

MAYOR & COMMISSIONERS
March 13, 2023
MEETING HELD IN-PERSON AND VIA TELECONFERENCE

Mayor 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 Lenox, Commissioners Boothe, Shaffer and Unsell. Town Manager Fleetwood, Police Chief Ivan Barkley, Shawn Johnson, Clerk II Donna Legacy and Robert Benson Town Attorney were in attendance. Guest: Denise Murray, Bill and Elaine Purnell, Farrah Morelli, Christine Phiefer, Council Member Morris, Andy O’Neal, Elizabeth Stripling, Jackie Milter, Maria Madero, Will Madero and Lisa Conley. Absent: Clerk of Council Vondell Spencer.

Mayor Jorden performed the Pledge of Allegiance followed by a roll call to confirm there was a quorum. A quorum was established.

Mayor’s Comments-

Mayor Jorden welcomed everyone in attendance.

Approval of Minutes

A motion was made, seconded, (Unsell/Boothe) and carried to approve the February 13, 2023 minutes as circulated by roll call vote of 5 Ayes.

Unfinished Business-

Town Mgr. Fleetwood stated the unpaid balances from Wood Creek have been paid in full. The payment was received the earlier part of last week and has been processed. The party has now satisfied all debt with the Town of Delmar.

Mayor Jorden called for a motion to remove Resolution No. 2023-2-1; declaring that the issuance of building permits for Wood Creek subdivision be suspended due to unresolved issues between the Town and the developer involving unpaid fees due to the Town, the Town’s Engineer and others. The motion was made/seconded (Shaffer/Unsell) and carried by roll call vote of 5 Ayes.

New Business –

Mayor Jorden nominated Penny Glasgow for the Parks and Recreation Commission. Ms. Glasgow described her background and said she is looking forward to working with Commissioner Boothe and the rest of the Commission.

Mayor Jorden called for a motion to nominate Penny Glasgow to the Parks and Recreation

Commission. A motion was made/seconded (Boothe/Shaffer) and carried by roll call vote of 5 Ayes.

Student Advisory –

Lillian Frazier reported: 1.) The staff vs. student's basketball game was Friday and was a success. Staff won by one point. They raised enough money to help with prom next year. The amount raised was \$900.00. 2.) Spring sports have now started. Baseball has their first game vs Stephen Decatur High School Tuesday, March 21st at 4:00 p.m. at Stephen Decatur High School. 3.) Golf's first match is Friday, March 24th vs. Milford High School at the Green Hill Yacht Club at 3:30 p.m. 4.) The Boy's Lacrosse game is Friday, March, 24th at 4:00 p.m. vs. Woodbridge High School at Woodbridge High School. 5.) The girls' soccer team has their first game Tuesday, March 21st at 4:00 p.m. vs. Woodbridge High School at Woodbridge High School. 6.) Softball also has their first game March 21st at 4:00 p.m. vs. Stephen Decatur High School at Stephen Decatur High School. 7.) Students are off this Friday, March 17th for the teachers Professional Day. Ninth, tenth, and twelfth graders are excused next Wednesday, March 22nd since it is the Junior's S.A.T. day. 8.) Spring break is April 7th to the 14th. Everyone in the school is excited and ready for that.

Ms. Frazier informed the Mayor and Commissioners she will not be attending the April 10th meeting because she will be on her spring break in Pennsylvania.

Committee Reports:

Police Chief's Report

Chief Barkley mentioned Millsboro, DE has dropped their age requirements for hiring police officers. He said the requirement is the person still has to be 21 years old but they will also hire older applicants as well.

Chief Barkley reported as follows: 1.) There was one armed robbery last month at one of the local fast-food restaurants. During the late evening hours someone with their face and hands covered drove through the drive-thru window, produced a weapon and made off with the cashdrawer. The investigation is still ongoing. 2.) There was a hit and run on State St. at Penn Ave. 3.) March 17th PD will be conducting active shooter training at the Delmar Middle/High School. No students or faculty will be present at that time. No live ammo or weapons will be in the building. The Delmar Middle/Senior High School constable will be participating with our officers as well. It will be a combined effort training. 4.) PD has had contact with their academy students and all is going well. 5.) Officer Zachary Walters and Officer Darrell Powell will be completing their field training by the end of the month. The officers will then wait for the Council on Police Training (COPT) meeting so their certification can be approved on the DE side. 6.) PCO Rojas will complete her training by the end of the month. 7.) Last Monday, March 6th the incident that took place on Elizabeth St.; the young trooper that was injured will survive. Chief Barkley said the young trooper is hurt but he will recover and we have one less bad guy to deal with. Delmar PD came out of that incident unscathed. Chief Barkley further said PD is constantly having conversations checking to make sure every officer is located and staying on point both physically and mentally. It was a great job by all involved. Mayor Jorden mentioned his contact with MSP. He said MSP reached out to him and

thanked Delmar PD for a phenomenal job and he thanked Chief Barkley as well.

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

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

Utility Commission

Commissioner Unsell reported as follows: 1.) The Utility Commission approved the Holly Oak and Stage Village Mobile Home Parks to be hooked up to the Town's water connections only. Holly Oak Mobile Home Park has 73 units; 36 would be new. The remainder are already tied in to the Town of Delmar's water system. Stage Village Mobile Home Park is 100% well and would like to connect to the Town's water and be billed by the Town of Delmar. The Town of Delmar did approve the mentioned mobile home parks to connect to the Town's water. Town Mgr. Fleetwood added DNREC is fully funding this project and there is no cost to the Town. The monthly meter reading and billing will be performed by the Town. So, in total the Town of Delmar is anticipating about 100 new water only hook-ups. A conversation ensued. 2.) Town Mgr. Fleetwood announced that Phase 1 of the sewer main project will be starting next Monday, March 20th, weather pending. Town Mgr. Fleetwood discussed getting a plan from DBF and Teal Construction, the location that the project will be started, the section where the sewer main project will take place, disruptions due to the project, length of the project and the ending result of the project. 3.) Paving will start in late March. The first targeted area is Connelly Mill Road and at the top of the list to be repaved is Executive Club Drive from Bi-State to the maintenance building.

Fire Department – The report is included in the mail packets.

Mr. Johnson reviewed his report for the Mayor and Commissioners. Commissioner Shaffer asked Mr. Johnson if Sussex County was aware that they need a bariatric unit and has it been presented to Sussex County. Mr. Johnson answered it's not up to the county; it's up to the Fire Department to buy it. A conversation ensued.

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

Commissioner Jordan reported: 1.) The first meeting was held February 28th. No meeting has been held for 3 years. 2.) Bill Giordano from the American Welding Society proposed a fundraiser; chili cookoff for the youths who would like to learn trades. The chili cookoff would be held at the State St. Park. After the cookoff the park would be opened up and will have a tradeshow. The chili cookoff and tradeshow would take place in the fall. 3.) A fall festival was discussed. 4.) A movie night in the park was discussed for the warmer months possibly once a month with no charge to the community. 5.) Ideas were presented along with the tree lighting ceremony during Christmas; possibly.

Mayor Jordan commented there were a couple of the school board members attending this meeting. He said he wanted to acknowledge them. He also thanked them for all they do in the school system.

Planning & Zoning

Deputy Mayor Lenox reported:

1. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Adrian/Elevation A – Lot 86, 9419 Rolling Green Drive, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Adrian/Elevation A – Lot 86, 9419 Rolling Green Drive, Delmar, MD, per the attached drawings. A motion was made/seconded (Boothe/Shaffer) and carried by roll call vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Hudson/Elevation A – Lot 334, 9381 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Hudson/Elevation A – Lot 334, 9381 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Shaffer/Boothe) and carried by roll call vote of 5 Ayes.

3. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Allegheny/Elevation C – Lot 366, 9317 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Allegheny/Elevation C – Lot 366, 9317 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Boothe/Shaffer) and carried by roll call vote of 5 Ayes.

4. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 377, 9308 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 377, 9308 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Shaffer/Boothe) and carried by roll call vote of 5 Ayes.

5. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Allegheny/Elevation A – Lot 378, 9314 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Allegheny/Elevation A – Lot 378, 9314 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Shaffer/Boothe) and carried by roll call vote of 5 Ayes.

6. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Adrian/Elevation A – Lot 335, 9379 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Adrian/Elevation A – Lot 335, 9379 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Boothe/Shaffer) and carried by roll call vote of 5 Ayes.

7. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Allegheny/Elevation A – Lot 337, 9375 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve– Chris Brown/Ryan Homes – New Home Build – Wood Creek/Allegheny/Elevation A – Lot 337, 9375 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Shaffer/Boothe) and carried by roll call vote of 5 Ayes.

8. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation C – Lot 371, 9307 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve– Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation C – Lot 371, 9307 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Shaffer/Boothe) and carried by roll call vote of 5 Ayes.

9. **Chris Brown/Ryan Homes – New Home Build -Wood Creek/Columbia/Elevation A – Lot 402, 9372 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Commissioners for – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 402, 9372 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Boothe/Shaffer) and carried by roll call vote of 5 Ayes.

Town Manager’s Report

Town Manager Fleetwood reported: 1.) Department Head Staff have selected PW, Robert Conaway, to fill the vacant superintendent position in the Public Works Department; effective today. Mr. Conaway has been asked by Town Mgr. Fleetwood to divide the Town into quadrants to clean-up and improve the appearance of street signs. 2.) The exact total that was received to settle the debt from NVR was \$24,658.70. 3.) Tomorrow there is a meeting at the Wicomico County Civic Center with Parks and Recreation for a follow-up meeting from the previous public input session at Delmar Elementary School in reference to the Mason Dixon Complex. No ground is expected to be moved at the Mason Dixon Complex this year. The Town is predicting about 18 months for now for the ground to be moved because funding has to be procured. 4.) The Town has received funding from the State of MD for the Streetscape Project. A preliminary meeting has been scheduled with DBF Thursday at 10:00 a.m. to get the direction and suggestions made by Mayor Jordan planned. 5.) Heritage Day is September 23, 2023 from 10:00 a.m. to 2:00 p.m. Flyers have gone out and contact has been made with the Chamber of Commerce. The Chamber of Commerce has agreed to schedule vendors. The, “Double Nickels Band”, will be performing, free horse and buggy rides, 3C Church and Delmar PD will erect the rock-climbing wall, large farm equipment will be on display, touch a truck and a tug of war between MD and DE will kick off Heritage Day. 6.) Town Mgr. Fleetwood would like to get the Delmar Middle/Senior High School chorus and band involved in the rededication of State St. Park. 7.) The scout house at the State St. Park will be vinylized with new windows. The windows and doors have been donated by a contractor. 8.) Tomorrow department heads will have an anti-harassment training session. The department heads will then have a time for their employees to complete the training. 9.) Tomorrow evening the Delmar Citizen of the Year banquet at the Delmar V.F.W. will be held. The Citizen of the Year is Sara Bynum-King. 10.) Wednesday evening at 6:00 p.m. the first Utility FY’24 budget workshop will be held. 11.) Last Thursday Administrative Assistant, Starr Conaway, did meet with another broker and we are seriously looking at revamping the healthcare for the Town.

Council Comments

Deputy Mayor Lenox commented the Council has had discussions from time to time that they need to update the Comprehensive Plan for Delmar, MD. Two or three years ago Delmar, DE had a good jump on it and they are in pretty good shape. For the coming year we are looking to take another look at the Town’s Comp Plan from 2009 and evaluate some of the Town’s assumptions and look at some of the Town’s goals and update to get a better handle on where we are going. It’s an established process that would take 10 years or so and the timing is good now.

Deputy Mayor Lenox said he had a meeting with DBF, Josh Taylor, Town Mgr. Fleetwood and the planning consultant they are anticipating on retaining. They hope to have a scope of work done by the end of the month.

Commissioner Shaffer commented he attended the student and staff basketball game. He said he had such a great time.

Commissioner Shaffer further commented he was really proud the Town's PD was not working alone last Monday, March 6th.

Commissioner Shaffer asked Town Mgr. Fleetwood if Wicomico County was stepping up to help the Town of Delmar with Connelly Mill Rd. Town Mgr. Fleetwood answered that is correct. Commissioner Shaffer said it is really great that they are going to work with the Town. He thanked Lee Outten and all of those guys that are helping.

Commissioner Boothe commented for the last month he has been very involved with the Delmar School District and their direction and leadership has been very positive. He said Mr. O'Neal and Ms. Morelli's work is being noticed and appreciated. The school is the home of this Town. A lot of good things are happening in Delmar and he is very excited.

Commissioner Unsell commented he has communicated an issue with the Wood Creek HOA Board. The resolution that was passed last month said that Mr. Metha's contractor could not get permits unless Mr. Mehta settled a debt he owed the Town, TK Construction and engineering fees.

He further commented in Bridgeville, DE they have an ordinance called Clean Hands Policy. Commissioner Unsell explained what that policy meant. He said the Town of Delmar needs to have a policy/ordinance that says that in Delmar so the Town does not have to go through this every time.

He further said if Mr. Mehta would like to do business with the Town of Delmar he better have clean hands to do it. He suggested Mr. Benson look into putting together an ordinance and maybe looking into neighboring towns of DE that have a Clean Hands Policy and try to mimic that policy.

Town Mgr. Fleetwood added back in July/August of 2022 one of the recommendations that he made to the MD and DE body was going forward with any developer; that developer establish an escrow account with the Town and we give them a balance and when it gets down to zero Town assistance and Town services stop until they replenish that escrow.

Public Comments: -

- 1.) Elaine Purnell asked Commissioner Boothe if any thought has been given on a dog park. Town Mgr. Fleetwood answered at the Wicomico County public input meeting that was held at Delmar Elementary School one of the things that was being considered was a potential dog park by the gazebo in Leonard's Mill Pond Park.

- 2.) Elaine Purnell said on Mulligan Way there was a fire hydrant that was laying on the ground wrapped up. She asked if someone was working on fire hydrants on Mulligan Way. Town Mgr. Fleetwood answered a contractor ran over it and it has been repaired. The hydrants are all functional. Mayor Jorden added the Town did have close to 40 hydrants that were nonfunctional; now all but three are functioning. A conversation ensued.
- 3.) Shawn Johnson commented the FD rescue truck should be back by the end of the month.
- 4.) Shawn Johnson further commented someone called him and the new fire hydrants at Pond's Edge are red instead of yellow and the FD has to check them. He said they think the storz (connection) are 4-inches and not 5-inches. If that is the case that is a big deal. Town Mgr. Fleetwood clarified with Mr. Johnson that the FD needs 5-inch storz (connection).
- 5.) Andy O'Neal Interim Superintendent of the Delmar School District commented April 1st the school will have a gala at Kylan Barn at 6:00 p.m. It is a big fundraiser for the kids and all the money goes back to the classroom. Also, the Junior Class quarter auction is at the school Friday at 6:00 p.m. He said he would appreciate everyone's support.
- 6.) Mr. O'Neal further commented he had an opportunity to meet with Town Mgr. Fleetwood on several occasions and he and Ms. Morelli are enjoying their partnership with the Town working with the traffic issues. Josh Taylor, Mayor Jorden and Town Mgr. Fleetwood have been very instrumental trying to alleviate the pressure around arrival and dismissal issues.

Adjournment

Mayor Jorden called for a motion moved and seconded (Boothe/Unsell) and carried to adjourn with a roll call vote of 5 Ayes.

Submitted by:

Clerk of Council
Vondell Spencer