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 - November 6, 2023 5:00 p.m.

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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

Administration: Ms. Camryn Tunnell – Asst. Town Clerk, Mrs. Shadina Jones – Asst. Town Administrator

Public Works: Code Enforcement Officer Mr. Mike Callender

Community Attendees- Via Zoom

Mr. Stephen Williams Mr. Rodney Callender

Guests- At Town Hall Mr. Lee Ridgway Ms. Frances Perry Ms. Lannie Lewis

TOWN of CHESWOLD

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 15, 2022 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 October 26, 2023. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

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

Assistant Town Clerk Camryn Tunnell noted that the meeting was properly posted.

ROLL CALL:

Mayor Faronea requested the Assistant Town 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.

Mrs. Jones requested a motion to be made to amend the agenda to add a proposed purchase for the 2015 Tahoe transmission to be replaced and repaired for \$7,791.43 and paid to Aamco from the Public Safety fund. She stated that Chief Workman would further discuss the issues regarding the vehicle's issues.

REVIEW of AGENDA "continued"

A motion to amend the agenda as presented was made by Vice Mayor Amoako and seconded by Councilperson Johnson. The motion was passed unanimously with a roll call vote of the Council.

Secretary/Treasurer Callender made a motion to amend the agenda to add a discussion in the Executive session to discuss a person's qualifications for a job. Vice Mayor Amoako seconded the motion, which then passed unanimously with a roll call vote of the Council.

Mrs. Callender then made another motion to amend the note on 'Item 20' to read as follows, "The Council may or may not engage in a vote or votes at the conclusion of the Executive Session when they return to the Regular Session of the meeting for adjournment."

Mr. Amoako seconded the motion, which then passed unanimously with a roll call vote of the Council.

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 revisions or amendments as needed.

A motion to accept the Special Council Meeting; Town Council minutes, and the Public Hearing 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:

Special Council Meeting – June 12, 2023 Public Hearing Meeting – September 11, 2023 Town Council Monthly Meeting – September 11, 2023

TREASURER'S REPORT: Assistant Town Administrator Shadina Jones

a. The Treasurer's Reports for the **Month of October 2023,** is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD		OCTOBER 2023		
Cash Receipts		181,058.58		
Cash Disbursements	\$	84,855.48		
Monthly Cash Flow	\$	96,203.10		

TREASURER'S REPORT: "continued"

Monthly Cash Flow Comparisons

ADMINISTRATION		OCTOBER 2023		
Cash Receipts	\$	121,710.22		
Cash Disbursements	\$	65,387.30		
Monthly Cash Flow	\$	56,322.92		

POLICE DEPARTMENT	OCTOBER 2023		
Cash Receipts	\$	35,919.79	
Cash Disbursements	\$	44,044.95	
Negative Monthly Cash Flow	\$	(-8,125.16)	

PUBLIC WORKS		OCTOBER 2023		
Cash Receipts	\$	23,428.57		
Cash Disbursements	\$	1,850.63		
Monthly Cash Flow	\$	21,577.94		

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

as of:	OCTOBER 2023
Capital Account	\$ 33,430.59
Cheswold Heritage Day Account	\$ 13,510.14
Eide Grant Fund Account	\$ 1,579.18
Public Safety Account	\$ 144,744.99
General Fund Account	\$ 1,225,204.38
Land Use Applicant's Account	\$ 58,237.91
Municipal Street Aid Account	\$ 55,588.48
Salle Grant Fund Account	\$ 441.57
DelDOT Projects	\$ 72,891.90
ARPA	\$ 398,443.12
Municipal Complex Building	\$ 1,266.637.98

Mrs. Jones noted that we have switched to QuickBooks for Accounting purposes only. Edmunds will continue to be used to permitting and such. Ms. Tunnell has been working closely with the Town's accountant, Devon, and plans to have everything in place and running smoothing in QuickBooks by the end of November.

TREASURER'S REPORT: "continued"

c. Requisitions -

Reg. # Department Vendor Item Amount To Be Paid By

NOTHING TO REPORT

b. Proposed Purchase/s

Req. #Dept.VendorItemAmountTo Be Paid By:AdminGo.GovCitizen Notifications & Alerts\$3,600.00General Acct.

Police AAMCO 2015 Chevy Tahoe Transmission \$7,791.43 Public Safety Acct.

Mrs. Jones stated that the Go.Gov alert system will be used to notify residents of new happenings in the Town such as, water outages, road closures, etc. The system is run through an app that can be accessed by Apple and Android devices. Mayor Faronea asked if the cost was a monthly charge. Mrs. Jones confirmed it is a yearly fee.

Mrs. Callender noted that her authority will approve the purchase, however, she wanted to make the Council aware of the alert system ahead of time.

Chief Workman stated the engine of the 2015 Chevy Tahoe was replaced, however, when Lt. Kline went on a conference trip, the vehicle began having difficulties. It was decided that the Tahoe may need to see a transmission specialist, so it can continue to be used for trips, extra duty, etc. The funds are available in the Public Safety account to be used to instances such as this.

A motion was made by Mr. Amoako to approve the purchases and was seconded by Councilperson Moxley. The motion passed unanimously with a roll call vote of the Council.

– Assistant Town Clerk Camryn Tunnell

Month of October 2023

The Tax Collector's Report was included with the reports given to the Council upon the start of the meeting. Ms. Tunnell noted that there were quite a few residents that were removed from the delinquent tax listing and the Town is still receiving tax payments.

TOWN of CHESWOLD

TAX COLLECTOR'S REPORT - "continued"

Mr. Amoako stated he has noticed Kent County has sent assessors out to review properties and he asked when the new assessments will take effect. Ms. Tunnell informed him that each year in May, the tax file is sent to the Town and they take effect on July 1st of each year. There were no further comments or questions from the Council.

TAX REPORT: FISCAL YEAR 2023-2024

Total Amount Billed: \$260,900.40 Total Amount Paid: \$250,422.67

Paid As	of:	Current Year: Past Due Paid:		
07/31/2023	\$	54,794.15	\$	2,354.96
08/31/2023	\$	161,359.32	\$	1,271.57
09/30/2023	\$	11,539.69	\$	447.26
10/31/2023	\$	22,729.51	\$	932.72
11/30/2023	\$		\$	
12 /31/2023	\$		\$	
01/31/2024	\$		\$	
02/29/2024	\$		\$	
03/31/2024	\$		\$	
04/30/2024	\$		\$	
05/31/2024	\$		\$	
06/30/2024	\$		\$	

POLICE DEPARTMENT REPORT – *Chief Christopher Workman:*

<u>Training</u> - All officers have completed their Firearms training for 2023. Sgt. Mitchell has completed two of the required classes for his FBI-LEEDA Trilogy Award and will complete the third class in the first quarter of the New Year.

PFC Peters completed his CIT training; all full-time personnel have completed NAMI's Crisis Intervention Team training. Current policy requires all full-time officers to complete the CIT training within the first three (3) years of their employment with the department. For more information on this training, you can visit the NAMI website at:

https://www.nami.org/Advocacy/Crisis-Intervention/Crisis-Intervention-Team-(CIT)-Programs

POLICE DEPARTMENT REPORT - Chief Christopher Workman: "continued"

<u>Energize Delaware Grant</u> - Charging Stations are scheduled to be installed this week and should be operational by next week. The grant will then be closed with all grant funds that have been expended for the project. The vehicles are scheduled to be completed with all emergency equipment by mid-December.

<u>SALLE/EDIE Grants</u> - Cheswold PD has been awarded grants to the 2023-2024 fiscal year which will provide training, equipment and overtime for extra patrols.

<u>Vehicle Update -</u> According to our emergency equipment supplier and installer all vehicles should be completed by mid-December with the Explorer scheduled for installation the week of Nov. 20th.

<u>Extra Duty</u> - Walmart has reached out to the Cheswold Police Dept. with a request for manpower during the holidays. Officers are assigned to special duty through a contract with Walmart as a presence during the Thanksgiving and Christmas holidays.

<u>Policy Updates</u> - As the year is coming to a close we are in the process of reviewing and updating policies as needed. This is being completed hand in hand with completing our accreditation requirements which should be completed and submitted to the Accreditation Committee by Dc 15th.

<u>Cheswold Holiday Helping Hand</u> - As is our holiday tradition we will be collecting non-perishable foods for distribution to needy families during the Thanksgiving Holiday - Nov 1 through 21st - Please see attached flyer. If you know of a family in need, please submit their names and address to the Police Dept.

POLICE DEPARTMENT REPORT - Chief Christopher Workman: "continued"

Traffic

Traffic Violations Charged -

Officers issued 97 traffic summons during the month of October. These are the number of violations issued. (One traffic stop could equal 2 or more violations, eg. Speeding, no driver's license)

POLICE DEPARTMENT REPORT - Chief Christopher Workman: "continued"

Actual Traffic Stops - 77

Graphs depicting traffic stops made in October 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 Female Traffic		<u>Female Traffic Stops</u>	<u>;</u>
African American	17	African American	16
Caucasian	19	Caucasian	16
Latino	6	Latino	2
Other/Undeter.	0	Other/Undeter.	1

		<u>Dispositions</u>	
	<u>Summons</u>	<u>Verbal Warnings</u>	
African American	31	African American	2
Caucasian	29	Caucasian	6
Latino	8	Latino	0
Other/Undeter.	1	Other/Undeter.	0

<u>Written Warning</u>	
African American	0
Caucasian	0
Latino	0
Other/Undetermined	0

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POLICE DEPARTMENT REPORT - Chief Christopher Workman: "continued"

<u>Monthly Activity Report</u> – Officers responded to or completed reports for 102 Incidents for the month of October.

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

DISCUSSION: Chief Workman noted that his report was sent prior to the meeting. He informed the Council that the charging stations were to be placed in the parking lot, however, the installation was on hold due to the delay in markings being placed for Miss Utility. Mr. Amoako asked if the stations will remain in the same spot or moved once the new building is situated on the lot next door. Chief Workman stated that they would be moved to a new location once the layout is officially planned. Mr. Callender stated that he was speaking with the Town Engineer, and they are looking to adding charging stations to the actual structure to accommodate any other electric vehicles that may be purchased in the future.

PUBLIC WORKS DEPARTMENT REPORT

September & October Monthly Reports

	Permits	New	Closed	Building
	<u>Issued</u>	Violations	<u>Violations</u>	<u>Inspections</u>
October 2023	11	2	0	2

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

• Code Enforcement Properties:

• 179 Commerce St. – **PENDING:** I've again spoken with both contractors to see where they are regarding their portions of the demolition project and was notified by them both they were informed by the property owner's proxy that she would be paying them the balance of the work to be completed by the first full week of November so the asbestos removal portion of the demolition can begin. I was able to contact Miss Darlene McRae directly and there seems to be some confusion on their side as to when the contractors will be paid their balances so they can begin the demo. It was mentioned on the 13th of November for a possible start date for the asbestos remediation though again nothing concrete. Miss McCrae was informed by this office that if the contractors were not paid by the 30th of November the Town would then do so and place a lien on the property.

TOWN of CHESWOLD

PUBLIC WORKS DEPARTMENT REPORT "continued"

Violations:

o 179 Commerce St. (x2)

Updates:

- Stonington Complaints were received from a few residents about contractors for Verizon, DE Co-Op and others damaging lawns, necessary and required for power and fiber installations, and leaving the work areas in unacceptable states. These issues have been addressed with the respective contractors and corrections have been made. Nichols, the site contractor is also in the process of repairing sidewalks and curbs that have been damaged, cracked and or sinking.
- Taco Bell Is nearing completion with its inspections, signage has been applied for and is currently in the review process. They are looking for an optimistic and tentative opening date around the first to second week of November.

• Public Works:

The Town Hall has received charging stations for electric vehicles and the electrician is to clear the application with Delmarva Power for the installation of the new 220 Volt service, and mark outs to be completed by Comcast. If both are completed in a timely manner, they are looking to complete the work on Monday Nov. 6, 2023.

DISCUSSION: Mr. Callender stated he sent out his report prior to the meeting. He went on to inform the Council that the owners of 179 Commerce Street were given an ultimatum that the contractors must be paid by November 30th, otherwise a lien will be placed on the property. The asbestos contractor came to the Town Hall to inform Mr. Callender that he was paid for the asbestos removal.

Mayor Faronea noted that Mr. Heddinger's property has rubbish around the property again. Mr. Callender stated that there are several property owners with rubbish outside of their homes as well and they will all be contacted on Tuesday following the meeting. Mrs. Callender asked if there was an update on Alston's Walk. Mr. Callender stated the updates will be discussed at next month's meeting.

<u>PLANNING COMMISSION REPORT</u> - Land Use Administrator Sam Callender

a. Next Meeting: Thursday, November 9, 2023

5:00 p.m.

Cheswold Town Hall 691 Main Street

Continuation of the revisions of the Land-Use Ordinance will be made during the next Planning Commission Meeting.

 b. 82 Main Street Veterans Transitional Housing Program- Frances Perry MAP 3-03-04615-01-0200-000

Mrs. Callender informed the Council that R-1 (Old Town Residential) and R-2 (Single Family and Two Family Residential) zoning areas are permitted for single-family and duplex homes. It has come to Mrs. Callender's attention that some homes are being used for what could be described as boarding/rooming houses. Mr. Callender has notified at least one of the homes that they are in violation of the Land-Use Ordinance.

Ms. Doreen Shipp is the property owner and Ms. Perry is the representative and advocate for the Veteran's Transitional Housing Program. The two women met with Mrs. Callender and several other Town employees to discuss the home and it was determined that the residents are homeless veterans who are being prepared to move out and live on their own. Ms. Perry resides with the other veterans and was once a homeless vet. This situation is very special and, in a way, meets the standards of a boarding house and in other ways it does not. Mrs. Callender stated the Planning Commission will see Ms. Perry and any other representatives of her choice to discuss the situation. The Commission will then make a recommendation to the Council. Ms. Perry went on to introduce herself and discuss the beauty of the program they are running. She brought a representative named Ms. Elaine Lewis. Ms. Lewis discussed her role in the program and how they are actively involved in helping veterans overcome homelessness and the provision of life skills training to be used for their futures.

Mr. Amoako stated that the program sounds very similar to a half-way housing program. He would like for the Town to investigate the process of programs such as those, in the event that the Council approves a temporary waiver for the program to continue within Town limits. Ms. Perry stated they have the registration for the program. Mr. Amoako would like to see a timeline for when the veterans should be transitioning out of the program. Ms. Perry instructed that it is difficult to provide a precise timeline as moving into independent housing is also dependent upon the availability of housing opportunities as well as the readiness of the veteran.

PLANNING COMMISSION REPORT - "continued:

Mrs. Callender made a motion for the presentation to be presented to the Planning Commission and for them to make a recommendation to the Council whether the temporary waiver be given. Councilperson Moxley seconded the motion. The motion was carried with a unanimous roll call vote amongst the Council.

Mrs. Callender also noted that it may become necessary for Ms. Perry to seek a permanent variance request from the Town to permit them to move forward with the continuation of the program.

ORDINANCES for REVIEW/VOTE – Town Administrator Sam Callender

a. Ordinance 05-03-23-071 FARM ANIMALS Within Town Limits

No comments, concerns or changes were made.

b. Ordinance 01-07-08-005 Revision #1 – DELETION of Ordinance in Its' Entirety

No comments, concerns or changes were made.

c. Ordinance #: 05-04-15-011- RENTAL INSPECTION

No comments, concerns or changes were made.

RESOLUTIONS for VOTE – *Town Administrator Sam Callender*

• Resolution 09-22-23-116 Public Hearing of Two, (2), Ordinances
This Resolution is to approve a Public Hearing to receive public comment concerning the following Ordinances:

Ordinance 05-03-23-071 FARM ANIMALS Within Town Limits

Ordinance 01-07-08-005 Revision #1 – DELETION of Ordinance in Its' Entirety

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RESOLUTIONS for VOTE – "continued:

- Resolution 09-22-23-117 Annexation of 756 Main Street Immanuel Methodist Church
- Resolution 10-11-23-118 Annexation of 5673 North Dupont Highway

A motion was made by Secretary/Treasurer Callender to approve Resolution 09-22-23-116; Resolution 09-22-23-117, and Resolution 10-11-23-118 as they were submitted. They were seconded by Vice Mayor Amoako and then passed unanimously with a roll call vote of the Council.

<u>PROCLAMATIONS</u> – *Town Administrator Sam Callender*NOTHING TO REPORT

NEW BUSINESS - Town Administrator Sam Callender

NOTHING TO REPORT

<u>OLD BUSINESS</u> – *Town Administrator Sam Callender* TOWN PROJECTS:

- MPO (Metropolitan Planning Organization) Town Administrator Sam Callender
 NOTHING TO REPORT
- Municipal Services Building *Town Administrator Sam Callender*Mrs. Callender informed the Council that Mr. Wilkes, P.E., is currently working on the wiring plan with the electricians.
- Tidewater Project Water to Old Town *Town Administrator Sam Callender*Mrs. Callender stated she is waiting on Tidewater to approve the changes that were made to the plans. There will be roughly two or three service ties added.

TOWN of CHESWOLD

OLD BUSINESS – continued"

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

Vice-Mayor Amoako informed the Council that he is waiting for feedback from the local businesses that he reached out to. He made no further comments.

- Activities Committee Councilperson Judith Johnson/ Mayor Santo Faronea
 Mrs. Johnson stated Heritage Day was successful and the Committee is looking to put together a food truck event.
 - Park Committee *Town Administrator Sam Callender*

NOTHING TO REPORT

- Protest Plan Team Chief Chris Workman
 On Hold Until Further Notice
- American Rescue Plan Town Administrator Sam Callender
 NOTHING TO REPORT

COMMUNITY COMMENTS/CONCERNS -

Mr. Lee Ridgway stated there is an issue on West Street where drivers turning on the road cannot see on-coming traffic. Chief Workman stated that DelDOT must approve the Town to mark the curb as prohibited, as it is a state roadway. The blockage is worse during the afternoon/evening hours. Mr. Mike Callender has reached out to DelDOT on this very issue before and did not get a response. Chief Workman and Mr. Callender said they would follow up with DelDOT together to try and resolve the concern.

TOWN of CHESWOLD

COMMUNITY COMMENTS/CONCERNS – "continued"

Mr. Ridgway stated one of the New Street residences needs to be cleaned up. Mr. Callender responded that the resident has been contacted about the issue.

Lastly, Mr. Ridgway stated the resident next door to Councilperson Ridgway has a caretaker that comes each day and has been driving through Ms. Ridgway's yard to park. Mr. Ridgway asked if there is any way the caretaker can get an easement to park along the railroad tracks. He was informed by Mrs. Callender, Chief Workman and Mr. Callender that the railroad has restricted all parking along the tracks and the Town has no control over the railroad property. However, Mrs. Callender stated she will reach out to the railroad to see how or if this issue can be resolved, especially because the caretaker is only at the residence for a very short period of time.

COUNCIL MEMBER COMMENTS:

Vice-Mayor Amoako – No comments.

Secretary/Treasurer Callender – No comments.

Councilperson Johnson – No comments.

Councilperson Moxley - No comments.

Councilperson Ridgway - No comments.

MAYOR'S COMMENTS:

Mayor Faronea – No comments.

MOTION TO MOVE TO EXECUTIVE SESSION:

Mrs. Callender made a motion to move to Executive Session to discuss an individual's citizen qualifications to hold a job as prescribed by DelCode Title 29, Chapter 100 Para 10004, Section (b)(c) and to discuss commercial and financial information obtained from a person which is of a privileged and confidential nature per DelCode Title 29, Chapter 100, Para 10002, Section (1)(2).

The Executive Session was held in Mr. Callender's office with only the Council and Assistant Town Administrator, Mrs. Jones, present. It was noted that the Council may or may not take a vote after the regular session resumed. The meeting was to be adjourned after the business of the Executive Session was concluded.

<u>NOTE:</u> Vice-Mayor Amoako was exccused the Executive Session and the meeting after the financial and police hiring discussed were concluded, but during the additional discussion of an individual's citizen qualifications to hold a job.

MOTIONS AFTER EXECUTIVE SESSION:

After the Executive Session, a motion was made by Councilperson Callender for the Assistant Town Administrator to offer on behalf of the Town to purchase the property located at MAP ID 3-03-04611-01-0500-000 FOR \$15,000 at a minimum and \$20,000 at a maximum. The motion was seconded by Councilperson Johnson and passed unanimously with a roll call vote of the Council.

Mrs. Callender made another motion to authorize Chief Workman to offer a position of Corporal in the Cheswold Police Department under the specifications of the Conditional Hiring Letter prepared and submitted to the Council by Chief Workman on November 6, 2023. The motion was seconded by Councilperson Moxley. The motion passed unanimously with a roll call vote of the Council.

Mrs. Callender made a motion for herself to contact the office of the Delaware Police Chief's Council and request they conduct an investigation into the complaint presented against Chief Workman and to provide the Town with a recommendation of actions to be taken should the allegations in the complaint be substantiated. The request should include the caveat that no municipal Police Departments in New Castle or Kent County be utilized for the investigation and if at all possible that the investigation be completed by December 31, 2023. The motion was seconded by Councilperson Johnson and passed unanimously with a roll call vote of the Council.

MOTION to ADJOURN

A motion to adjourn made by Councilperson Callender and seconded by Councilperson Ridgway. The motion passed with a unanimous roll call vote. The meeting was adjourned at 6:06 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.

Submitted by: Administrative Assistant Camryn Tunnell – November 17, 2023