



**Town of Cheswold  
Minutes of the Monthly Town Council Meeting  
691 Main Street  
Cheswold, Delaware 19936  
Tuesday - October 4, 2021  
5:00 p.m.**

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

**PLEASE NOTE; REPORTS and MINUTES INCLUDE SEPTEMBER & OCTOBER INFORMATION AS SEPTEMBER MEETING ADDRESSED ITEMS REQUIRING IMMEDIATE ATTENTION ONLY**

The following persons were in attendance in person:

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

**Police Department:** Chief Chris Workman

**Administration:** Town Clerk Shadina Jones

**Public Works:** Code Enforcement Office Mike Callender

**Administrative Clerk:** Camryn Tunnell

**Town Engineer:** Thomas Wilkes, P.E.

**APPLICANTS:**

Mr. Kale English - representing Partners Real Estate, LLC  
Mr. Justin Olear – representing Nobles Pond

**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 September 27, 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 5:02 pm.

**PLEDGE of ALLEGIANCE and MOMENT of SILENCE**

The Mayor led the attendees in the Pledge of Allegiance which was followed by a Moment of Silence.

**PROPERLY POSTED:** Administrative Clerk Camryn Tunnell noted that the meeting posted was properly posted on September 27, 2021.

**ROLL CALL:**

Mayor Faronea requested Administrative Clerk Tunnell to call the roll. And with five, (5), members of the six (6) person Council present, Ms. Tunnell 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 Wysong 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 and Public Hearing 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:

August 2, 2021 – Monthly Town Council Meeting  
August 2, 2021 – Public Hearing Meeting  
September 7, 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 August and September 2021**, is as follows:

**Monthly Cash Flow Comparisons**

TOWN of CHESWOLD	AUGUST 2021	SEPTEMBER 2021
Cash Receipts	\$ 178,559.11	\$130,277.65
Cash Disbursements	\$ 72,876.15	\$ 72,770.84
<b>Positive Monthly Cash Flow</b>	<b>\$ 105,682.96</b>	<b>\$ 57,506.81</b>

ADMINISTRATION	AUGUST 2021	SEPTEMBER 2021
Cash Receipts	\$ 128,753.07	\$ 83,099.62
Cash Disbursements	\$ 46,011.61	\$ 44,578.92
<b>Positive Monthly Cash Flow</b>	<b>\$ 82,741.46</b>	<b>\$ 38,520.70</b>

POLICE DEPARTMENT	AUGUST 2021	SEPTEMBER 2021
Cash Receipts	\$ 15,912.31	\$ 23,435.76
Cash Disbursements	\$ 26,249.54	\$ 27,558.81
<b>Negative Monthly Cash Flow</b>	<b>(\$ 10,337.23)</b>	<b>(\$ 4,123.05)</b>

PUBLIC WORKS	AUGUST 2021	SEPTEMBER 2021
Cash Receipts	\$ 33,893.73	\$ 23,742.27
Cash Disbursements	\$ 615.00	\$ 633.11
<b>Positive Monthly Cash Flow</b>	<b>\$ 33,278.73</b>	<b>\$ 23,109.16</b>

Councilperson Amoako asked Chief Workman why the Police Department consistently has a Negative Monthly Cash Flow.

Chief Workman explained that the expenses associated with the Police Department are generated by salary, insurance and pensions, which are paid from General Funds but attributed to the Police Department as part of the record. Also, cash receipts for the Police Department are generated by fines and fees which will always exceed the expenses. Grant income and expenses are not recorded or reported on the Monthly Cash Flow Comparison Report as it reflects only funds associated to the General Fund. Should grant income and expenses be added to the report, there would be potentially be a Positive Monthly Cash Flow for the Police Department..

**TREASURER'S REPORT:** "continued"

b. The Treasurer's Report, (Account Balances), for the Month of August and September 2021:

as of:	AUGUST 2021	SEPTEMBER 2021
Capital Account	\$ 29,973.68	\$ 29,976.64
Cheswold Heritage Day Account	\$ 4,798.57	\$ 4,607.69
Eide Grant Fund Account	\$ 4,504.90	\$ 4,396.86
Public Safety Account	\$ 47,262.19	\$ 47,266.85
General Fund Account	\$ 281,451.99	\$ 231,466.27
Land Use Applicant's Account	\$ 62,067.09	\$ 61,484.38
Litigation Account	\$ 19,244.18	\$ 15,481.81
Municipal Street Aid Account	\$ 49,763.13	\$ 61,785.96
Salle Grant Fund Account	\$ 1,669.91	\$ 718.12
DelDOT Projects	\$ 107,652.00	\$ 107,650.00
ARPA	\$ 349,915.75	\$ 349,915.75
Municipal Complex Building	\$ 750,000.00	\$ 750,000.00

c. Requisitions –

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

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>
<b><i>NOTHING TO REPORT</i></b>					

A motion to accept the Treasurer's Report, as presented was made by Councilperson Wysong and Councilperson Amoako 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:

**TAX COLLECTOR'S REPORT** – *Town Clerk Shadina Jones*  
*Month of August and September 2021*

**TAX COLLECTOR'S REPORT** - "continued"

**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
<b>08/31/2021</b>	<b>\$ 97,083.11</b>	<b>\$ 300.12</b>
<b>09/30/2021</b>	<b>\$ 15,928.44</b>	<b>\$ 1,171.23</b>
10/31/2021	\$	\$
11/30/2021	\$	\$
12 /31/2021	\$	\$
01/31/2022	\$	\$
02/29/2022	\$	\$
03/31/2022	\$	\$
04/30/2022	\$	\$
05/31/2022	\$	\$
<b>06/30/2022</b>	<b>\$</b>	<b>\$</b>

**b. DELINQUENT TAXES – Town Clerk Shadina Jones**

Councilperson Amoako asked for the time span of delinquent taxes. Ms. Jones responded that the system can only retain seven, (7), years of delinquent tax information. She also stated that in comparison with collections from previous years, this year is going extremely well.

**POLICE DEPARTMENT REPORT – Chief Christopher Workman:**

Chief Workman presented the following August and September 2021 report prior to the meeting:

**AUGUST:**

**Hiring** – The Department will present Mr. Brendin Peters as the new recruit for the Cheswold Police Department to the Mayor and Council at the September Town Council meeting. He will begin the 93<sup>rd</sup> Municipal Police Academy at the Delaware State Police Academy on October 4, 2021.

**Training** – All officers will participate in ASP, (baton), recertification on Sept. 9<sup>th</sup> from 0800 to 1200.

## POLICE DEPARTMENT REPORT – “continued”

**Training** – September 20 – 24, 2021, Chief Workman will be attending the Greater Chesapeake FBI-Law Enforcement Executive Development course in Ocean City, MD.

**State of Delaware Accreditation** – The Department with the assistance of DHS are continuing to work on the accreditation process.

**Kent County Law Enforcement Grant** – Kent County Levy Court presented a check to the Cheswold Police Department in the amount of \$12,441.31. These funds will be used for various law enforcement needs such as: training; software licensing and equipment.

## **SEPTEMBER:**

**Training** – The scheduling of the Fall '21 Firearms qualification dates is in progress.

**Training** – Chief Workman and Sgt. Kline will be attending the 2021 Delaware Chief's Conference in Bethany Beach, October 19 -21, 2021.

**State of Delaware Accreditation** – The Department with the assistance of DHS are continuing to work on the accreditation process.

**Recruit** – The Town's newest officer, Recruit Brendin Peters started the Academy effective today, October 4, 2021.

**COPS Grant 2017** – The COPS hiring grant awarded in 2017 has been officially closed out. The officer hired under this grant has moved on to another department and there is a requirement that the officer be hired for 36 months.

**2019 CERF Grant (CJC)** – The 2019 CERF Grant has been closed and final paperwork submitted to the Criminal Justice Council.

## **TRAFFIC**

### ***Traffic Violations Charged – August and September 2021***

**August** - Officers issued 153 traffic summons's.

**September** - Officers issued 153 traffic summons's.

These are the number of violations issued. (One traffic stop could equal 2 violations, eg. Speeding, no driver's license)

**POLICE DEPARTMENT REPORT – “continued”**

***Actual Traffic Stops – August (149) and September (134)***

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

**Male Traffic Stops**

	<u>Aug.</u>	<u>Sept.</u>
African American	40	37
Caucasian	32	42
Latino	7	6
Other/Undetermined	0	2

**Female Traffic Stops**

	<u>Aug.</u>	<u>Sept.</u>
African American	32	19
Caucasian	29	26
Latino	4	2
Other/Undetermined	2	0

**Dispositions**

**Summons**

	<u>Aug.</u>	<u>Sept.</u>
African American	57	44
Caucasian	50	63
Latino	9	8
Other/Undetermined	4	2

**Verbal Warnings**

	<u>Aug.</u>	<u>Sept.</u>
African American	8	6
Caucasian	7	3
Latino	1	0
Other/Undetermined	1	0

**Written Warnings**

	<u>Aug.</u>	<u>Sept.</u>
African American	7	6
Caucasian	4	2
Latino	1	0
Other/Undetermined	0	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](mailto:Cheswold.office@comcast.net) or apply in person at Town Hall.

**Monthly Activity Report –**

Officers responded to or completed reports for 154 Incidents for the month of August.

Officers responded to or completed reports for 155 Incidents for the month of September.

**POLICE DEPARTMENT REPORT – “continued”**

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

Vice Mayor Wysong inquired as to the time limit of the recruit being available for street duty. The Chief explained that graduation from the Academy will occur 26 weeks from today and then the recruit will be on the street under the supervision of a training officer.

A motion was made by Councilperson Moxley to approve the Police Department report as submitted. A second to the motion was made by Vice Mayor Wysong 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>
August 2021	12	6	0	12	1
September 2021	15	2	6	12	2

**The following represents the Code Enforcement Property status for both August and September:**

- **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:** The home has been completely placed and inspected, though it has not received its' certificate of occupancy, as the deck and steps to access the ome are currently out of compliance.



**PUBLIC WORKS REPORT** – *"continued"*:

- **77 School Lane – UPDATE:** This office is currently awaiting further communication with the property owner regarding the plot plan. Nothing has changed to-date.
- **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** – First phase has been completely paved and striped.
- **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. No response has been received from the HOA regarding the pool issue, though one residence has removed their pool, which was easily visible from the street.

**Town Maintenance**

- **Town Signs** – Nothing new to report.

A motion was made by Councilperson Moxley to approve the Public Works report as submitted. A second to the motion was made by Vice Mayor Wysong and a roll call vote passed the motion.

**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. Nothing new to report.

b. **PC Memo 2021-003**

- **Lot Line Application #2021-03-02-096**
- 262/278 Main Street
- Map ID 4-03-04611-01-1000-000
- .47 Acres
- Zoned: C-1
- Owner: Partners Real Estate, LLC
- Applicant: Mr. F. Kale English

Mr. English explained that he is originally from Clayton and thus is familiar and concerned about the area. He is also involved in commercial real estate from Wilmington to Sussex County.

It is the desire of his company to improve the property on which the current Cheswold Post Office resides. To do that requires a loan and as the property currently exists it would require a mixed-use loan which runs from 8 to 9%. Dividing the lot into two, (2), lots will permit the company to acquire a lower rate loan and thus improve the property conditions, including providing a new parking lot. Councilperson Moxley asked if that meant the Post Office parking lot would be extended and Mr. English responded yes.

Ms. Callender noted that the Lot Line Adjustment Application had been reviewed by the Planning Commission and the Town Engineer and both recommended approval to the Town Council.

With no further questions or concerns voiced, a motion was made by Vice Mayor Wysong to approve the application as submitted, and a second to the motion was made by Councilperson Amoako. A majority roll call vote passed the motion.

Ms. Callender informed Mr. English that he would receive written notification of the approval of the Lot Line Adjustment that he should submit to the Kent County Recorder of Deeds along with a copy of his detailed plan.

**PLANNING COMMISSION REPORT – “continued”**

**c. Lot Line Application #2021-909-24-102**

- Applicant: Mr. Justin Olear
- Location: Nobles Pond – Phase 2A
- Zoned: R-5

Ms. Callender explained to the Mayor and Town Council that this application was associated and connected to a previously approved Lot Line Application 2018-05-29-066. She additionally explained that nothing changed from one application to other and the purpose of the new application was simply to make it date applicable. Therefore, it was being submitted for records purposes and an additional fee was not charged.

Mr. Olear also explained that the original and continuing intent was reduce to the density of the property by not constructing carriage houses but wider single-family homes. The revised plan reduced the lots by approximately 15 units. He stated that all approvals have been received for utilities and from the Office of the Fire Marshal. The affected streets are Peacock, Leander and Colt.

With no questions or concerns voiced, a motion was made by Vice Mayor Wysong to approve the application as submitted, and a second to the motion was made by Councilperson Moxley. A majority roll call vote passed the motion.

Ms. Callender informed Mr. Olear that he would receive written notification of the approval of the Lot Line Adjustment that he should submit to the Kent County Recorder of Deeds along with a copy of his detailed plan.

**ORDINANCE for REVIEW– *Town Administrator Sam Callender***

Ms. Callender presented the following Ordinance for A 1<sup>ST</sup> Reading by the Town Council:

**a. Ordinance 02-01-12-036 Ordinance for Parking Regulations**

**Purpose:** This Ordinance is intended to protect the public safety, health and welfare, on existing streets and all future streets, as hereinafter provided, by:

- A. Establishing parking standards for existing and future streets within the Town of Cheswold, and for safe thoughtful parking patterns along said streets;
- B. Fixing the parking responsibilities of owners, operators and occupants of all vehicles and;
- C. Providing for administration, enforcement and penalties and;
- D. Limiting commercial vehicle parking on Town of Cheswold streets.

**Revision: Insert Section 17 – Residential Parking Permits Requirements**

**PLANNING COMMISSION REPORT** – “continued”

Mayor Faronea asked if the Ordinance applies to all Town streets. Ms. Callender replied yes and clarified that “Town streets”, includes West; East; New; Commerce; Fulton and School Lane only.

Vice Mayor Wysong asked if stickers were going to be placed on windows. The Chief responded that a decision as to whether to use stickers or hangers has not yet been made.

The Ordinance will be on the November Town Council agenda for further review and comment.

**RESOLUTIONS for APPROVAL:**

Resolution #08-18-21-099 Public Hearing for Revision to Ordinance # 02-01-12-036  
Parking Regulations

**Purpose:** This Resolution proposes to conduct a Public Hearing to receive comment on the Revisions made to Ordinance #02-01-12-036, Parking Regulations, which will provide the regulations required to obtain, maintain, record and process a residential parking permit application within the corporate limits of the Town of Cheswold.

A motion to approve the Resolution as submitted was made by Councilperson Amoako. Vice Mayor Wysong made a second to the motion and a majority roll call vote of the Council passed the motion.

**PROCLAMATIONS:**

***NOTHING TO REPORT***

**OLD BUSINESS:**

Mayor Faronea requested a review of the open Town projects:

- **New Infrastructure** – Ms. Callender reported that the \$750,000 infrastructure grant from the Joint Committee on Capital Improvement has been received and the associated purchase of the involved property has been completed.

In addition, Town Engineer Wilkes, Chief Workman, Town Clerk Jones, Public Works Director Callender and Town Administrator Callender have had a preliminary meeting with the principal of McGillian Architecture, Inc., Mr. Harold Leopold, and discussed the needs of the Administrative and Police Department Offices, as well as those of the Public Accommodations.

**OLD BUSINESS:** *"continued"*

- **New Infrastructure** – *"continued"*

A preliminary review of the proposed layout is expected by the end of October for comment from those who participated in the preliminary meeting, to ensure that all the functional needs of the various groups have been met.

The Mayor and Council will review and approve the selected design and estimated cost, prior to submission to our State Legislators and the public.

Vice Mayor Wysong asked if both lots were going to be used in the ultimate design. Town Engineer Wilkes responded that the decision has not yet been made. Mr. Wysong also wanted to know if we have approval for a driveway and Mr. Wilkes responded yes for the existing driveway and it is not yet determined if the driveway will have to be changed.

Ms. Callender also informed everyone that the project will now be known as the **Municipal Services Building** project.

- **Economic Development Plan & Cheswold Business and Merchant's Association** - Councilperson Amoako keeping an eye on Chamber of Commerce activities and will begin work on Business & Merchant's Association.
- **Activities Committee** – Mayor hasn't talked to Ms. Johnson since last meeting.
- **Park Committee** – Vice Mayor Wysong – ON HOLD
- **Protest Plan Team** – Pending review by Town Administrator and working on legal references.
- **MPO Participation** – Mayor missed last meeting, will try and make the next one.
- **AMERICAN RESCUE PLAN ACT** – Mrs. Callender reported that she has completed a preliminary review of what potential projects the Town can expend funds. She intends to forward the following for Attorney review:
  - **Code Red** – a communication system that will reach all Town residents and businesses (*Health & Safety Notifications*)
  - **Park/Community Garden** (*Health Benefits*)

**OLD BUSINESS:** *"continued"*

- **AMERICAN RESCUE PLAN ACT – *"continued"***
  - **Cost of Officer Re-Hire** – appears to be authorized pending Attorney review.
  - **Water Extension Project** - appears to be authorized pending Attorney review. Contract signed with Carroll Engineering -\$34,500 for engineering. The agreed upon fee is for engineering only and is dependent upon no change notices. The time-line for the project is:  

Notice to Proceed from Cheswold – October 4, 2021	Complete/Sept. 29, 2021
Commence Survey	- October, 18, 2021
Tidewater Meeting	- December 6, 2021
Final Design Complete	- January 3, 2022
  - **Status of NEU/Attorney Hiring Proposal** – the State has hired the firm of Barnes & Thornburg, located in Wilmington, DE, to serve as the point of contact for NEU questions and concerns about the ARPA funding project.  

Their services became available as of October 1, 2021, and our fee will be a total of \$2,795.17. The required payment will be made by the State from our next ARPA allotment which is due to be paid in June 2022. As a result, the Town has no obligation to make any direct payments to the firm, or to receive any invoices from them, while having the ability to avail of their service at any time from October 2021 though March 2023. The relationship will be a typical client/attorney relationship.
  - **Initial Reporting Deadline**  
The initial reporting deadline for ARPA expenditures has been changed from October 31, 2021 to **April 30, 2022**.

**NEW BUSINESS:**

- *Nothing to Report*

**COMMUNITY COMMENTS:**

*Nothing to Report*

**COUNCILPERSON COMMENTS:**

Vice-Mayor Michael Wysong – *NOTHING to REPORT*

Secretary/Treasurer Theon Callender – *NOTHING to REPORT*

Councilperson Judith Johnson – *ABSENT*

Councilperson Mark Moxley – *NOTHING to REPORT*

Councilperson Maxwell Amoako – *NOTHING to REPORT*

MAYOR FARONEA'S COMMENTS – *NOTHING to REPORT*

**Motion to Adjourn**

A motion was made by Councilperson Callender seconded by Councilperson Moxley to adjourn at 6:05 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 – October 19, 2021*