



**Town of Cheswold
Minutes of the Monthly Town Council Meeting
691 Main Street
Cheswold, Delaware 19936
Monday – February 7, 2022
5:00 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 Santo Faronea
Vice Mayor Michael Wysong
Secretary/Treasurer Theon Callender
Councilperson Maxwell Amoako
Councilperson Mark Moxley
Absent: Councilperson Judith Johnson

Police Department: Chief Chris Workman

Administration: Shadina Jones, Town Clerk

Administrative Clerk: Camryn Tunnell

Public Works: Code Enforcement Officer Mike Callender

Community Attendees: Ms. Sherrin Cruz – Parkers Run via ZOOM

Mr. Rodney Callender – Parkers Run via ZOOM

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 15, 2021, 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 January 28, 2022. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Faronea at 5:01 pm.

PLEDGE of ALLEGIANCE and MOMENT of SILENCE

The Pledge of Allegiance and Moment of Silence was conducted was led by Mayor Faronea.

PROPERLY POSTED:

Secretary/Treasurer Sam Callender noted that the meeting posted was properly posted on December 15, 2021 and the Agenda on January 28, 2022.

ROLL CALL:

Mayor Faronea requested the Administrative Assistant 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 Moxley made a motion to accept the agenda as presented and Vice Mayor Wysong 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 Vice Mayor 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:

January 10, 2022 – Monthly Town Council Meeting

Secretary/Treasurer Callender interjected that she had just noticed that she had failed to include the Public Hearing date and minutes to the agenda for review and approval and if all members acknowledged that they had previously received those minutes, requested a vote on the approval of them. All members acknowledged previous receipt and review.

Vice Mayor Wysong made a motion to approve the minutes of the Public Hearing for the date shown below, as previously distributed and Mrs. Callender made a second to the motion. A roll call vote on the motion resulted in a unanimous vote to approve the minutes as follows:

January 10, 2022 – Public Hearing

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 January 2022**, is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	JANUARY 2022
Cash Receipts	\$ 102,162.38
Cash Disbursements	\$ 91,813.64
Positive Monthly Cash Flow	\$ 10,348.74

ADMINISTRATION	JANUARY 2022
Cash Receipts	\$ 51,849.72
Cash Disbursements	\$ 61,742.86
Negative Monthly Cash Flow	(\$ 9,893.14)

POLICE DEPARTMENT	JANUARY 2022
Cash Receipts	\$ 5,778.68
Cash Disbursements	\$ 28,762.14
Negative Monthly Cash Flow	(\$ 22,*84.06)

PUBLIC WORKS	JANUARY 2022
Cash Receipts	\$ 44,503.98
Cash Disbursements	\$ 1,308.04
Positive Monthly Cash Flow	\$ 43,195.94

- b. The Treasurer’s Report, (**Account Balances**), for the **Month of JANUARY 2022:**

as of:	JANUARY 2022
Capital Account	\$ 29,988.76
Cheswold Heritage Day Account	\$ 4,417.18
Eide Grant Fund Account	\$ 7,779.42
Public Safety Account	\$ 56,221.27
General Fund Account	\$ 249,104.32
Land Use Applicant’s Account	\$ 63,407.66
Litigation Account	\$ 16,732.54
Municipal Street Aid Account	\$ 60,721.60
Salle Grant Fund Account	\$ 4,450.67
DelDOT Projects	\$ 107,642.00
ARPA	\$ 349,920.92
Municipal Complex Building	\$ 750,011.99

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					

A motion to accept the Treasurer's Report, as presented was made by Vice Mayor 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 report as submitted.

TAX COLLECTOR'S REPORT – *Town Clerk Shadina Jones*
Month of January 2022

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	\$ 97,083.11	\$ 300.12
09/30/2021	\$ 23,534.44	\$ 1,171.23
10/31/2021	\$ 2,077.06	\$ 143.03
11/30/2021	\$ 442.81	\$ 75.71
12 /31/2021	\$ 472.96	\$ 21.97
01/31/2022	\$ 275.43	\$ 43.59
02/29/2022	\$	\$
03/31/2022	\$	\$
04/30/2022	\$	\$
05/31/2022	\$	\$
06/30/2022	\$	\$

TAX COLLECTOR'S REPORT – *"continued"*
Month of January 2022

b. DELINQUENT TAXES – *Town Clerk Shadina Jones*

Notices have been sent to all property owners who are \$1,000.00 or more in arrears in their property tax payments. There are 26 owners in this status.

Vice Mayor Wysong asked if the possibility of a lien is mentioned in the letters. Ms. Jones responded that the owners are informed that a failure to respond will result in their arrears being forwarded to our Town Attorney. In addition, they are informed that they may make payment arrangements to pay off their balance due.

A motion to accept the Tax Report, as presented was made by Vice Mayor 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 report as submitted.

POLICE DEPARTMENT REPORT – *Chief Christopher Workman:*

Chief Workman indicated that there were two, (2), special items in the January report which required the Council review and vote. They are as follows:

1. Engine Repair/Replacement – 2015 Tahoe
2. Hiring of Part-Time Police Officer

The Chief explained that the engine replacement is the result of bad lifters which were a problem issue for 2015 Tahoe's. Replacing the engine will extend the usage of the vehicle. Vice Mayor Wysong asked if the problem will affect other Tahoe's and who was doing the repair. The Chief responded no, but that it might be prudent to replace the lifters and that the repair is being completed by Willis Chevrolet. He also noted that it may take six to eight weeks for the repair to be complete. In addition, the 2018 Dodge Charger had to have an oil change is scheduled to have an oil cooler replacement at ID Burton on February 22, 2022. This repair is under warranty.

A motion to approve the \$8, 433.74 engine replacement of the 2015 Tahoe was made by Vice Mayor Wysong. A second to the motion as submitted was made by Councilperson Moxley. An unanimous roll call vote of the members of the Town Council passed the motion.

POLICE DEPARTMENT REPORT – “continued”

The Chief also requested the Council approve the hiring of an additional part-time Police Officer from the Town of Dagsboro, should the Officer pass the background check. The Officer in question is currently a certified full-time Officer for the Town of Dagsboro and would serve to fill in some of the assignment slots left vacant by the resignation of Master Cpl. Simms. The Officer is a five, (5), year veteran of the Dagsboro PD, is 27 years old and is named Anthony Valenti, and serves in the position of Corporal. Also, a current part-time officer does not provide the degree of time that is required, due to his preference to handle public relations type of events only.

Vice-Mayor Wysong asked if a full time officer can legally work the number of hours in a day that our Town may need. The Chief responded that no officer can work more than 16 hours per day and an officer must be off duty for at least 8 hours prior to starting their next shift. The Chief also explained that he will not hire a full-time officer unless that officer’s Chief has agreed to the officer applying for a part-time position.

Following the Chief’s explanation, Vice-Mayor Wysong made a motion to hire the part-time officer from the Town of Dagsboro, should the officer pass the background investigation at the current rate for part-time officers in the Town of Cheswold. Councilperson Moxley made a second to the motion as submitted. The motion passed with a unanimous roll call vote of the Town Council.

Chief Workman presented the following **January 2022 report** prior to the meeting:

Training – Three, (3), officers have completed their bi-Annual CPR/AED Certification in January

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

Vehicle Repair – See Above

Part-Time Officer – See Above

Officer Assist – we commend two, (2), of our officers for exemplary performance in the line of duty in past few weeks:

On February 1, 2022. In the early morning hours **Mstr. Cpl. Eric Cooper** was dispatched to Harris Towing to assist DSP Troop 9 personnel who were unavailable to a call for a burglary in progress. Master Cpl. Cooper arrived and observed an American of a darker hue exiting the business and placed him in custody until officers from Troop 3 arrived.

Also on February 1, 2022, Sargent Susan Kline was on duty and in the parking lot of the Cheswold Police Department when she observed two, (2), unmarked police cars in pursuit of a vehicle. After being advised they were attempting to capture a subject wanted in a shooting, Sgt. Kline joined the pursuit and after a short distance participated in the apprehension of the suspects.

POLICE DEPARTMENT REPORT – “continued”

New Computers – The Department is currently seeking grant opportunities to replace aging desktop systems used by the officers in their daily operations.

Upgrade Firearms – Due to ammunitions costs and availability along with seeking a better option for officers to use for duty weapons the PD is currently transitioning from a .40 caliber Glock duty weapon to the Sig Sauer P320. It is anticipated that a total change over will be complete by the summer.

Mask Mandate – With the mask mandate scheduled to be lifted on Friday, February 11, 2022, at 0800 hours. The Police Department has not received or responded to any complaints regarding violations of the mandate to-date.

Traffic Violations Charged – Officers issued 46 traffic summons’s during the month of January. These are the number of violations issued. {**Note:** One, (1), traffic stop could equal two, (2), or more violations; e.g.: Speeding; no driver’s license}

Actual Traffic Stops – January (34)

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

Male Traffic Stops

	<u>Jan.</u>
African American	9
Caucasian	11
Latino	2
Other/Undetermined	0

Female Traffic Stops

	<u>Jan.</u>
African American	5
Caucasian	7
Latino	0
Other/Undetermined	0

Dispositions

Summons

	<u>Jan.</u>
African American	11
Caucasian	14
Latino	2
Other/Undetermined	0

Verbal Warnings

	<u>Jan.</u>
African American	2
Caucasian	2
Latino	0
Other/Undetermined	0

POLICE DEPARTMENT REPORT – “continued”

Written Warnings

	<u>Jan.</u>
African American	1
Caucasian	2
Latino	0
Other/Undetermined	0
Criminal Summons - Caucasian	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 118 Incidents for the month of December.

IF YOU DON’T CALL - WHO WILL - CALL 911

PUBLIC WORKS REPORT – Code Enforcement Officer Michael Callender

Mr. Callender presented the following report to members of the Council at 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>
January 2022	6	2	5	0	1

The following represents the Code Enforcement Property status for November:

- **41 Commerce St. – PENDING:** The property owner has been sent his two, (2), letters of notice and will be receiving his final notice this week to clean up his property prior to fines being issued and vehicles being towed. At the request of the Police Department actions are pending the approval of the revised Parking Ordinance.

PUBLIC WORKS REPORT – "continued":

- **179 Commerce St.** – This property has been sold to a new owner, Mr. Carlos Cannon of Harrington and there has been no change since the last communication.

VIOLATIONS:

- Nobles Pond – Lot #369 revised for window heater height
- Nobles Pond – Lot #376 revised for added electric fireplace

CONSTRUCTION PROJECTS:

- **Nobles Pond** – No new updates.
- **Stonington** – Construction continues unabated, curbing has been installed and extended on Igneous Rock Rd.; Slate Rd.; and Felspar Rd. Further lot development began in December as Ryan Homes is selling quicker than anticipated.
- **Alston's Walk** – Per Mr. Jordan Ashburn, Alston's Walk will be looking to break ground in the spring.
- **241 Commerce St.** – Two, (2), foundations have been installed for the homes to be placed on those lots. The property owner staged one of the homes for setting on February 8, 2022.
- **Parker's Run** – No new updates.

Town Maintenance

- **Water Extension Project** – The Town Engineer and Public Works walked the Old Town area to make adjustments to the preliminary plans for the extension of the Town's water project and installation of another fire hydrant.
- **Activation of Parking Ordinance** – All stickers have been received for the implementation and activation of the Parking Ordinance in Old Town. Residents will be informed by mail of the requirements for registering their vehicles.
- **Pot Holes** – DelDOT has been contacted concerning the need to fill pot holes on the east side of Commerce St., just north of New Street; Main Street in the turning lane into Parkers Run; and along Main Street going west from Parkers Run Drive. Per DelDOT it is anticipated that Commerce Street will be repaved this summer.

A motion was made by Councilperson Amoako to approve the Public Works report as submitted. A second to the motion made by Councilperson Moxley resulted in an unanimous roll call vote to pass the motion.

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

- a. **Revision of Land Use Ordinance** – To be continued at next Planning Commission meeting, scheduled for Thursday, February 10, 2022 at 5 pm. Available via ZOOM, (same access as Town Council meetings – see Pg. 1), and personal attendance of Commission members.
- b. **Planning Commission Chairperson Selection** – The Commissioners will decide from among themselves who should become the new Commission Chairperson. The new Chair may appoint a Vice-Chair and Secretary, as deemed necessary.
- c. **Central Delaware Business Park** – Ms. Callender explained the history of the M-1, (Manufacturing Zoning Code), as it applies and applied to the Central Delaware Business Park and the current situation, by which new developments in the Park must be re-zoned by the Planning Commission as the M-1 code is now defunct and is no longer assigned. She additionally informed the Council that Mr. Seth Meyers, owner of the Park desires to develop approximately 65 acres of it and will be presenting his project request to the Planning Commission at their Thursday, February 10, 2022, meeting.

12. **Ordinance for Review and Vote** - *Town Administrator Sam Callender*

NOTHING TO REPORT

13. **Resolution for Approval** – *Town Administrator Sam Callender*

NOTHING TO REPORT

14. **Proclamations** – *Town Administrator Sam Callender*

NOTHING TO REPORT

15. **Old Business**

a. **Town Projects:**

- **Municipal Services Building** – *Town Administrator Sam Callender*
 - **Current Architectural Status** - Ms. Callender presented renderings of a possible new Town Hall and Police Department, along with the interior and office and exterior building layouts.
 - **Projected Cost** - The projected construction cost is \$2.6 million, which does not include potential inflation
 - **Projected Size** – 7,880 total sq. ft.; Main building = 6, 950 sq. ft.; Public Works annex = 930 sq. ft.

15. Old Business

a. Town Projects:

- **Economic Development Plan/Cheswold Business & Merchants Association –**
Councilperson Maxwell Amoako
Councilperson Amoako stated that he is investigating the feasibility and possibility of having commercial entities such as Trader Joe’s relocate to Cheswold or Kent County. The County engaged in conversation about the lack of possible locations within Cheswold for such enterprises. Mr. Amoako promised to continue his research.
- **Activities Committee –** *Councilperson Judith Johnson/Vice Mayor Santo Faronea*
The Mayor reported that all action is currently on hold.
- **Park Committee –** *Vice Mayor Michael Wysong*
Vice Mayor Wysong reported that project continues to be on hold.
- **Protest Plan Team –** *Chief Chris Workman*
Chief Workman reported that project continues to be on hold.

b. **American Rescue Plan -** *Town Administrator Sam Callender*

Ms. Callender reported the following:

- Final Rule becomes effective April 1, 2022
- May begin using terms of Final Rule as of January 6, 2022
- Funds may be used for paid family and medical leave to enable employee compliance with COVID-19 precautions
- Funds may not be deposited into pension funds; “rainy day” funds; or for debt service payments
- Can make a one time Lost Revenue Claim for the total amount of the fund if it is under \$10,000,000, without an additional explanation or calculation.
- Lost Revenue Fund claim payments must also be reported the same as other ARPA funds
- Premium Pay can be one lump sum or in payments
- Can be paid to all employees except volunteers
- Can be used for capital expenditures under \$1,000,000 without written justification
- Can be used to improve IT services including the purchase of video conferencing equipment
- Can be used to address increased repair and maintenance repairs
- Can be used to repair; re-size; remove and/or replace storm sewer

16. New Business - *Town Administrator Sam Callender*

➤ **Town Council Elections – *Town Clerk Shadina Jones***

- There are three, (3) seats open re-election
- They are currently held by:
 - Councilperson Mark Moxley
 - Councilperson Judith Johnson
 - Councilperson Sam Callender
- Last day to sign up for the election is Tuesday, March 1, 2022 at 4:00 p.m.
- The election will be held on Tuesday, March 28, 2022 at the Cheswold Fire Hall; from 2:00 – 7:00 pm

- **2022-2023 Budget** – The budget process for the upcoming fiscal year is scheduled to begin on March 1, 2022. Anyone interested in presenting projects to be considered for inclusion in the budget should submit them to cheswoldoffice@comcast.net by March 31, 2022.

17. Community Comments/Concerns –

Ms. Sherrin Cruz – Parkers Run

Nothing to add, just listening to how the Town Council works.

Mr. Rodney Callender – Parkers Run

Asked Chief Workman if he could receive a copy of the letter to request the Cheswold Police Department to enforce all State of Delaware traffic laws and enforcement in Parkers Run. The Chief responded that he would send another copy, as he has done for the past seven years or so and explained that the Town Council would have to approve the request. He additionally recommended that the HOA become familiar with the ordinances of the Town that apply to vehicles as they will also apply should the Cheswold Police Department acquire authority over the development.

18. Council Member Comments:

Vice-Mayor Wysong - *No Comments*

Secretary/Treasurer Callender – *informed the Mayor and Council that the Management Company of Parkers Run contacted her and asked if the Town will be willing to assist in the payment of the streetlights and snow plowing bills accrued by Parkers Run. Ms. Callender stated that she explained that such payments are not possible as the development is a separate entity as*

18. Council Member Comments:

Secretary/Treasurer Callender – “continued”

far as their bills are concerned as deemed by the property owner signed agreements in their owners covenants. She also explained that in order for the Town to take over the responsibility for those payments the HOA would have to dissolve itself and turn over what funds they possess to the treasury of the Town. In the meantime, however, all residents and property owners are still required to follow the rules, regulations and ordinances of the Town of Cheswold.

Councilperson Johnson – Absent

Councilperson Moxley – *No Comments*

Councilperson Amoako - *No Comments*

19. Mayor Faronea’s Comments – *No Comments*

20. Motion to Adjourn

A motion to adjourn was made by Councilperson Callender. Vice-Mayor Wysong made a second to the motion and it passed with an unanimous roll call vote. The meeting adjourned at 6:28 pm.

29 Del C 10004 Sec. (e) (2)....."The agenda shall be subject to change to include additional items, including executive sessions or the deletion of items, including executive sessions which arise at the time of the public body's meeting".

The Agenda items as listed may not be considered in sequence and/or removed if warranted.