

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 - January 8, 2024
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

Administration: Mrs. Camryn Jones – Asst. Town Clerk

Mrs. Shadina Jones – Asst. Town Administrator (*Excused*)

Public Works: Code Enforcement Officer Mr. Mike Callender (*Excused*)

Community Attendees- Via Zoom

Mr. Rodney Callender

Monthly Town Council Meeting

Meeting Notice Posted: *December 18, 2023*

January 8, 2024

Agenda Posted: December 21, 2023

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

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 18, 2023 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 December 21, 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 5:30 pm.

PLEDGE of ALLEGIANCE and MOMENT of SILENCE

The Pledge of Allegiance and Moment of Silence were conducted at the Public Hearing held previous to the Town Council meeting at 5:00 pm, in the Cheswold Town Hall.

PROPERLY POSTED:

Assistant Town Clerk Camryn Jones 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 six (6) person Council present, Mrs. C. Jones 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.

A motion to accept 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.

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REVIEW of PREVIOUS MONTH'S 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 approve the previous month's minutes as presented was made by Councilperson Moxley and Vice Mayor Amoako made a second to approve the motion. The motion passed with a unanimous roll call vote and the minutes of the following meeting were approved:

Town Council Meeting - December 4, 2023

TREASURER'S REPORT: *Assistant Town Administrator Shadina Jones*

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

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	DECEMBER 2023
Cash Receipts	\$ 121,221.86
Cash Disbursements	\$ 112,533.81
Monthly Cash Flow	\$ 8,688.05

ADMINISTRATION	DECEMBER 2023
Cash Receipts	\$ 86,670.09
Cash Disbursements	\$ 51,032.83
Monthly Cash Flow	\$ 35,637.26

POLICE DEPARTMENT	DECEMBER 2023
Cash Receipts	\$ 20,440.62
Cash Disbursements	\$ 54,412.10
Negative Monthly Cash Flow	\$ (33,971.48)

PUBLIC WORKS	DECEMBER 2023
Cash Receipts	\$ 14,111.15
Cash Disbursements	\$ 7,088.88
Monthly Cash Flow	\$ 7,022.27

Monthly Town Council Meeting
Meeting Notice Posted: *December 18, 2023*

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TREASURER'S REPORT: *"continued"*

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

as of:	DECEMBER 2023
Capital Account	\$ 58,445.01
Cheswold Heritage Day Account	\$ 13,510.14
Eide Grant Fund Account	\$ 1,569.18
Public Safety Account	\$ 144,309.48
General Fund Account	\$ 1,208,043.09
Land Use Applicant's Account	\$ 60,312.16
Municipal Street Aid Account	\$ 54,689.28
Salle Grant Fund Account	\$ 431.57
DelDOT Projects	\$ 72,891.90
ARPA	\$ 398,688.81
Municipal Complex Building	\$ 1,267,419.02

c. Requisitions –

<u>Req. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
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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>
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Mrs. C. Jones presented the treasury reports in proxy for Mrs. S. Jones. She reported that the Administration expenses were high this month due to the payment for the Town's insurance premium as the total was just over \$32,000.

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.

Monthly Town Council Meeting
Meeting Notice Posted: *December 18, 2023*

January 8, 2024
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TAX COLLECTOR'S REPORT – Assistant Town Clerk Camryn Jones

TAX REPORT: FISCAL YEAR 2023-2024

Total Amount Billed: \$260,900.40

Total Amount Paid: \$268,173.83

	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	\$	2,771.08	\$ 425.56
12 /31/2023	\$	5,919.15	\$ 2,336.21
01/31/2024	\$		\$
02/29/2024	\$		\$
03/31/2024	\$		\$
04/30/2024	\$		\$
05/31/2024	\$		\$
06/30/2024	\$		\$

Mrs. C. Jones stated she had nothing new to report since last month's reporting.

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POLICE DEPARTMENT REPORT – Chief Christopher Workman:

New Year

Each year we try to begin with a recap of the last year and give you our thoughts and projections for the future of the Cheswold Police Dept.

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Over past year we have utilized grant funds to provide for overtime for drug interdiction, supplementary patrols, advanced training, upgrade of departmental handguns and off-duty weapons, purchase four new vehicles, and added new inventor and training software to streamline information and keep track of departmental property.

We look forward to the New Year and the opportunities it brings. Stay Safe!

Training –

In 2024 it is our focus to continue specialized training to better handle interactions with those with special needs, emotional disturbed individuals and de-escalation with all of our full-time officers and most of our part time force being CIT trained. In addition to the yearly COPT Requirements and we will have our required training in baton, and OC spray this year.

We will continue to expose officers who have not had an introduction to leadership and advanced supervision to classes the opportunity to prepare them for the future and provide them with the knowledge and ability to utilize those skills by training our officers in not only handling daily operations but also the knowledge, skills and abilities necessary to handle areas such as grants and budgeting.

Departmental happenings

This year we had the opportunity to add a seasoned officers with lots of experience with the hiring of Sgt. John Mitchell. With the retirement of M/Cpl Eric Cooper in September this addition has helped us maintain a force with lots of experience which allows us to continue to teach new officers in many facets of the job. In the next six months we will be working on a new program for recruitment for new officers, completing the requirements for Department State of Delaware Accreditation (3 months), expanding officer's individual skills and abilities, expanding training and instructor opportunities along with internal responsibilities.

Technology

We continue to expand our technological advantage and are working with Advantech to upgrade the camera system and seek the possibility to add fiber optic capabilities throughout the Town of Cheswold with grant assistance. In addition, in 2023 we added two new electric vehicles which should be completed and in the rotation in the first quarter of the year.

The addition and availability for officers to use the new FLOCK camera system in addition to our Axon Fleet 3 systems have increased the departments investigative ability through the use of License Plate Reader technology and MOU's with other departments in the State of Delaware and across the nation.

POLICE DEPARTMENT REPORT – Chief Christopher Workman “continued”

Yearly Hours

Four full-time officers worked 7,860.5 hours and part time officers worked 2037.5 hours in 2023. Officers used 380 hours of vacation, 250.5 sick time hours, 68 personal hours and 71 holiday and 0 military leave hours.

Chief Workman also provided an in-depth yearly report of the activities of the Cheswold Police Department which included monthly data on traffic statistics; written warnings and arrests broken down by race. He also provided the following information:

- 2023 Employee Demographics based on rank; assignment; age group; gender; race and years with CPD
- 2023 Grant Funding
- 2023 Criminal Arrests
- 2023 Response to Resistance
- 2023 Crime Stats
- 2023 Pursuit Data
- 2023 Internal Affairs Statistics
- 2023 Disciplinary Actions

Chief Workman noted that his report was sent, and he provided a synopsis for the end of year statistics. He stated the COPT requirements have been fulfilled. By meeting the requirements, the Department keeps its grant fund eligibility. The data must be sent each year.

Anyone wishing to view the precise details of the yearly report may view it on the Cheswold Police Department section of the Town website: Cheswold.delaware.gov

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

PUBLIC WORKS DEPARTMENT REPORT - *Code Enforcement Officer Michael Callender*

Monthly Report

	New Permits <u>Issued</u>	Closed <u>Violations</u>	Building <u>Violations</u>	<u>Inspections</u>
December 2023	6	1	0	1

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

- **Code Enforcement Properties:**

- 16 New St. – **PENDING:** This property remains unpaid fines and the Town has not been contacted for final payment.
- 79 New St. – **PENDING:** This property remains with an unpaid fine and the Town has not been contacted for final payment.
- 179 Commerce St. – **PENDING:** This property remains with unpaid fines and the Town has not been contacted for final payment.
- 321 Main St. – **PENDING:** The property owner contacted this office to inform us that they are awaiting an insurance payment to hire a service to clean up the yard and repair the damage to the home.

- **Violations:**

- 16 New St.
- 79 New St.
- 179 Commerce St.
- 321 Main St.
- All other violations from the previous reporting period have been abated.

Monthly Town Council Meeting

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January 8, 2024

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PUBLIC WORKS DEPARTMENT REPORT *"continued"*

- **Updates:**
 - Stonington – Construction continues as usual.
 - Alston’s Walk – The Town received the Bond Assurance other than that there’s been no new communication with Ashburn Homes.
 - Taco Bell – Was completed and received its’ CO on Dec 26, 2023.

Mr. Callender was excused from the meeting; however, Mrs. C. Jones stated the Public Works report was sent via email to the Mayor and Council over the previous weekend.

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

- a. **Next Meeting:** Thursday, January 11, 2023
5:00 p.m.
Cheswold Town Hall
691 Main Street

Mrs. Callender stated the Planning Commission will be reviewing Culligan Water’s application as they would like to build a storage building on the property. They will also be reviewing the housing and marijuana documents.

ORDINANCES for REVIEW – *Town Administrator Sam Callender*

ORDINANCE 08-30-23-072 for Revisions to Article 7 & 8 of the Land Use Ordinance of the Town of Cheswold

PURPOSE: The purpose of this ordinance is to clarify and specify the requirements for home-based business approvals in Article 7, Section 7.5 and to revise the limits for some Accessory Buildings and Structures in Article 8. Table 9-4 and Permitted Projections into Rear Yards in Article 8. Table 8-5.

There were no questions or comments following the review of Ordinance 08-30-23-072.

Monthly Town Council Meeting

January 8, 2024

Meeting Notice Posted: *December 18, 2023*

Agenda Posted: December 21, 2023

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender "continued"*

ORDINANCES for VOTE – *Town Administrator Sam Callender*

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

Purpose: The purpose of this ordinance is to clarify and specify the types of animals that are generally known as farm animals and will thus be prohibited from habitation within the corporate limits of the Town and to specify that there are no conditions or situations that will permit the housing, feeding or breeding of such animals within the corporate limits of the Town, other than the exception expressed within this Ordinance in Section 8.

In addition, this ordinance supports and additionally clarifies Article 7. Use Regulations of the Land Use Ordinance Table 7-2 Permitted Uses & Structures which states that Agriculture _ Related Uses in Zones, R-2, (1 & 2 Family Residential); R-3, (1, 2, 3 Family & Townhouse Residential); R-5, (Age-Defined Residential); C-1, (Neighborhood Commercial) and C-2, (Highway Commercial), are permitted and prohibited in Zones R-1, (Old Town Residential);

R-4, (Manufactured Home & Trailer Park); I-1, (Light Industrial) and I-2, (Heavy Residential).

The Land Use Ordinance provides that Farms, customary and conventional farming operations including the raising of vegetables, flowers, and horticulture materials not to be construed to include commercial poultry and swine production, cattle feeder lots, and fur bearing animals.

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

Purpose: The purpose of this ordinance is to delete the entirety of Ordinance 01-07-08-005 which specified the creation of a trust fund from the proceeds gained from Building Permit surcharge fees, which were to be used to benefit the Capital School District for capital improvements which solely served and benefitted the Town of Cheswold.

Ordinance 05-04-15-011– RENTAL INSPECTION – Vote

Purpose: It is the intent of the Town of Cheswold to provide rental residents within the Town, the right and opportunity to inhabit environmentally and physically, clean, safe, and healthy living conditions within and immediately surrounding their rental property, through the inspection of those properties and by establishing and ensuring adherence to rules, regulations, processes, policies, fines, penalties, violations, and procedures for the maintenance of such properties.

Monthly Town Council Meeting
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January 8, 2024
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PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender "continued"*

It is additionally the intent of the Town of Cheswold to assist property owners of rental properties and surrounding properties the right and opportunity to maintain and reside in an environment as free of criminal activity as possible, by establishing and enforcing fines, penalties and violations conducted on or in rental properties with or without the knowledge of the property owner.

The health, safety, and welfare of the occupants of leased/rented dwellings are of the utmost importance to the Town, as are the neighborhoods in which these dwellings are located.

Ordinance 05-03-23-071, 01-07-08-005 and 05-04-15-011 were all approved. Vice Mayor Amoako made a motion to accept all three ordinances and Councilperson Ridgway followed with a second. Each of the ordinances passed with a unanimous roll call vote of the Council.

RESOLUTIONS for VOTE – *Town Administrator Sam Callender*

NOTHING TO REPORT

PROCLAMATIONS – *Town Administrator Sam Callender*

NOTHING TO REPORT

NEW BUSINESS – *Town Administrator Sam Callender*

a. Marijuana Discussion

Mrs. Callender stated she attended a class instructed by Attorney Max Walton and there was a presentation on marijuana law. The course discussed private property (landlords included) and individual rights for marijuana. Mrs. Callender discussed with the Mayor and Council the possible future allowances for marijuana in the Town. Mr. Amoako, Mrs. Johnson, Mrs. Callender expressed their thoughts and concerns with a storefront that sells marijuana. Chief Workman informed the Council that there have not been any serious problems reported at the tobacco shop located in Town. Ultimately, the Mayor and Council will need to discuss and think about what best fits the needs of the Town and what the future could hold for the Town’s residents.

Monthly Town Council Meeting
Meeting Notice Posted: *December 18, 2023*

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NEW BUSINESS – *Town Administrator Sam Callender –“continued”:*

b. Kent County Housing

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Mrs. Callender discussed how she perceived the Kent County Housing documents. She informed the Mayor and Council that the Planning Commission will be reviewing and dissecting the writings. Information on grants was also discussed in the document.

c. Findings of IA Investigation

Mrs. Callender informed the Council and attendees that the IA Investigation of Chief Workman was complete, and he has been fully exonerated from all allegations made against him. Therefore, she made a motion to officially close the investigation. The motion was seconded by Councilperson Moxley. The motion was passed with a unanimous roll call vote of the Council.

Mrs. Callender thanked Chief Workman for his cooperation with the investigation and for his endurance and stress as he went it.

Chief Workman thanked and appreciated the Council and his Police Department team for their support and for properly handling the investigation.

OLD BUSINESS – *Town Administrator Sam Callender*

TOWN PROJECTS:

- **MPO (Metropolitan Planning Organization) – *Town Administrator Sam Callender***

NOTHING TO REPORT

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

NOTHING TO REPORT

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

Mrs. Callender stated Mr. Wilkes, P.E., is actively working on the water project. The water line will be extended down New Street, and the Fire Department requested a new fire hydrant be placed on New Street or at the corner of New and West Streets.

Monthly Town Council Meeting

Meeting Notice Posted: *December 18, 2023*

January 8, 2024

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OLD BUSINESS – *Town Administrator Sam Callender – “continued”:*

TOWN PROJECTS:

- **Economic Development Plan/Cheswold Business & Merchants Association –**

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Vice-Mayor Maxwell Amoako

Mr. Amoako stated he did not receive feedback from any of the local business owners. However, he met with Taco Bell and will be meeting with them again soon. Mr. Amoako will be attending the Economic Breakfast held by the Delaware Chamber of Commerce.

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

Mrs. Johnson stated the next meeting is tentatively scheduled for January 29, 2024.

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

Mrs. Callender stated she is waiting to hear back on the awarding of the ORPT Grant. Insurance documents are in transit to finalize the grant and receive payment.

- **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. Rodney Callender noted that the meeting was lovely, and it was wonderful to see the Council working together. He expressed his support to Chief Workman as well.

Monthly Town Council Meeting
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January 8, 2024
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COUNCIL MEMBER COMMENTS:

Vice-Mayor Amoako – *Mr. Amoako stated he saw something on Facebook pertaining to Kenton Road and asked if that was in the Town’s jurisdiction. Chief Workman confirms it is not.*

Secretary/Treasurer Callender – *Wished a Happy New Year to all.*

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Councilperson Johnson – *Wished a Happy New Year to all.*

Councilperson Moxley – *Wished a Happy New Year to all.*

Councilperson Ridgway – *No comments.*

MAYOR'S COMMENTS:

Mayor Faronea – *Stated that Colleen from Nobles Pond offered to help the Veterans Home in any way they need.*

MOTION to ADJOURN

A motion to adjourn the regular meeting was made by Councilperson Moxley and seconded by Councilperson Ridgway. The motion passed with a unanimous roll call vote. The meeting was adjourned at 6:23 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 Jones – January 23, 2024