

**MAYOR & COMMISSIONERS**  
**September 12, 2022**  
**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, Lieutenant Alexander, and Clerk of Council Spencer. Guests: Megan Outten, Tom Bauer, Robin Bond, Penny Glasgow, Linda Morris via teleconference Chris Brown. Absent: Chief Barkley.

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 said he hoped all attendees are well.

**Approval of Minutes**

A motion was made, seconded, (Shaffer/Unsell) and carried to approve the August 8, 2022 minutes as circulated by roll call vote of 5 Ayes.

**Unfinished Business-**

None.

**New Business –**

Town Mgr. Fleetwood discussed reallocation of funds for an A/C unit in the WWTP. He mentioned it is an unplanned replacement. The grand total is \$14,760.00. The monies will be pulled half from outside skilled services and half from equipment maintenance. The monies will be transferred into capital outlay and the then the bill will be paid.

Mayor Jorden called for a motion to approve the reallocation of funds request for the A/C unit for the WWTP. A motion was made/seconded (Boothe/Unsell) and carried by a roll call vote of 5 Ayes.

Town Mgr. Fleetwood discussed the DE Rural Water Apprenticeship Program. He said DE Rural Water and WTP Superintendent, Sophia Oberton, and himself worked back and forth with Delmar High School to offer this program to juniors and seniors. This program will be taught twice a week. The caveat is the Town will have to provide Ms. Oberton twice a week for about an hour on those two days to be a primary instructor.

He further said he discussed this with Ms. Oberton and she said this would be before her duty day. Ms. Oberton is very interested in creating that interest. He mentioned he had a meeting this Thursday with the school superintendent to go over the final details. There is no cost to the Town other than Ms. Oberton's time.

Town Mgr. Fleetwood proposed new blue and orange State St. Park playground equipment. He said the Mayor and Council opted for Option 1. The cost for Option 1 is \$125,000.00. There is \$85,000.00 in grant money. The difference of \$40,000.00 will be pulled from the American Rescue Plan money. Also, Commissioner Shaffer reached out to him and suggested to split the ARPA money, \$20,000.00 on each side; MD and DE.

Town Mgr. Fleetwood explained the agency, municipality or receiving entity that receives money, there is an option to take as far as expenditures. One option is claiming the standard deduction for loss which is \$10,000,000.00. The Town only received shy of \$3,000,000.00 so, anything below \$10,000,000.00 can be used with the exception of one expense. It cannot be used for a retirement account. The Town is fine to spend that money for this purpose. A conversation ensued.

Town Mgr. Fleetwood further said the fence at the West Tot Lot is beyond repair. The playground equipment is not as bad as State St. Park so the Town is not doing a total replacement. The tentative schedule for the arrival of this equipment is November and excavation will take place in the park sometime in November and installation of the equipment will be in early December weather permitting.

He mentioned that he ordered the equipment for both parks last Wednesday. The Town is replacing the playground equipment at State St Park and some equipment upgrades and fencing at the West Tot lot. The vision that he would like to see come true is a new fence, new playground equipment, new signage at State St. Park, Cpl. Heacock's monument in place and an overall rededication of the park, hopefully in December.

Commissioner Boothe questioned mats for the new playground equipment. Town Mgr. Fleetwood replied looking at the equipment, all the equipment will have wear mats. Commissioner Boothe said what we currently have is a lot of mulch. Town Mgr. Fleetwood further replied it will have engineered wood fiber not mulch and wear mats. A conversation ensued.

Mayor Jorden called for a motion to approve the split of ARPA money in the amount of \$20,000.00 on the MD side. A motion was made/second (Lenox/Boothe) and carried by roll call vote of 5 Ayes.

## **Committee Reports:**

### Police Chief's Report

Lieutenant Alexander reported: 1.) Chief Barkley is away at a conference and should be returning next Monday. 2.) The swearing in ceremony for the three new officers was a huge success. He said the new officers truly appreciated it. It was good to see such a tremendous show from the public and elected officials. Town Mgr. Fleetwood added the next time around he would like to see double

the attendance. 3.) The newest hire out of the academy Jacob Engelskirch has successfully completed all of the DE COPT (Council on Police Training) requirements for certification. The Council on Police Training will be voting him in as a certified police officer at their next meeting October 12<sup>th</sup>. He has been given provisional police authority until then. 4.) The two recruits in the police academy Zachary Walters and Darrell Powell are progressing well. They are slated to graduate December 15<sup>th</sup>. 5.) Today an applicant unfortunately withdrew from the current process. He accepted an offer from Seaford Police Department. 6.) As a result, from the CVSA's (Computerized Voice Stress Analyzer) PD is down to three candidates who successfully completed the analyzer and just lost one candidate today so we are down to two. The two candidate's interviews are scheduled for this Thursday at PD with the interview board. Upon successful completion of a background investigation and them potentially not taking off for somewhere else we look forward to them starting the academy in January 2023. 7.) Currently on Policeapp.com they currently have four new applicants; three of which are female which is a first in quite a while. 8.) PD will be accepting applications until late December for this round and then they will begin the hiring process for January for the July 2023 academy. 9.) The softball tournament went off without a hitch as far as the police are concerned there was no issues. 10.) A large music event took place at Kylan Barn on the September 28<sup>th</sup>. Initially there were concerns but there were no issues. 11.) SRO (School Resource Officer) PFC Novak indicated the first week of school went well. There were no reported fights during the first week of school opposed to four last year. PFC Novak said there seems to be a better climate in school this year than last year. 12.) The new police vehicles have been ordered and will arrive sometime early next year.

Mayor Jordan asked how the school bringing on a Constable will affect PFC Novak's position, is he responsible for that or is the school responsible for that? Lieutenant Alexander answered that would be a school position of which the school has complete authority and control over. The Constable would work hand and hand with PFC Novak doing mostly the same things as PFC Novak does now. The school wanted two officers in the school from the PD but they do not have enough manpower.

He further asked if the Constable is too aggressive with a student does that go back to the school or Delmar PD? He further answered the school retains all responsibility for that individual and his actions. Lieutenant Alexander added he thought the school was looking to fill that position by November and as of Friday night at the football game he heard there have been three applicants.

Mayor Jordan asked if PD is shooting to have two or three recruits in the upcoming police academy? Lieutenant Alexander answered the most they could have now is two because they just had one applicant drop out today. He further answered the most PD can hire at any significant time is three because of field training issues. Town Mgr. Fleetwood added the full-time PCO (Dispatcher) position will go live externally tomorrow. The Town is striving to get to 24-hour coverage with PD dispatchers.

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

Town Mgr. Fleetwood mentioned please keep Liz Peak the Code Enforcement Officer in their thoughts. She lost her grandfather on Friday. She has been out of the office Thursday, Friday and is scheduled back in the office on Wednesday. Commissioner Boothe asked when something like this

happens, does the Town send flowers? Town Mgr. Fleetwood answered we are going to have a number of personnel policy updates and that is one of them but flowers will be sent.

He further answered at this point we have put a policy in place so that we are uniform across the board with all departments. There is a dollar amount of \$150.00.00 for flowers, fruit basket, potted plants or a contribution to a 501C3 organization but nothing to exceed that dollar amount.

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

Commissioner Shaffer said we had eleven tall grass violations, that seems high. Commissioner Boothe asked is that for vacant homes or residents just not cutting their grass. Town Mgr. Fleetwood answered its properties in general.

Mayor Jordan asked the progress of the seasonal employees. Town Mgr. Fleetwood answered they are doing good. The seasonal employee that is a senior in high school is working 4-5 hours a day. The other gentleman graduated from high school about one year ago. The seasonal employees total combined is up to 30 hours each a week. They have been very productive. Their focus tomorrow is curb painting back on State Street, V.F.W, down to the cemetery, down to Bi-State Blvd., back to the high school, regroup and think about priorities whether it be Wood Creek, Ponds Edge etc.

#### Utility Commission

Commissioner Unsell reported as follows: 1.) Request for reallocation for the WWTP A/C Unit was approved. 2.) DBF, Senior Engineer, Josh Taylor gave an update on EDU Capacity and Phase I, II and III to replace the sewer systems that should help in our I&I problems. 3.) Town Mgr. Fleetwood reported our nonworking hydrants have been brought down from 29 to 13.

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

Shawn Johnson reported the FD is in the process of replacing the 1994 75-foot ladder truck. That truck was rehabbed in 2008. The FD is estimating between \$1,400,000.00 and \$1,700,000.00 for that replacement. He said the FD is expecting 107-foot ladder.

Mayor Jordan noted that the FD has prepared for the fire hydrants being down. Mr. Johnson responded yes, absolutely.

Commissioner Boothe asked Mr. Johnson's opinion about the box alarms. A conversation ensued.

Mayor Jordan asked what the progress was with recruiting. Mr. Johnson answered the FD just took in this past week three; 2 for ambulance associate, 1 cadet and 2 for probation fire in the last month. A conversation ensued.

Mr. Johnson announced the 15<sup>th</sup> Annual Sportsman Giveaway, November 6<sup>th</sup>, is the FD big fundraiser. Tickets are \$35.00 a piece and four for \$100.00. There is a flyer on the FD website.

## Planning & Zoning

Deputy Mayor Lenox reported as follows:

1. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 80, 9431 Rolling Green Drive, Delmar, MD** – Ms. Brown presented for a new home build per the attached drawings.

Deputy Mayor Lenox asked for a motion to accept the Planning Commission's favorable recommendation to approve – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 80, 9431 Rolling Green Drive, Delmar, MD, per the attached drawings. A motion was made/seconded (Shaffer/Boothe) and carried by roll call vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Bramante/Elevation L – Lot 367, 9315 Mulligan Way, Delmar MD** – Ms. Brown presented for a new home build per the attached drawings.

Deputy Mayor Lenox asked for a motion to accept the Planning Commission's favorable recommendation to approve – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Bramante/Elevation L – Lot 367, 9315 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 Mgr. Fleetwood reported as follows: 1.) In the Mayor and Council Mtg. the Delmar Historical and Arts Society presented their request to seek approval to sublet the old Dr. Larrimore office in front of the post office for a museum. They received a \$250,000.00 grant from the State of DE. The Mayor and Council did approve a sublet. St. Stephens United Methodist Church has acknowledged in writing that they are fine with this sublet. Their aim is to take the grant money to fix that building structurally. It has been suggested that they will have the museum open to the public the second and fourth Friday evenings from 4:00 p.m. to 7:00 p.m., when there are festivities in Town, by appointment etc. 2.) Both Mayors have seen the plaque was prepared for the Girls Softball Team. He said he was waiting to find out when that ceremony was going to take place. 3.) Town Mgr. Fleetwood publicly thanked Chief Finance Officer, Heather Chandler, for converting Town employees' email addresses minus the PD. Their Town email is there first initial of their first name, last name @townofdelmar.us. 4.) New color business cards were ordered because of email changes. Also, the colored business cards actually came in at \$15.00 per 500 cheaper than the black and white. 5.) The DE Election is October 3<sup>rd</sup>. The polling place is the Delmar Public Library. The polling hours are 7:00 a.m. to 7:00 p.m. We are still waiting on the State of DE to give us our poll workers.

## **Council Comments**

Commissioner Boothe commented himself and Mayor Jordan attended the Delmar school board meeting. He further commented that is something that they are going to try to attend as often as they

can to let them know that they are interested in what's going on there. He further commented Delmar is Delmar and if the school board had any questions there is representation right there. He said one of their main concerns is growth. There are a lot of things moving and a lot of progress happening. It is exciting to see that it is happening. Town Mgr. Fleetwood had been a part of that and communication is absolutely amazing.

Commissioner Unsell commented something that has been bugging him since earlier this year is street lighting on Mulligan Way and Rolling Green Drive. He further commented he brought it up in January for the first time, finally put Mr. Barry Mehta's feet against the fire and put a bond up so that it would get done in March. Delmarva Power had to order the street lights which were the kind that matched the rest of the community. We were told in May that they had them in stock and to date there are no street lights. He asked Town Mgr. Fleetwood to follow-up with Delmarva Power and find out what the holdup is? Town Mgr. Fleetwood answered he would. Commissioner Unsell mentioned the residents on Mulligan Way and Rolling Green Drive have been without streetlights for a year and a half now. He further mentioned the people back there are concerned that without streetlights crime can happen.

Deputy Mayor Lenox commented he found it very intriguing, the discussion, about the Historical Society. Town Mgr. Fleetwood replied the Historical and Art Society. Deputy Mayor Lenox asked if this organization was the same one as opposed to the ones that signed the agreement in 1996? Town Mgr. Fleetwood answered correct, the current organization was all new members. Deputy Mayor Lenox further commented obviously it's physically on the DE side but their jurisdiction must extend on this side as well. He mentioned he has been involved among the Board of the Beach to Bay Heritage Area which is a MD issue which he was aware Town Mgr. Fleetwood dealt with Historic and Arts Society in his previous life as well. Deputy Mayor Lenox said he would be happy to get in contact with those folks or give them his name or something because we don't have as much money as it appears. They've secured DE but we do have resources. Obviously representing both DE and MD but having a profile in existence on the MD side we can probably vouch for that. So, he would be happy to follow-up with that.

Commissioner Shaffer said his family has a sixth grader and they went to the back-to-school night and it was pretty awesome. The school had a really good focused plan for discipline. What they were really going to be strict on was obvious from the get go and he was really impressed as a parent. Commissioner Shaffer asked Town Mgr. Fleetwood if a picture of the new playground equipment could be put up and a couple notes about it. Town Mgr. Fleetwood answered yes.

Commissioner Shaffer mentioned he did hear all the rumblings and concerns about the event at Kylan Barn. He further mentioned he went to go check it out for himself to make an evaluation and it seemed like it was a great event. There was a lot of people there hanging out on the grass on blankets, listening to music and dancing. In his opinion the hours for the event were very appropriate which probably helped control the issues and concerns that were possibly twenty years old that he was hearing about.

## **Public Comments: -**

- 1.) Robin Bond reminded everyone that the Annual Delmar Police Golf Tournament is October 1<sup>st</sup>, at Mulligans Pointe. The start time is 10:00 a.m. All of the proceeds go to the Delmar Crime Prevention Fund. She said Saturday, September 17<sup>th</sup> is thank a police officer day. Town Mgr. Fleetwood added on September 24<sup>th</sup> Skeet Shoot for Fallen Officers in Mardela Springs, MD is scheduled. Ms. Bond mentioned Delmar PD's Hummer was at Mission BBQ yesterday and it was great to see that representation. Commissioner Boothe agreed.
  
- 2.) Linda Morris said she would like to commend the Mayor and Commissioners for all the progress that is being made. Also, it is great to hear about all the partnerships that are being forged and strengthened. She asked Lieutenant Alexander if the Constable has arrest power and are they authorized to carry a weapon? Lieutenant Alexander answered yes to both questions.

## **Adjournment**

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

Submitted by:

Clerk of Council  
Vondell Spencer