

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 1, 2023
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 Maxwell Amoako
Secretary/Treasurer Theon Callender
Councilperson Judith Johnson
Councilperson Mark Moxley
Councilperson Robin Ridgway

Police Department: Chief Chris Workman (Zoom)

Administration: Ms. Camryn Tunnell - Administrative Clerk, Shadina Jones – Town Clerk

Public Works: Code Enforcement Officer Mr. Mike Callender

Community Attendees-

Mr. Joesph Schell (Guest)- Old Town, Mr. Stephen Williams (Parker’s Run) ***Attended Via Zoom***

Mr. Nick Smith (Mayor of Clayton, Vice President of Delaware League of Local Gov’t)

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 April 21, 2023. Copies of the agenda were available for pick-up at the Town Hall.

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

MEETING:

The meeting was called to order by Mayor Faronea at 5:00 pm.

PLEDGE of ALLEGIANCE and MOMENT of SILENCE

The Pledge of Allegiance and Moment of Silence were conducted after the meeting was called to order.

PROPERLY POSTED:

Administrative Clerk Camryn Tunnell noted that the meeting was properly posted.

ROLL CALL:

Mayor Faronea requested the Administrative Clerk to call the roll. With all members of the 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.

Secretary/Treasurer Callender made a motion to add Resolution 05-01-23-110 and delete item 16 (a). With a second from Councilperson Moxley and a unanimous roll call vote, the Town Council approved the motion.

REVIEW of PREVIOUS 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 Amoako 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 following minutes:

Town Council Monthly Meeting – May 1, 2023

TREASURER’S REPORT: *Asst. Town Administrator Shadina Jones*

a. The Treasurer’s Reports for the Month of April 2023, is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	APRIL 2023
Cash Receipts	\$ 117,830.99
Cash Disbursements	\$ 64,028.78
Monthly Cash Flow	\$ 53,802.21

ADMINISTRATION	APRIL 2023
Cash Receipts	\$ 79,877.24
Cash Disbursements	\$ 25,479.69
Monthly Cash Flow	\$ 54,379.55

POLICE DEPARTMENT	APRIL 2023
Cash Receipts	\$ 5,321.67
Cash Disbursements	\$ 28,793.31
Negative Monthly Cash Flow	\$ (23,480.64)

PUBLIC WORKS	APRIL 2023
Cash Receipts	\$ 32,641.08
Cash Disbursements	\$ 9,755.78
Monthly Cash Flow	\$ 22,885.30

b. The Treasurer’s Report, (Account Balances), for the Month of April 2023:

as of:	MARCH 2023
Capital Account	\$ 33,346.43
Cheswold Heritage Day Account	\$ 14,690.63
Eide Grant Fund Account	\$ 4,983.58
Public Safety Account	\$ 140,547.62
General Fund Account	\$ 654,341.75
Land Use Applicant’s Account	\$ 55,678.21
Litigation Account	\$ CLOSED
Municipal Street Aid Account	\$ 61,089.64
Salle Grant Fund Account	\$ 2,268.12
DelDOT Projects	\$ 90,884.90
ARPA	\$ 511,054.00
Municipal Complex Building	\$ 746,046.55

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					

TAX COLLECTOR'S REPORT – *Administrative Clerk Camryn Tunnell*
Month of April 2023

The Tax Collector's Report was sent out prior to the meeting and Ms. Tunnell informed the Council that two, (2), residents were removed from the delinquent tax listing.

Vice Mayor Amoako congratulated the progress which was made in the tax collection department. He asked if the delinquent tax amount due is from taxpayers with a mortgage. Mrs. Jones informed Mr. Amoako that those with mortgages are paid by Escrow accounts and the late payments are not only from the previous fiscal year, but from several years prior.

TAX REPORT: FISCAL YEAR 2022– 2023

Total Amount Billed: \$216,333.36

Total Amount Paid: \$211,543.07

	Paid As of:		Current Year:	Past Due Paid:
07/31/2022	\$	15,913.33	\$	460.38
08/31/2022	\$	43,141.87	\$	1,059.61
09/30/2022	\$	109,051.48	\$	1,278.87
10/31/2022	\$	15, 189.13	\$	437.94
11/30/202	\$	15, 741.38	\$	1,185.86
12 /31/2022	\$	2,976.31	\$	310.31
01/31/2023	\$	1,060.30	\$	131.54
02/29/2023	\$	3,365.80	\$	231.92
03/31/2023	\$	4,200.19	\$	1,336.69
04/30/2023	\$	903.14	\$	355.59
05/31/2023	\$		\$	
06/30/2023	\$		\$	

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POLICE DEPARTMENT REPORT – Chief Christopher Workman:

Training -

- All officers, with the exception of Chief Workman who is still on medical leave, have completed their spring qualifier for firearms.
- Chief Workman will be attending the Delaware Association of Chiefs of Police Seminar in Dewey Beach, DE May 1-May 4.

New Uniforms - the department will be phasing out the old French blue uniforms and going to the new navy uniforms over the next 6 months and they will be assigned to all new hires.

Hiring - Cheswold PD Recruit is currently looking to hire a recruit for entry into the academy in September 2023.

Medical Leave - Chief Workman had shoulder surgery on Feb 15th and is on administrative duty until released to full duty.

Extra Patrols - extra supplemental patrols have been scheduled for the spring and summer. This will provide for extra officers on duty at different times of the day and evening.

Traffic

Traffic Violations Charged –

Officers issued 106 traffic summons during the month of April. These are the number of violations issued. (One traffic stop could equal 2 or more violations, eg. Speeding, no driver’s license)

Actual Traffic Stops - 97

Graphs depicting traffic stops made in March and dispositions were presented to the Town Council. The following reflects the data depicted on the graphs by either ethnicity or gender. In an effort to expand transparency we are adding this to the monthly report to show who our officer’s stop for violations and how they complete the stop.

Male Traffic Stops

African American	31
Caucasian	21
Latino	1
Other/Undeter.	0

Female Traffic Stops

African American	17
Caucasian	21
Latino	4
Other/Undeter.	2

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

Dispositions

	<u>Summons</u>		<u>Verbal Warnings</u>
African American	41	African American	5
Caucasian	33	Caucasian	6
Latino	5	Latino	0
Other/Undeter.	2	Other/Undeter.	0

Written Warning

African American	2
Caucasian	3
Latino	0
Other/Undetermined	0

Monthly Activity Report – Officers responded to or completed reports for 122 Incidents for the month of April.

Chief Workman was present at the meeting via Zoom and sent his report via email. The Council had no further questions or comments on the report.

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

Public Works Status Report – *Code Enforcement Officer: Michael E. Callender*

	<u>Permits Issued</u>	<u>New Violations</u>	<u>Closed Violations</u>	<u>Building Inspections</u>
April 2023	12	2	1	1

After the Status Report, the following information was presented concerning Town properties:

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Public Works Status Report – “continued”

- **Code Enforcement Properties:**

- 179 Commerce St. – **PENDING:** Letters were sent out from the Law Firm of Connolly Gallagher, LLP to the property owners demanding compliance with properly securing the building; demolition of the property and proper remediation of the sink hole. They have been given 30 days from the receipt of the letter to comply or face a potential lien upon the property.
- 41 Commerce St. – **PENDING:** The Letter of Agreement the Town has with this property owner for the 6-month period covering November 1, 2022 to April 30, 2023 has ended. No attempts have been made to satisfy the fines and little to no corrective action has been taken to satisfy the requirements of the agreement therefore the fines will resume.

- **Violations:**

- 179 Commerce St. (x2)

- **Updates:**

- Stonington – Construction steadily continues without interruption and Ryan Homes is slowly moving into Phase 2 of the Stonington construction.

- **Public Works:**

- Delaware Exteriors, LLC has completed its’ work with placing a new underlayment, siding, and shutters upon the Town Hall.
- The Annual Spring Clean-Up took place over this past weekend without any issues despite the rain. It was not as heavily attended as in previous years using only 1 1/3rd containers, with only two pick-ups.

Mr. Callender presented his report following Section 16. Mrs. Callender asked Mr. Callender what the next step is regarding 41 Commerce St. Mr. Callender stated he would be reissuing fines. Mr. Callender stated Norfolk Southern Railroad had one of the resident’s vehicles towed.

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PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

- a. **Next Meeting:** Thursday, April 13, 2023
5:00 p.m.
Town Hall – 691 Main Street
In Person: Commissioners & Applicants Only
All Others - Via ZOOM;

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

- b. Preliminary Plan Review
- Application 2023-03-14-117
 - Lot Line Adjustment
 - Applicant: Colligan Water
 - Map ID: 4-03-04600-01-0600-000
 - Acres: 3.3
 - Map ID: 4-03-04600-01-0702-000
 - Acres: 0.55
 - Zone: C-1 (C-1 Commercial Neighborhood)
 - Combine 2 Lots into one

Mrs. Callender stated the Planning Commission has one project for the Council to vote on, which is related to PC Memo 2023-002, which was previously forwarded to Council under separate cover.

The project is for a Lot Line Adjustment for Culligan Water. Culligan is looking to combine the two (2) lots they own into one. The company has met all requirements necessary to be approved. Town Engineer, Mr. Tom Wilkes, P.E. presented background information for the Council, as the applicant was absent from the meeting. Mrs. Callender recommended the Council approve the Lot Line Adjustment.

Vice Mayor Amoako made a motion to approve the Lot Line Adjustment. Councilperson Moxley made a second to the motion. The vote passed with a unanimous roll call vote of the Council, with Mrs. Callender recusing herself from the vote, so as not to conflict with her positions as Land Use Administrator and Secretary/Treasurer.

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ORDINANCES for REVIEW/VOTE – *Town Administrator Sam Callender*

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NOTHING TO REPORT

RESOLUTIONS for REVIEW/VOTE – *Town Administrator Sam Callender*

a. Resolution 05-01-23-109

Mrs. Callender informed the Council that this Resolution is for a Public Hearing to receive public comment concerning the annexation of the Cheswold Immanuel Methodist Church.

The church as been established for over 100 years and was under the impression that they are within Town limits. However, Kent County considers the church within County limits. An application was submitted for the church to be annexed into the Town.

Mr. Amoako asked if “Bendover” was in the same predicament as the church. Mrs. Callender responded no, it is not.

Mr. Amoako made a motion to approve the Annexation, followed by a second from Mr. Moxley. The motion passed with a unanimous vote from the Council.

b. Resolution 01-01-23-110

The resolution is for an Public Hearing to receive public comment on three, (3), Ordinances:

- Ordinance 05-02-12-035 is for Peddlers, Solicitors and Street Vendors, and explains how they may operate in the Town.
- Ordinance 11-16-20-062 is for the adoption of the 2018 International Property Maintenance Code which is to be maintained in the Town.
- Ordinance 05-02-21-063 is for Special Events and Other Assemblies to notify the Town of said events.

The purpose of each Ordinance may be viewed on the Public Notice of the Public Hearing, which will be posted on the Town Bulletin Board; Post Office; Nobles Pond; Fox Pointe and on the Town website: <https://www.cheswold.delaware.gov>

Mayor Faronea asked if the Special Events Ordinance will affect food trucks coming into Nobles Pond. Mrs. Callender stated it would not.

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RESOLUTIONS for REVIEW/VOTE – *“continued”*

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b. Resolution 01-01-23-110 – “continued”

Vice Mayor Amoako asked if the Ordinance 05-02-21-063 applies for birthday parties. Mrs. Callender stated the Ordinance is more specific to large events, such as block parties, protests, etc. The Ordinance stems from a block party that was hosted by a resident, which the Town and Police Department was not notified of and resulted in excessive traffic and noise.

A motion was made by Vice Mayor Amoako to accept and approve the Ordinances. The motion was seconded by Councilperson Johnson and passed unanimously amongst the Council.

PROCLAMATIONS – *Town Administrator Sam Callender*

NOTHING TO REPORT

NEW BUSINESS – *Town Administrator Sam Callender*

NOTHING TO REPORT

OLD BUSINESS – *Town Administrator Sam Callender*

TOWN PROJECTS:

- **Proposed Municipal Services Building** – *Town Administrator Sam Callender*

Secretary/Treasurer Callender stated the Council would need to decide whether the building is built with a basement or not. Mr. Wilkes presented and discussed the renderings of the rear view of the building. Mr. Wilkes also discussed the importance of a basement being included in the design, as it can be used for storage. Mr. Amoako stated there is not a large difference in the cost of the building with and without a building, and believes it makes sense to have a basement added. The Councilmembers agreed that the Community would benefit from a larger Town Hall, as meetings can be hosted and open to the public.

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TOWN PROJECTS: *“continued”*

- **Proposed Municipal Services Building** – *Town Administrator Sam Callender*

Mr. Amoako asked what the difference in funding between what is readily available and what funds need to be raised. Mrs. Callender stated the Town would need to either borrow

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or search for donations, as there may only be \$150,000.00 of the Town's funds to be put towards the total cost. Mr. Amoako stated the Community will need to understand there may be a tax consequence, such as a raise in the tax rate, as we prepare to pay for the cost of the proposed building. Mrs. Callender encouraged the Council to read Section 12 – Borrowing Powers of the Town's Charter.

Mrs. Callender informed the Mayor and Council that there are plans to keep the current building but there has not been a decision made on the use of it once the new building is up and running. The current building could possibly be rented out for offices or meeting space.

A motion was made by Vice Mayor Amoako to approve the proposed Municipal Services Building to be built with a basement. The motion was seconded by Councilperson Moxley and passed unanimously.

- **Tidewater to Old Town – *Town Administrator Sam Callender***

Mrs. Callender and Mr. Wilkes stated there is a hold-up in the process as an easement is required for the work continue. Mr. Wilkes has not been able to reach the homeowner since the initial meeting.

- **Economic Development Plan/Cheswold Business & Merchants Association –
*Vice-Mayor Maxwell Amoako***

Vice-Mayor Amoako stated he met with Mr. Jeff Spielman and he would be sending out letters to the local businesses in hopes for them to respond with feedback on how they can help with the Economic Development Plan.

- **Activities Committee – *Councilperson Judith Johnson/ Mayor Santo Faronea***

Councilperson Johnson informed the Council that the Activities Committee is coming along great with Heritage Day plans. Ms. Tunnell stated that the next meeting for the Committee is scheduled for May 16, 2023, and Heritage Day is tentatively scheduled for September 30, 2023.

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- **Park Committee – *Town Administrator Sam Callender***

Mrs. Callender stated she visited several parks with Mrs. Jones and Ms. Ridgway to get ideas for our Town Park. Mrs. Callender stated the Town of Harrington has a multi-purpose building that is accessible for its residents. The building is also available for rent. The idea of

a multi-purpose building appealed to the Councilmembers. Mrs. Callender stated the lot is spacious enough for a small park along with a building on the premises.

- **Protest Plan Team – Chief Chris Workman**
On Hold Until Further Notice

- **American Rescue Plan - Town Administrator Sam Callender**
Mrs. Callender reported that the annual report due to the Treasury was completed and submitted on April 21, 2023.

COMMUNITY COMMENTS/CONCERNS –

- Mr. Joseph Schell expressed his concerns about the alleys located beside and behind his home on Commerce St. One of the alleys serves as direct path to his parking pad. Mrs. Callender stated that the previous owners of the property were made aware and informed that the alley was owned by the Town and not designed to not to be used as a driveway and the Town had no immediate intent to restore or maintain it. The previous owners were also asked to inform them to maintain, and the sellers of the home were to inform anticipated buyers of the situation and conditions. Mr. Schell had no further comments.

- Mr. Nick Smith, Mayor of Clayton and Vice President of Delaware League of Local Government presented information about the Affordable Connectivity Program. Mrs. Johnson spoke with him regarding the program and her plans to take advantage of what it has to offer. Mr. Smith also encouraged the Councilmembers to participate in the League’s meetings and events. Mrs. Callender informed Mr. Smith that the Town is a member of the League and encouraged her fellow Councilmembers to take part in the dinner, at which the tickets will be paid for by the Town.

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COUNCIL MEMBER COMMENTS:

Vice-Mayor Amoako – Mr. Amoako thanked Mr. Callender for his excellent grass cutting work.

Secretary/Treasurer Callender – Mrs. Callender thanked Mrs. Jones for her assistance and would like the Council to consider Mrs. Jones for the Town Administrator position once the time comes. Mrs. Callender also thanked Mr. Callender for the new look that the Town Hall has after the recent siding job.

Councilperson Johnson – Mrs. Johnson expressed her concerns about the weeds that are on the sidewalks. Mrs. Johnson asked how high the grass must be for fines to be issued. Mrs. Callender responded 6". Mr. Callender stated he would be contacting residents in the upcoming week and letting them know they will need to maintain their yards, including weed removal. Mr. Amoako asked what can be done for homeowners who are going on vacation. Mrs. Callender stated they can contact the Police Department and inform them, which will also protect the safety of their homes.

Councilperson Moxley – *No comments.*

Councilperson Ridgway – *No comments.*

Mayor's Comments:

Mayor Faronea – Thanked Mr. Wilkes for the renderings of the building and Mr. Callender for the siding job on the building.

MOTION to ADJOURN

A motion to adjourn was made by Councilperson Callender and seconded by Councilperson Johnson. The motion passed with a unanimous roll call vote. The meeting was adjourned at 6:13 pm.

Submitted by: Administrative Assistant Camryn Tunnell – May 8, 2023

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.