living word and that every and anyone who lives or has lived in Cheswold has the opportunity to participate in its heritage.

It was also explained that the word was selected to represent the total of persons residing in Cheswold not just "native" born persons, because a lot of different "native" heritages contributed to its development.

Additionally, it was suggested that Ms. Johnson should ask those people who are complaining, what they have done, or are doing to assist Cheswold to grow in the past and in the future.

It was ultimately decided that the term "Heritage" would not be removed from the title.

- **Park Committee** – Vice Mayor Wysong – Nothing new to report.
- **Fire Prevention Project – COMPLETE / July 6, 2021**
- **Protest Plan Team** – Pending review by Town Administrator.
- **MPO Participation** – The Mayor reported that a meeting is scheduled for July 7.
- **AMERICAN RESCUE PLAN ACT** – Mrs. Callender reported that she has completed a preliminary review of what potential projects the Town can expend funds. She is currently suggesting the following:
 - **Code Red – a communication system that will reach all Town residents and businesses**
 - **Park**
 - **Community Garden**

She has found sections in the Interim Final Rule that will permit expenditures for the Park and Community Garden and is searching for a permitted expenditure edit for Code Red.

In addition, she and Town Clerk Jones are pursuing opening a separate bank account to house and track the ARPA funds.

NEW BUSINESS:

- *Nothing to Report*

COMMUNITY COMMENTS:

Nothing to Report

COUNCILPERSON COMMENTS:

Vice-Mayor Michael Wysong – *stated he will not be in attendance for the September meeting and requested to be excused.*

Secretary/Treasurer Theon Callender – *NOTHING to REPORT*

Councilperson Judith Johnson – *NOTHING to REPORT*

Councilperson Mark Moxley – *stated that there is a potential steel mill business being conducted on the Evans Farm property without a business license. Code Enforcement Officer Callender will investigate and provide a report.*

Councilperson Maxwell Amoako – *NOTHING to REPORT*

MAYOR FARONEA'S COMMENTS – *inquired about a location on Kenton Road that is or was possibly a ice cream store. Ms. Callender stated that the property is not in Cheswold.*

Motion to Adjourn

A motion was made by Councilperson Callender seconded by Councilperson Johnson 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 – August 11, 2021