

MAYOR & COMMISSIONERS
June 8, 2026
MEETING HELD IN-PERSON AND VIA TELECONFERENCE

Mayor Benjamin Jorden called the regular scheduled meeting of the Mayor and Commissioners of Delmar, Maryland to order at 7:00 P.M. This meeting is available to the public, in person with limited seating, and via teleconference. In attendance were Deputy Mayor Jack Lenox, Commissioners Jacob Boothe, Ronald Nembhard, and Cory Shaffer, Police Chief Ivan Barkley, Fire Department Chief Justin Elliott, Planning and Zoning Director, Twain Evanson, Code Enforcement Officer, Kayla Trice, Town Attorney Robert Benson, Town Mgr. Jeff Fleetwood, and Clerk of Council, Vondell Spencer. Guest: Joe White, Bernadette Cannady, Jay Winik, and Kyle Hughes.

Mayor Jorden led the Pledge of Allegiance.

Mayor's Comments –

Mayor Jorden acknowledged he had the privilege of attending a signing of a bill that impacts 61 of our students in Delmar that will allow Delmar students that attend Delmar, DE High School the ability to receive scholarship funds for Maryland colleges. He said it was a huge accomplishment and he thanked all that were involved. This was something that was at every level which he thought it was awesome to see. He further said in government when you have something local/countywide and it moves up to the state you really see how all the government officials work together to get something accomplished. This bill will impact 30% of the students, not just now but for generations to come.

Approval of Minutes –

A motion was made, seconded, (Nembhard/Boothe) and carried to approve the Joint Council May 13, 2026 meeting minutes. The motion carried with a vote of 5 Ayes.

Unfinished Business –

None.

New Business –

Lead Paint Inspection, 506 S. Maryland Avenue – Jay Winik

Mr. Winik stated according to Delmar, Maryland rules and regulations there are two things that must be done in Maryland. The first is pay the fee for inspection which he said he paid and the second thing is a Maryland Lead Free Inspection Certificate from MDE.

Mr. Winik further stated a few days prior to the tenants moving in they scheduled an inspection but the inspector had family issues, the inspection did not take place, and they agreed to have the inspection the next month. He said he told the tenants what happened with the inspector. Town Mgr. Fleetwood asked Mr. Winik what the date was he was referring to for the inspection. Mr.

Winik answered it was within a week of them moving in. Town Mgr. Fleetwood further asked Mr. Winik when the tenants moved in. Mr. Winik further answered he thought January and he did not have the lease in front of him. Town Mgr. Fleetwood asked Mr. Winik is it safe to say five to six months ago. Mr. Winik said yes.

Mr. Winik stated the tenants promised they would let the inspector in for the inspection but they did not. He said he called MDE and spoke to Mr. Laurie Wilmot. Mr. Winik said he was informed in an email from Mr. Wilmot since the tenants refused access to the Lead Paint Inspector, the next step will be to make two documented verifiable attempts to obtain access. MDE does not invalidate a lease between a landlord and tenant nor get involved with landlord-tenant disputes.

Mr. Winik said he followed the instructions on March 19th with a Certificate of Mailing because he was trying to emphasize the importance of the MDE certificate to enable them to live there worry free but for some reason it is just not getting through. The tenants are extremely stubborn and ignorant. He further said he informed the tenants he has texted, called, and left messages on the front door regarding this. The Town of Delmar will not issue a license to rent if they don't have an MDE Certificate on file. Mr. Winik stated he informed the tenants that this means they will receive a letter from the town stating they will have 30 days to vacate and he had been trying to avoid this from happening. Mr. Winik further informed the tenants to prep the residence as he had shown them several times to prepare it for an official licensed state representative to come and inspect the property which should only take 20 minutes. Mr. Winik said he asked the tenants to let him know in the next couple of weeks when he could come by and give them advice on passing the inspection and he will call for the inspection to happen.

Mr. Winik provided the Mayor and Commissioners a record of his paid inspection receipt, correspondence from MDE, and the March 19th Certificate of Mailing.

Mr. Winik stated he sent the tenants a second Certificate of Mailing in reference to the MDE Inspection Requirements informing them it must be an MDE Inspection for that residence. He said the tenants did not respond. So, he informed the tenants on May 1st in writing they have a 60-day notice to vacate the property due to noncompliance. Mr. Winik further said on June 3rd he sent another Certificate of Mailing to the tenants regarding a 72-hour notice that he was trying to make an appointment with them for the prep work on the residence for an eventual Lead-Free Certificate from MDE. He further informed tenants he was available on June 6th between 10:00 a.m. to 12:00 p.m. which would only take 20 minutes. He expressed he needed to get into each room and he received no tenant response.

Mr. Winik asked the Mayor, Commissioners, and Town Mgr. Fleetwood what else he could do to get the into the residence. Mayor Jorden answered legally in the State of MD he can give 24-hour notice and go into the property and that is between Mr. Winik and the tenant. Mayor Jorden asked Mr. Winik what was the purpose that he was trying to accomplish tonight. Mr. Winik answered he needs a letter from them addressed to him that he can copy to the tenants. He further answered he did not want to be penalized and he would like the leverage to get into the discussed residence to show the tenants that if they do not comply with the town, town will send them a letter to vacate because he does not know what else to do. Mayor Jorden further asked Mr. Winik if he had keys to the property. Mr. Winik responded the tenants changed the locks. These are ignorant people that

refuse to do anything and he felt he shouldn't be penalized for something that the tenants are stubbornly not doing.

Commissioner Boothe asked Mr. Winik the date he gave the 60-day notice. Mr. Winik answered May 1st. Town Mgr. Fleetwood noted for the record October 2024 the town issued Mr. Winik a Winter Weather Waiver. The house over the course of two and a half years ago was vacant during a period of time. Mr. Winik disagreed with the time frame and said it was recently because there are tenants there that moved and mean while they let subtenants in for 5 years and the subtenants took over. Mr. Winik further said at that time he spoke to MDE and they informed him it was still under the original person and he did not have to redo it; he did not have to have another certificate.

Mayor Jorden stated to Mr. Winik that on the town's end the town has to have the certificate from MDE. He clarified to Mr. Winik how he goes about obtaining access to allow that to happen is between him and the tenants. Mayor Jorden said there is not much on that end that the town can do on that part; whether that looks like going through court for an eviction process is between Mr. Winik and the tenant but in the State of MD, it is normally pretty simple. Mr. Winik responded everything is ready to go. Mayor Jorden questioned Mr. Winik about what he wanted the town to do this evening. Mr. Winik further responded he did not want to be penalized for not having a certificate. MDE is letting it go if the two requirements are met and he has met three. MDE is not pursuing it thereafter.

Commissioner Shaffer asked Mr. Winik if the tenants were subleasing. Mr. Winik answered no, the tenants prior to them were subleasing. He further asked Mr. Winik if the lease allows subleasing. Mr. Winik further answered no they just took over. Mr. Winik said the people brought in their relatives and they had it for five years during that time frame and according to MDE he does not have to recertify under that situation. Under this situation he is more than willing to do that and the paperwork he provided is proof.

Commissioner Nembhard asked Mr. Winik if there was a gap between the last tenants and the current tenants. Mr. Winik answered they were correcting the MDE situation prior to the current tenants moving in which was supposed to happen but the current tenants did not comply.

Mayor Jorden commented it sounds like Mr. Winik has squatters because it sounds like he does not have a lease with the current tenants, the lease is with the other set of people. Mr. Winik responded he does have an official lease. The subleasing tenants are done.

Town Mgr. Fleet mentioned there was a period of time in the last 12 to 18 months where it was made very clear by the town the property being discussed was not occupied so, Mr. Winik had a window with no tenants at the discussed residence. Planning and Zoning Director, Twain Evanson added the residence was vacant for five months.

Mayor Jorden asked Mr. Winik moving forward how does the town get the certificate from MDE. Mr. Winik said he would tomorrow and he is very willing to do that; it's the tenants. Mayor Jorden clarified the town does not evict tenants. He said that is between the court system and Mr. Winik so, ultimately this responsibility right, wrong, or indifferent is Mr. Winik's responsibility. Mayor Jorden further clarified whatever the relationship between Mr. Winik and his tenant, they need to

figure it out. Mr. Winik mentioned he did call the police and spoke to Chief Barkley. Chief Barkley responded he does not recall a conversation with Mr. Winik about that. He further responded this is a landlord tenant issue which is a civil matter. Mayor Jorden suggested to Mr. Winik to go through the court with this issue. Town Mgr. Fleetwood suggested Mr. Winik can contact MDE and get a date for the lead paint inspection. He said Mr. Evanson and himself can go to the property and talk to the tenants and tell them what's going on but Mr. Winik has to provide the date he sets up with MDE. Mr. Winik responded he has to have a walkthrough first to make sure the residence is good.

Commissioner Shaffer said that Town Mgr. Fleetwood's suggestion is the best way to handle it. Mr. Winik responded that is fine with him. He said don't penalize him because he has tried to contact the tenants. Mayor Jorden asked Mr. Winik what about the five months it was vacant. Mayor Jorden stated moving forward the town needs to get a date on the books and get this finalized.

Town Attorney Benson stated the law in Delmar is before Mr. Winik leased the property, he had to have the license and he leased the property without an inspection/license in hand. Mr. Winik has a series of problems and he can not go to court to get the tenants out unless he has a landlord license. He said if Mr. Winik doesn't have a landlord license as soon as Mr. Winik goes to court the court is going to kick it out because when you file a Breach of Lease Action there is a box that says are you required to have a license and Mr. Winik has to say no. He further stated Mr. Winik can not file a failure to pay rent action because number one you have to fill out a box that says you have to have a license and number two you have to check a box that says you have a lead paint inspection. The court is going to throw it out. If the town sites him the citation at this point would be filing a civil citation which will be against the landlord for not having a landlord license. The court would look at it and tell Mr. Winik to get the tenants out. This is not the town's problem.

Mayor Jorden said from this point moving forward he suggested for Mr. Winik to work with Mr. Evanson and Town Mgr. Fleetwood to try to get something scheduled. Town Mgr. Fleetwood asked Mr. Winik what day this week did he want to do the inspection. Mr. Winik answered he would look at his schedule. Town Mgr. Fleetwood further asked Mr. Winik what time they would hear from him tomorrow. Mr. Winik further answered maybe by the afternoon. Town Mgr. Fleetwood said they can get something scheduled this week.

Lead and Copper Ordinance#765 Introduction

Town Mgr. Fleetwood said the Town of Delmar, Delaware and Delmar, Maryland are required to identify from the water main to the property what the construction is of the supply line. On the Maryland side the town has narrowed it down to about 480 homes which the town is unable to do via crawlspace or basements. Now the town has to get into a more technical process. He further said the State of Maryland awarded the town a loan in the amount of roughly \$181,000 and the loan forgiveness in the amount of roughly \$181,000.

Mayor Jorden introduced Lead and Copper Ordinance #765.

Mayor Jorden called for a motion to adopt the first reading of the Lead and Copper Ordinance #765. A motion was made/seconded (Lenox/Shaffer) and carried by a vote of 5 Ayes.

Kylan Barn

Mr. Kyle Hughes owner of Kylan Barn that is adjacent to The Groove which about 600 feet away said he had a wedding on Sunday at Kylan Barn. The music at The Groove has become loud to the point where it is disrupting his business. The stage at The Groove was where the music was going on from basically 12:30 p.m. to 4:40 p.m. Mr. Hughes asked the Mayor and Commissioners how this is allowed to happen, and what can he do to move forward so this does not happen because it is affecting his business. He further said even when the music is not amplified like it was, he can still hear it. Kylan Barn is approved to have that kind of music and The Groove is not because it is a restaurant. A lengthy conversation occurred.

Mayor Jorden said ultimately Mr. Hughes and Mr. Doug Marshall owner of The Groove need to figure it out. Deputy Mayor Lenox asked Chief Barkley if he had decibel reader. Chief Barkley answered no. Deputy Mayor Lenox clarified Chief Barkley is not going to be able to technically answer the questions being fair as always. Chief Barkley suggested to Mr. Hughes to take Mr. Marshall to court because it is back and forth on both sides. Chief Barkley said he is wasting resources dealing with the back and forth.

Mayor Jorden said let us figure it out on our end, the legal side of things. He further said he appreciated Mr. Hughes bringing it to their attention.

Commissioner Nembhard asked what time of day did the issue happen. Mr. Hughes answered it was a Muslim Ceremony at 3:00 p.m. and a Ceremony for her Christening. A conversation occurred.

Committee Reports:

Fire Department Report –

Fire Chief, Justin Elliott reviewed statistical information.

Mr. Elliott asked Chief Barkley if there is a reason PD does not respond to Delmar Manor when it is incorporated in to the town. He said they waited 23 minutes the other night for a possible neglect case at Delmar Manor for the Wicomico County Sherriff's Department. Delmar PD was sitting in town. He further said he spoke to all the officers on the cell phone and they were not allowed to respond because they were not notified. Chief Barkley answered he does not know the particulars on that one but on some of those calls the Wicomico County Sherriff's Dept. is taking it on themselves, they are not relaying the call to Delmar PD. He further answered if they do not get called how are they going to respond. Mr. Elliott responded he went back through the call center and requested Delmar PD. He was advised he was not getting Delmar PD and this was a Sherriff's Dept. matter. Chief Barkley reiterated if they are not getting the call then how are they going to respond. Mayor Jorden asked Chief Barkley to look in to why Delmar PD is not getting the calls and suggested making sure the Wicomico County Sherriff's Dept. has up to date maps as well. A conversation occurred.

Police Chief's Report – The report is included in the mail packets.

Chief Barkley reported as follows: 1.) May 26th was Officer Nicholas Snead's last day. Officer Snead has accepted an offer from a beach town. 2.) PD is currently down three officers. Current Dispatcher, Kelly Chamberlain is the only person that has passed testing and will be going to the academy in the beginning of July. Chief Barkley said he has one prospect he is working on and they are from another agency. 3.) There has been headway made in filling Ms. Chamberlain's position after she goes into the academy with one of the part-timers which is currently there. 4.) There are no new crime trends or patterns after we get past our issues between our two businesses on the eastside of town. 5.) School is lettering out and there will be some growing pains. 6.) Domestic violence had a little bit of an uptake and usually it is associated with alcohol. 7.) Accidents had a little upward trend and that contributes to warmer weather and people traveling through our town going to or from the beach areas. 8.) Blue Light Night is usually the first Friday in August. This year because of some logistical issues it will occur the last Friday in July. The hours are 5:00 p.m. to 8:00 p.m. at State Street Park. 9.) Day in the Park was last weekend and everything went well. 10.) Last Thursday PD had first graders from Delmar Elementary School do our tours through town. There were close to 163 students in and out of PD.

Code Enforcement Officer Report – The report is included in the mail packets.

Public Works – The report is included in the mail packets.

Water Treatment Plant Report – The report is included in the mail packets.

Utility Commission –

The Utility Commission meeting was this evening at 6:30 p.m.

Commissioner Shaffer reported: 1.) Town Mgr. Fleetwood reported the entire Delaware side fire hydrants have been flushed. Commissioner Shaffer said one fire hydrant needed TLC which he thought was absolutely wonderful compared to what it was years ago when there were over 100 fire hydrants that did not work through the whole town. 2.) Mr. Bill Diakos requested water and sewer for a small flex property. The commission gave a favorable recommendation to the DE Council to allow that. There are 3 EDUs pending a re-evaluation. Town Mgr. Fleetwood commented the 3 EDUs maybe a bit high so a one-year flood test will show where we are at. It falls under commercial infill. The flex building will be next to Mr. Diakos's Delmar Storage Solutions on Old Stage Rd. 3.) The award has already gone out. The Utility Commission met the folks back in April that are going to do the Delaware I&I Project where they had to break it down into two parts; brick and mortar and slip lining. The work is expected to begin about mid-July.

Parks & Recreation – The report is included in the mail packets.

The Parks and Recreation Committee meeting was held on May 26, 2026.

Commissioner Boothe reported: 1.) A couple of weeks ago they had Tot Lot Storytime. Commissioner Boothe said unfortunately he was unable to attend but it was a big success. They

were happy they had the turnout like they had. 2.) There are couple of things coming up. The first week in July on Tuesday's kickball at Gordy Park will start and it's about an hour. It's a pickup game and anybody can do it. They just have to have a waiver for the insurance and they have been advised of that. Potential Events: Paint Night in the Park, High School Play Preview in the Park helping the high school production side of it, Movie Night probably next month or in a month and a half celebrating 250 years of the United States, and a car show in the park as well at the end of August or early September with vendors.

Planning & Zoning –

There were no submittals for Delmar, Maryland.

Town Managers Report –

Town Mgr. Fleetwood reported: 1.) On the DE side: the town did receive \$50,000 for removal of dead or decaying trees. Staff felt it to be of our best advantage in utilizing some of that money for State Street Park to trim out the dead limbs that are in the trees. Town Mgr. Fleetwood explained the criteria after getting three quotes was having Delaware Forestry onsite. DE Forestry went to every tree in that park and tested them. They recommended about 70% of the shade trees be taken down. Town Mgr. Fleetwood and Mayor Bauer met at State Street Park on last Friday and they are of the opinion they are going to only top the trees. The trees that were tested do have fungus and root rot.

Council Comments –

Deputy Mayor Lenox, Commissioners Nembhard, and Boothe had no comments

- 1.) Commissioner Shaffer thanked Mayor Jorden, Bunky, Julie Giordano, Wicomico County Council, Senator, Marybeth Carrozza, and Governor, Barry Beauchamp. He said as a father that has one kid in high school, and another kid knocking on high school's door he finds it great to see local government work together to solve a problem that has been talked about for probably about 18 years so that the Delmar, Maryland kids can now stand a chance at a scholarship at Wor-Wic. That's great and whether his kids go to Wor-Wic or not he loves it. He further said he is real proud of that and he is very happy to see that go through. Commissioner Shaffer said he thinks it's great.
- 2.) Mayor Jorden commented he thought one of the highlights was Dr. Deb from Wor-Wic. They have chatted the last couple of months. Every time Dr. Deb talks about how great the students are from Delmar verses other schools and Delmar students really hitting their Academy Achievement Awards. He further commented we have a couple students in the NASA Program. We have some top talent coming through our high school. Commissioner Shaffer asked Mayor Jorden if the Mayor and Commissioners Student Advisory got a top tier scholarship. Mayor Jorden answered yes.

Public Comments –

- 1.) Bernadette Cannady commented she was present to introduce herself to the Mayor and Commissioners. She further commented she is a resident of Wicomico County, not particularly Delmar. Ms. Cannady further commented she is a resident of the community of San Domingo. Ms. Cannady said she is running for District 1 Wicomico County Council and with the district lines changing that includes part of Delmar. She mentioned she wanted to listen and learn.

Adjournment –

Mayor Jorden called for a motion to adjourn which was made/seconded (Boothe/Shaffer) and carried by a vote of 5 Ayes.

Submitted by:

Clerk of Council, CMC
Vondell Spencer