

CITY OF SALISBURY, MARYLAND

#4 MEETING

MARCH 8, 2010

PRESENT

Council President Louise Smith

Councilwoman Deborah S. Campbell

Councilwoman Eugenie P. Shields

Council Vice President Gary A. Comegys

Councilwoman Terry E. Cohen

ABSENT

Mayor James Ireton, Jr.

IN ATTENDANCE

Assistant City Clerk Kimberly Nichols, CMC, City Administrator John Pick, ICMA-CM, Assistant City Administrator Loré Chambers, City Solicitor Paul Wilber, Public Works Director Teresa Gardner, Assistant Public Works Director Chip Messick, Internal Services Director Pam Oland, Acting Fire Chief Rick Hoppes and interested Citizens and Members of the Press.

CONVENING - ADOPTION OF AGENDA

The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President Smith called the meeting to order. The Lord's Prayer and the Pledge of Allegiance were recited.

Mr. Comegys moved and Ms. Cohen seconded to adopt the agenda. Ms. Cohen moved to amend the agenda by moving Resolution No. 1894, appointment to PAC 14 Board of Directors, after the Consent Agenda. Mrs. Campbell seconded and the motion passed unanimously. Mrs. Campbell made a motion for Resolution No. 1895, approving a financial policy for the City of Salisbury, to be considered at the March 22, 2010 Council meeting. Ms. Cohen seconded, but the motion failed to pass. Mrs. Campbell and Ms. Cohen voted aye and Mrs. Shields, Mrs. Smith and Mr. Comegys voted nay.

The agenda, as amended, was unanimously adopted.

BRIEFING ON FEBRUARY SNOW EVENT – presented by Assistant City Administrator Loré Chambers

Mrs. Chambers gave a briefing on the February 9 – 11, 2010 snow emergency event.

CONSENT AGENDA – presented by Assistant City Clerk Kimberly Nichols

The Consent Agenda, consisting of the following items, was unanimously approved on a motion by Mr. Comegys and seconded by Ms. Cohen:

- February 22, 2010 minutes
- March 1, 2010 Special Meeting minutes

RESOLUTION No. 1894 – APPOINTMENT TO PAC 14 BOARD OF DIRECTORS

Mr. Comegys moved and Mrs. Campbell seconded to approve Resolution No. 1894. Ms. Cohen moved and Mr. Comegys seconded to amend the resolution by inserting “to replace Councilwoman Debbie Campbell as the designated Director for the City of Salisbury” after the word “appointed.” The amendment was unanimously approved.

NOTE: Council failed to vote to approve Resolution No. 1894 as amended.
The Resolution will be considered for final vote at the March 22, 2010 meeting.

AWARD OF BIDS - presented by Internal Services Director Pam Oland

On a motion by Mr. Comegys and seconded by Ms. Cohen, the following item was unanimously approved:

- Change Order #1 Contract #A-3-09 \$33,000
Miscellaneous Chemicals
(Acct No. 82075-546004)
Shannon Chemical Corporation

ORDINANCES – presented by City Attorney Paul Wilber

- Ordinance No. 2100 – 1st reading – amendment to subdivision regulations (Section 16.48.030 of the Code) regarding bonding & plat recordation

Ordinance No. 2100 for first reading passed unanimously on a motion by Mr. Comegys and seconded by Ms. Cohen.

- Ordinance No. 2101 – 1st reading – repealing & reenacting Chapter 13.28, Stormwater Management, of the Salisbury Municipal Code

Mr. Comegys moved and Ms. Cohen seconded to approve Ordinance No. 2101 for first reading. On a motion by Mr. Comegys and seconded by Ms. Cohen, it was unanimously approved to postpone Ordinance No. 2101 for first reading to the March 22, 2010 Council meeting.

RESOLUTION – presented by City Administrator John Pick

- *Resolution No. 1895 – approving a financial policy for the City of Salisbury*

Mr. Comegys moved and Mrs. Shields seconded to approve Resolution No. 1895. On a motion by Mr. Comegys and seconded by Mrs. Shields, an amendment was unanimously approved to include the following bulleted items after the third bullet in the Fund Balances/Reserves section:

- *“The original adopted General Fund Budget shall not utilize the undesignated fund balance (reserve) to fund non-capital expenditures or general operating expenses in excess of 1.0% of that year’s original adopted General Fund Budget.”*
- *“Capital items funded in the adopted budget utilizing the undesignated fund balance cannot be cut without a corresponding addition back to the undesignated fund balance as to prohibit the undesignated fund balance being utilized for general operating expenditures without a budget amendment.”*

Ms. Cohen moved and Mrs. Campbell seconded to amend the Fund Balances /Reserves section by inserting “endeavor to” after the word “shall” in the first bulleted item. The amendment was unanimously approved.

Mr. Comegys moved and Mrs. Shields seconded to amend the second bulleted item in the Fund Balances /Reserves section by adding “not to exceed five years” in the second sentence to read as follows:

“The plan should include specific time frames not to exceed five years and the amount for each year.”

The amendment was unanimously approved.

Ms. Cohen moved and Mrs. Campbell seconded to amend Resolution No. 1895 by removing “should” and replacing with “shall” in the second bulleted item, second sentence, in the Fund Balances /Reserves section. The amendment was unanimously approved.

Resolution No. 1895, as amended passed unanimously.

PUBLIC COMMENTS

Highlights of comments/inquiries from three members of the public included:

- *Salisbury Fire Department Fire Boat (information provided to Council attached to original minutes).*
- *request for Council to consider budgeting a salary for the Poplar Hill Mansion curator (letter provided to Council attached to original minutes).*
- *opposition to budgeting a salary for Poplar Hill Mansion curator*

With no further business, the meeting adjourned at 7:25 p.m.

*CITY OF SALISBURY, MARYLAND
CLOSED SESSION
MARCH 10, 2010*

TIME & PLACE: 9:34 a.m. – Conference Room 306 - Government Office Building
PURPOSE: Consult with legal counsel
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland Section 10-508(a)(7)
PRESENT: Council President Louise Smith, Councilwoman Deborah Campbell, Councilwoman Terry Cohen, Councilwoman Eugenie Shields, City Clerk Brenda Colegrove, City Administrator John Pick, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber

Note: Council Vice President Comegys and Councilwoman Campbell arrived after the vote was taken to convene in closed session.

At 9:34 a.m., in Conference Room 306 of the Government Office Buildings, Mrs. Shields moved to convene in closed session to consult with legal counsel as permitted under the Annotated Code of Maryland Section 10-508(a)(7). Ms. Cohen seconded and the vote was unanimous.

The Council discussed the City Attorney's privileged and confidential opinion memo relating to the waiver of capacity fees for affordable housing. On a motion by Mrs. Campbell and seconded by Mrs. Shields, the closed session adjourned at 10:14 a.m.

Kimberly R. Nichols

Assistant City Clerk

Louise Smith

Council President

STATEMENT FOR CLOSING A MEETING

Location: GOB - Rm 306

Date: 3-10-10

Time: 9:34 a.m.

Motion: Shields

Seconded By: Cohen

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Deborah S. Campbell	{ }	{ }	{ }	{ ✓ }
Terry E. Cohen	{ ✓ }	{ }	{ }	{ }
Gary A. Comegys	{ }	{ }	{ }	{ ✓ }
Eugenie P. Shields	{ ✓ }	{ }	{ }	{ }
Louise Smith	{ ✓ }	{ }	{ }	{ }

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

- (1) To discuss:
 - { } (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
 - { } (ii) Any other personnel matter that affects one or more specific individuals.
- (2) { } To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3) { } To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4) { } To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5) { } To consider the investment of public funds.
- (6) { } To consider the marketing of public services.
- (7) { ✓ } To consult with counsel to obtain legal advice on a legal matter.
- (8) { } To consult with staff, consultants, or other individuals about pending or potential litigation.

- (9) {} To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10) {} To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans.
- (11) {} To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12) {} To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) {} To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14) {} Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

TOPICS TO BE DISCUSSED:

*Privileged & Confidential memo issued by
City Attorney relating to waiver of capacity fees*

REASON FOR CLOSING:

Consult with City Attorney


Louise Smith
Council President
City of Salisbury

City of Salisbury



MARYLAND

PAMELA B. OLAND
DIRECTOR OF INTERNAL SERVICES

PURCHASING DIVISION
DEPARTMENT OF INTERNAL SERVICES
125 N. DIVISION STREET, ROOM 104
SALISBURY, MD 21801
410-548-3190
FAX: 410-548-3192

COUNCIL AGENDA

March 8, 2010

Page No.

- | | | |
|----|---|-------------|
| 1. | Change Order # 1 Contract # A-3-09
Miscellaneous Chemicals
(Acct. No. 82075-546004) | \$33,000.00 |
|----|---|-------------|

City of Salisbury



PAMELA B. OLAND
DIRECTOR OF INTERNAL SERVICES

PURCHASING DIVISION
DEPARTMENT OF INTERNAL SERVICES
125 N. DIVISION STREET, ROOM 104
SALISBURY, MD 21801
410-548-3190
FAX: 410-548-3192

MARYLAND

COUNCIL AGENDA

March 8, 2010

TO: Mayor and City Council

SUBJECT: Changer Order # 1 for Contract # A-3-09 (Renewal-2100106)
Miscellaneous Chemicals

The City of Salisbury Internal Services Department, Procurement Division, received a request from Salisbury Public Works (SPW), Water Plant, to process Change Order #1 for Contract # A-3-09 (Renewal 2100106), *Miscellaneous Chemicals* in the amount of \$33,000.00, to Shannon Chemical Corporation. This change order is to cover the cost of Shan-o-corr, the corrosion inhibitor required in the City's water treatment process. This increase will cover the usage required until renewal of the contract for FY2011.

Upon approval and transfer of funds from the WTP electricity account, there will be sufficient funds in Account Number 82075-546004 (WTP-Chemicals) to cover the cost of this change order in the amount of \$33,000.00. The Department of Internal Services-Procurement Division requests Council's approval to approve Change Order # 1 as noted above to Shannon Chemical Corporation, in the amount of \$33,000.00.

Thank you.

Karen D. Reddersen
Assistant Director of Internal Services-Procurement Division



Salisbury Public Works

Teresa Gardner, P.E.
Director

Government Office Building
125 N Division Street Rm 202
Salisbury Maryland 21801-4940

Newell W. Messick, III P.E.
Deputy Director

410-548-3170
410-548-3107 - Fax

To: Karen Reddersen

From: Cori Cameron

Date: February 19, 2010

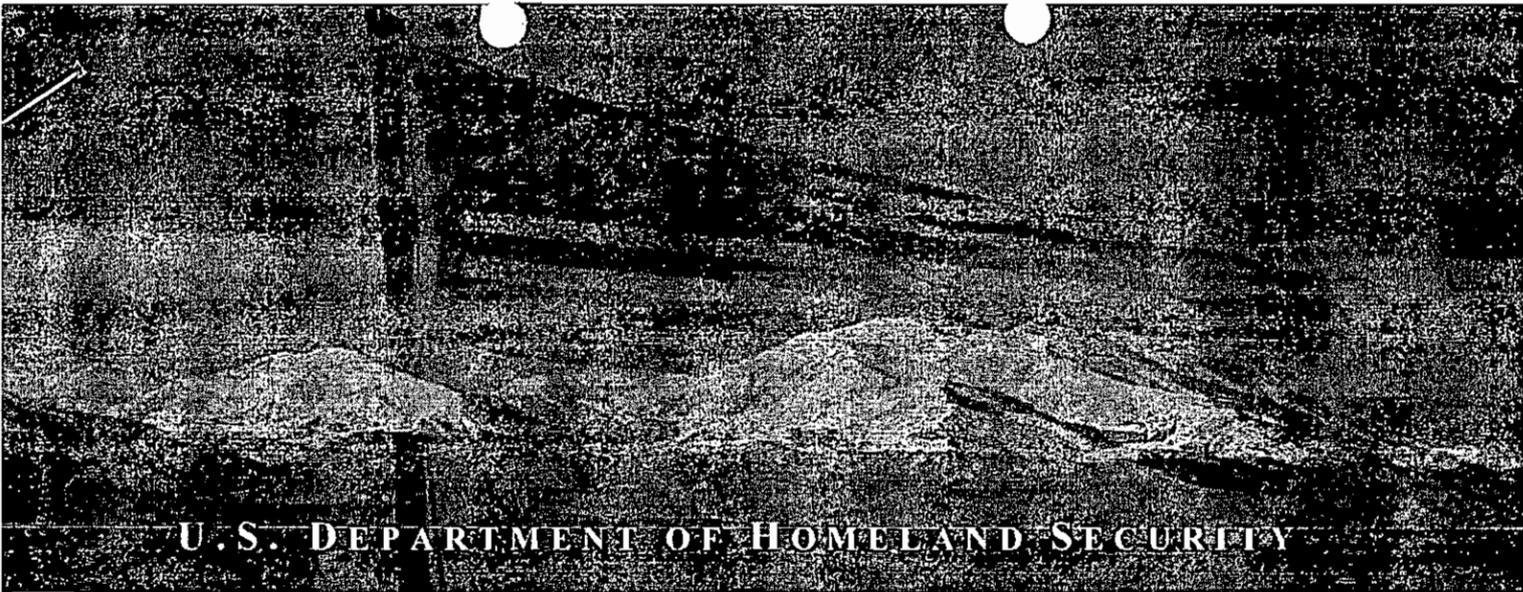
RE Purchase order # 2100106/Contract # A-3-09 Miscellaneous Chemicals
(Renewal)

The Water Treatment Plant would like to add an additional \$33k to purchase order #2100106/contract # A-3-09 Miscellaneous Chemicals to have enough chemical for the remainder of FY10. This purchase order with Shannon Chemical is for the corrosion inhibitor used in the water treatment process. The amount of chemical used was slightly increased at the end of the FY09 budget year and we are currently foreseeing a shortfall before the contracts are renewed in FY11. Upon approval, funds are available in account #82075-556201 electricity thru transfer to account #82075-546004 chemicals, to cover the additional cost. This amount should cover the water plant thru to the first council meeting in July FY11, at which time we can request to renew the contract as required.

AUTHORIZED BY

A handwritten signature in black ink, appearing to read "Teresa Gardner", is written over a horizontal line.

Teresa Gardner, P.E.
Director of Public Works



U.S. DEPARTMENT OF HOMELAND SECURITY

**AMERICAN RECOVERY AND REINVESTMENT ACT OF
2009**

PORT SECURITY GRANT PROGRAM

GUIDANCE AND APPLICATION KIT

MAY 2009

*TWIC
cards ?*

140.00 for 5 years



U.S. DEPARTMENT OF HOMELAND SECURITY

A.R.R.A. - Port Security Grant

Fire Boat Grant Project

Abstract Summary

The proposed Investment will focus on the Port of Salisbury, Maryland. The geographical area covered by this Investment will benefit the tidal and navigable waterways of Wicomico, Somerset and Dorchester Counties, the southern eastern shore of Maryland. This includes but is not limited to the Wicomico and Nanticoke Rivers as well as the Tangier Sound and the lower Chesapeake Bay. The Captain of the Port for this area is Captain Brian Kelley from the United States Coast Guard – Sector Baltimore. The identified eligible port area is the Port of Baltimore, MD as defined by Title 33, United States Code, Chapter 1, Subchapter II, § 59k.

The City of Salisbury Fire Department (SFD), a local government agency, is comprised of 64 career and 120 volunteer members. The SFD is authorized by the Charter of the City of Salisbury (a local government) to provide Fire/EMS services to the Port of Salisbury. The SFD is also contracted by Wicomico County (May 2005) to provide advanced operations (HazMat, Confined Space, Trench & High Angle Rescue) as well as fire suppression, surface and sub surface water rescue response on the Wicomico and Nanticoke Rivers on a round the clock basis (24/7). The SFD is the primary first responder for incidents on and along the Wicomico and Nanticoke Rivers. The SFD routinely assists the Maryland Department of Natural Resources and the United States Coast Guard as "First Response Units" with Fire Suppression, Hazardous Materials responses and surface/sub surface water rescue and/or recovery incidents, as there are no other local agencies capable to deliver these services. The SFD serves as a member of Maryland Maritime Security Task Force, which was created on May 1, 2005. This task force works under the authority of the Baltimore Area Maritime Security (AMS) Committee. The Wicomico River is a tributary of the Chesapeake Bay on the eastern shore of Maryland. Located in the middle of the Delmarva Peninsula, the

Wicomico River is approximately 33 miles (53km) long and encompasses a watershed area that is approximately 247 square miles. The Port of Salisbury, the second largest port in the state of Maryland, is the principal area of concern.

The SFD request funding to purchase a CBRNE Fire/Rescue Rapid Response Vessel that meets or exceeds NFPA 1925 to enhance the ability to effectively mitigate the risks posed should a TSI occur. With the capability of extreme maneuverability and achieving adequate speeds to respond to life/safety events, this vessel will be available to provide protection for the south eastern Chesapeake Bay region. The unit will also be capable of providing advanced life support and transport of the sick and/or injured patient. This Investment will strengthen and improve detection, response, decontamination, mitigation and resolution capabilities to Chemical, Biological, Radiological, Nuclear, or Explosive (CBRNE) incidents in Eastern Maryland. The viability of this vessel has been proven as they are presently in use by fire departments throughout Sector Baltimore. This watercraft would be equipped for year-round use, having a cabin area with heat and air conditioning, metal hull configuration, and electronics to include; communications, radar, Infrared Day/Night camera system, and GPS. Fire suppression capabilities include a 70 gallon foam tank and a minimum discharge capability of 1750 gallons a minute.

Balt_Baltimore_Salisbury Fire Department_IJ#1

Investment Heading	
Port Area	Baltimore
State	Maryland
Applicant Organization	City of Salisbury, Fire Department
Investment Name	CBRNE Fire/Rescue Rapid Response Vessel
Investment Amount	\$903,500.00

How come

I. BACKGROUND

Provide an overview of the port system in which this investment will take place

Area of Operations: The proposed Investment will focus on the Port of Salisbury, Maryland. The geographical area covered by this Investment will benefit the tidal and navigable waterways of Wicomico, Somerset and Dorchester Counties, the southern eastern shore of Maryland. This includes but is not limited to the Wicomico and Nanticoke Rivers as well as the Tangier Sound and the lower Chesapeake Bay.

- The Captain of the Port for this area is Captain Brian Kelley from the United States Coast Guard – Sector Baltimore.
- The identified eligible port area is the Port of Baltimore, MD.
- As defined by Title 33, United States Code, Chapter 1, Subchapter II, § 59k

POC(s) for Organization:

- **The Salisbury Fire Department's Authorizing Official:**

Acting Chief Richard A. Hoppes
325 Cypress Street
Salisbury, MD 21801
(410) 548-3120

- **The primary point of contact for management of this project for the Salisbury Fire Department will be:**

Deputy Chief William E. Gordy
325 Cypress Street
Salisbury, MD 21801
(410) 548-3120

Balt_Baltimore_Salisbury Fire Department_IJ#1

How much
PAID

Ownership/Operation: The City of Salisbury Fire Department (SFD), a local government agency, is comprised of 64 career and 120 volunteer members. The SFD is authorized by the Charter of the City of Salisbury (a local government) to provide Fire/EMS services to the Port of Salisbury. The SFD is also contracted by Wicomico County (May 2005) to provide advanced operations (HazMat, Confined Space, Trench & High Angle Rescue) as well as fire suppression, surface and sub surface water rescue response on the Wicomico and Nanticoke Rivers on a round the clock basis (24/7).

Members Received NIMS Training:

	ICS 100	ICS 200	ICS300	ICS 700	ICS 800
# Trained Personnel	184	41	41	184	41

Role of the Agency in Providing Layered Protection of Regulated Entities: The SFD is the primary first responder for incidents on and along the Wicomico and Nanticoke Rivers. The SFD routinely assists the Maryland Department of Natural Resources and the United States Coast Guard as "First Response Units" with Fire Suppression, Hazardous Materials responses and surface/sub surface water rescue and/or recovery incidents, as there are no other local agencies capable to deliver these services. The SFD serves as a member of Maryland Maritime Security Task Force, which was created on May 1, 2005. This task force works under the authority of the Baltimore Area Maritime Security (AMS) Committee.

Important Features (Nature of Operations): The Wicomico River is a tributary of the Chesapeake Bay on the eastern shore of Maryland. Located in the middle of the Delmarva Peninsula, the Wicomico River is approximately 33 miles (53km) long and encompasses a watershed area that is approximately 247 square miles. *The Port of Salisbury, the second largest port in the state of Maryland*, is the principal area of concern.

There are three (3) MSTA regulated facilities located in the Port of Salisbury in which the SFD is listed in the Risk Mitigation Plan as the primary "all hazard" responder. These facilities, along with the Coast Guard, Maryland Natural Resource Police and the SFD, through their mutual vested interests, comprise the Salisbury Mutual Assistance Group (SMAG). This group plans and trains for emergencies located within the Port of Salisbury. The three local MSTA facilities have a storage capacity of 14.7 million gallons of petroleum. There are approximately six (6) MSTA regulated vessels that transit the area. Activity in 2007 reports 448 barges for a total of 1,399,298 tons entered the port with 60% of the products transported being petroleum in nature. The remaining 40% of shipping reflects aggregate and grain. Barge traffic on the Nanticoke accounts for 268 vessels annually for a total of 1,081,303 tons. Barge Traffic within the area impacts over 9000 jobs and had an economic impact of over 5 billion dollars annually.

Balt_Baltimore_Salisbury Fire Department_IJ#1

A ship building facility that produces vessels ranging up to cruise ships is also located within the port area. There is also a waterfront restaurant/nightclub located at the marina within the city limits. Recent construction has also created large multi story (5 floors or more) condos on the waterfront. Critical infrastructure within the area include two (2) ferries that transverse the Wicomico River. Multiple marinas and smaller harbors located on the southern eastern shore of Maryland including but is not limited to the Wicomico and Nanticoke Rivers as well as passenger ferries in the Tangier Sound and the lower Chesapeake Bay.

Describe any other operational issues you deem important to the consideration of your application (e.g. interrelationships of your operations with other eligible high risk ports, etc.) In as much as the Port of Salisbury is isolated, the SFD is the sole resource for maritime fire suppression on the lower south eastern Chesapeake Bay. The SFD assisted with Sector Baltimore's efforts in creating the Port Wide Strategic Risk Management Plan (SRMP) for Sector Baltimore. Within the SRMP it states:

"The MSRAM places a heavy emphasis on the risks posed to the MPA terminals while not addressing the risk posed to private Maritime Transport Security Act (MTSA) regulated facilities. The combined tonnage, cargo values, and vessel calls to privately owned facilities exceed those of the public facilities and certain facilities, such as MTSA facilities on the Eastern Shore within Sector Baltimore, deal with hazardous and highly flammable and explosive materials."

"While the MSRAM identifies sector Baltimore's Inner Harbor complex as having great risk associated within, the port community feels that given the significant impact of a successful attack on Maryland's trade, culture, economic and social well being, the risk identified by MSRAM is not high enough. In addition, the Annapolis City dock area and the Port of Salisbury, not identified in the MSRAM possess similar risks, and while perhaps less risk is associated with these targets, they are no less significant to Sector Baltimore."

The SRMP also calls for: *"The Enhancement and expansion of local; first responder vessels."* In this section it specifies, *"The ideal vessel would be a Metal Craft Marine Firestorm 36 or equivalent."*

Another important operational issue involved with this Investment is the sustainability of the project. SFD has maintained a marine fire division since December of 1944. Marine operators receive training from the Maryland Natural Resource Police compliant with that agency's "Boat Operator Verification Program. SFD annually budgets and funds marine operations and maintenance expenses.

II. STRATEGIC AND PROGRAM PRIORITIES

II.A. Provide a brief abstract for this investment:

Narrative: The SFD request funding to purchase a CBRNE Fire/Rescue Rapid Response Vessel that meets or exceeds NFPA 1925 to enhance the ability to effectively mitigate the risks posed should a TSI occur. With the capability of extreme maneuverability and achieving adequate speeds to respond to life/safety events, this vessel will be available to provide protection for the south eastern Chesapeake Bay region. The unit will also be capable of providing advanced life support and transport of the sick and/or injured patient. This Investment will strengthen and improve detection, response, decontamination, mitigation and resolution capabilities to Chemical, Biological, Radiological, Nuclear, or Explosive (CBRNE) incidents in Eastern Maryland. The viability of this vessel has been proven as they are presently in use by fire departments throughout Sector Baltimore.

Proposed Mitigation: To purchase one (1) 36 foot Metal Craft Marine Firestorm 36. This watercraft would be equipped for year-round use, having a cabin area with heat and air conditioning, metal hull configuration, and electronics to include; communications, radar, Infrared Day/Night camera system, and GPS. Fire suppression capabilities include a 70 gallon foam tank and a minimum discharge capability of 1750 gallons a minute.

The need to provide adequate standardization has been identified in Maryland's Port Wide Strategic Risk Management Plan for equipment that would help to lower the risks throughout Sector Baltimore, to include the Port of Salisbury. According to the Port Wide Strategic Risk Management Plan – Sector Baltimore dated August 27, 2008.

“By purchasing and using standardized first responder vessels Sector Baltimore's First responder agencies will be able to quickly address and mitigate and maritime or coastal TSI. This will reduce the risks associated with life safety, environment damage, and economic loss that occur as a result of maritime TSI. Furthermore, standardized vessels will allow for cross use and greater coverage area port-wide. Enhancing and expanding these vessels based on need will provide for more effective and capable port-wide response to TSI thus mitigating the damage and risk associated.”

Balt_Baltimore_Salisbury Fire Department_IJ#1

How the Investment supports priorities outlined Area Maritime Security Plan and/or Captain of the Port Priorities: In analyzing the MSRAM data provided by the USCG, it can be determined that the ships in Sector Baltimore that are susceptible to the most risks include petroleum barges and tank vessels. "The MSRAM places a heavy emphasis on the risks posed to the MPA terminals while not addressing the risk posed to private Maritime Transport Security Act (MTSA) regulated facilities. The combined tonnage, cargo values, and vessel calls to privately owned facilities exceed those of the public facilities and certain facilities, such as MTSA facilities on the Eastern Shore within Sector Baltimore, deal with hazardous and highly flammable and explosive materials." The SRMP has identified security gaps in Maritime Domain Awareness including a lack of sufficient vessels, and response equipment. Sector Baltimore identified standardization of equipment for first responders and enhancement of detection and response equipment for local agencies as a gap and desired capability.

This investment directly supports both of these operational security priorities. By providing the SFD with an advanced craft which is current to today's standards for both speed, maneuverability, fire suppression and capable of extended response in all weather conditions, Sector Baltimore will have a port wide layered presence throughout this port area for a timely response to incidents. The enhancement of having an adequate and capable first responder response that is strategically layer throughout the port wide area will ensure that this region will have a well coordinated and prepared response to security incidents.

III. Impact

III A. Describe how the project offers the highest risk reduction potential at the least cost.

★ → **How this investment will reduce risk in a cost effective manner. (e.g. reduce vulnerabilities or mitigate the consequences of an event) by addressing the needs and priorities identified in earlier analysis and review.** The Investment will provide the SFD with a modern, better equipped vessel that not only increases surveillance capabilities, but also will decrease response time to mitigate the potential loss of life and damage to Maryland's critical infrastructure if an incident were to occur. Enhancement and expansion of first responder capabilities will also mitigate the risks posed should a TSI occur, such as life safety, economic loss and environmental damage.

B. Provide a high level timeline, milestones and dates, for the implementation of this investment such as stakeholder engagement, major acquisitions or purchases and process/policy updates. Up to 10 milestones may be provided.

The major milestones that are critical to the successful completion of the Investment Include: This investment will only have 5 major milestones

1. Notification of award (August 2009)
2. Create Purchase Order and deliver to vendor (October 2009)
3. Engineering Conference, Begin Construction (November 2009)
4. Delivery of the vessel (May 2010)
5. Train personnel & place into service (June 2010)

List any relevant information that will be critical to the successful completion of the milestone (such as those examples listed above):

This investment simply deals with the purchase of a vessel. Departmental personnel are grounded in sound procurement practices and procedures, which should make for successful completion of the project.

Fire Department

City of Salisbury

Departmental

MEMO

To: John Pick, City Administrator

Date: 30 June 2009

From: Richard A. Hoppes, Acting Fire Chief

Subject: American Recovery and Reinvestment Act (ARRA) the Port Security Program

As you know the Fire Department has applied for a grant under the American Recovery and Reinvestment Act (ARRA) The Port Security Program (Stimulus Grant). The project that the SFD is requesting funding for is the Fire Boat project that is in the FY10-14 C.I.P. for the SFD as #FD-14-01 and is funded through grants for a total projected cost of \$800,000.00.

The following are responses to your previously stated concerns and serves as a justification for the grant application:

1. American Recovery and Reinvestment Act (ARRA) The Port Security Program (Stimulus Grant)
 - Provided by the U.S. Department of Homeland Security
 - \$150,000,000.00 total to fund the protection of critical port infrastructure from terrorism; enhance maritime domain awareness and risk management capabilities.
 - Deadline for application = June 29, 2009
 - City's Financial Obligations = \$0.00
2. All new equipment is included in the grant and all existing equipment will be transferred from the old boat to this one.
3. This unit replaces the existing Marine 1 unit and has a minimal increase to the costs of operations of approximately \$3,000.00 annually.
4. There are absolutely no personnel costs associated with this grant.

The Department eagerly awaits your guidance at the upcoming meeting on grant opportunities. Should you have additional questions or concerns please do not hesitate to contact me.

United States Senate
Washington, DC 20510-2004

August 7, 2009

Mr. Ross Ashley
Assistant Administrator
DHS/FEMA/Grant Programs Directorate
Tech World Building - South Tower 9th Floor
800 K Street, NW
Washington, D.C. 20472

Dear Mr. Ashley:

It has come to my attention that the Salisbury Fire Department, on Maryland's Eastern Shore, has submitted an application to the A.R.R.A. Port Security Grant program.

The Salisbury Fire Department provides fire and hazardous materials response, water rescue, and confined space and high angle rescue on the Wicomico and Nanticoke Rivers. Currently, the Salisbury Fire Department operates from the Port of Salisbury—the second largest port in the state of Maryland. With this grant, the Department will be able to purchase a CBRNE Fire/Rescue Rapid Response Vessel, which will allow it to improve detection and response capabilities to incidents in Eastern Maryland. The vessel is capable of extreme maneuverability and will be used to provide advanced life support to, and transport of, sick or injured patients.

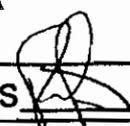
I respectfully request that full consideration be given to the Salisbury Fire Department's funding application, in accordance with established policies and procedures.

Sincerely,



Benjamin L. Cardin
United States Senator

BLC:in3

ARRA
DATE _____
INITIALS 

Reply To:

509 Hart Senate Office Building
Washington, DC 20510-2004
(202) 224-4524
www.cardin.senate.gov

Reply To:

Tower 1 Suite 1710
100 S. Charles Street
Baltimore, MD 21201
(410) 962-4436

 The PSGP provides \$288,000,000 for port security grants. PSGP funds are primarily intended to create a sustainable, risk-based effort to protect critical port infrastructure from terrorism, particularly attacks using explosives and non-conventional threats that could cause major disruption to commerce. The PSGP provides grant funding to port areas for enhancing maritime domain awareness, enhancing risk management capabilities to prevent, detect, respond to and recover from attacks involving improvised explosive devices (IEDs), Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE), and other non-conventional weapons, as well as training and exercises and Transportation Worker Identification Credential (TWIC) implementation.

PART I.

FUNDING OPPORTUNITY DESCRIPTION

On February 17, 2009, the President signed into law the American Recovery and Reinvestment Act of 2009 (ARRA) (Public Law 111-5). The Act, which provides \$787 billion in stimulus funds to the Nation, lays out new requirements for Federal agencies in their grants processes to allow for more transparency and accountability across all programs. Under this funding, ARRA provides \$150 million in stimulus funding for the Port Security Grant Program (PSGP). The ARRA PSGP is one of two grant programs that constitute the Department of Homeland Security (DHS) Fiscal Year (FY) 2009 ARRA focus on transportation infrastructure security activities. The ARRA PSGP is one tool in the comprehensive set of measures authorized by Congress and implemented by the Administration to strengthen the Nation's critical infrastructure against risks associated with potential terrorist attacks. The *Maritime Transportation Security Act of 2002*, as amended (46 U.S.C. §70107), established the PSGP to implement Area Maritime Transportation Security Plans and facility security plans among port authorities, facility operators, and State and local government agencies required to provide port security services. The ARRA PSGP is an amended program based on PSGP, designed to harden our Nation's ports and stimulate the economy.

The vast bulk of U.S. critical infrastructure is owned and/or operated by State, local and private sector partners. ARRA PSGP funds support increased port-wide risk management; enhanced domain awareness; and further capabilities to prevent, detect, respond to and recover from attacks involving improvised explosive devices (IEDs) and other non-conventional weapons.

The purpose of this package is to provide: (1) an outline of the ARRA PSGP; and (2) the formal grant guidance and the application materials needed to apply for funding under the program. The package also outlines the DHS management requirements for implementing a successful application.

Applying for significant Federal funds under programs such as this may be quite complex. DHS understands its responsibility to provide clear guidance and efficient application tools to assist applicants. Users are entitled to effective assistance during the application process, and transparent, disciplined management controls to support grant awards. DHS administrators intend to be good stewards of precious Federal resources, and commonsense partners with our State and local colleagues.

DHS understands that each port area has specific individual needs and tested experience about how to best reduce risk within its region. DHS subject matter experts will come to the task with a sense of urgency to reduce risk, but also with an ability to listen carefully to local needs and approaches. In short, DHS commits to respect flexibility and local innovation as it funds national homeland security priorities.

Federal Investment Strategy

The ARRA PSGP is an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness, including the security of the country's critical infrastructure. The ARRA PSGP implements objectives addressed in a series of post-9/11 laws, strategy documents, plans, Executive Orders and Homeland Security Presidential Directives (HSPDs). Of particular significance are the National Preparedness Guidelines and its associated work products, including the National Infrastructure Protection Plan (NIPP) and its forthcoming sector-specific plans. The National Preparedness Guidelines provide an all-hazards vision regarding the Nation's four core preparedness objectives: prevent, protect, respond to and recover from terrorist attacks and catastrophic natural disasters.

The Guidelines first define a vision of what to accomplish and then provide a set of tools to forge a unified national consensus about what to do and how to work together at the Federal, State, local, and Tribal levels. Private sector participation is integral to the Guidelines' success.¹ The Guidelines outline 15 scenarios of terrorist attacks or natural disasters that form the basis of much of the Federal exercise and training regime. In addition, it identifies 37 critical capabilities that will be DHS's focus for key investments with State, local and Tribal partners.

DHS expects its critical infrastructure partners – including recipients of ARRA PSGP grants – to be familiar with this national preparedness architecture and to incorporate elements of this architecture into their planning, operations, and investment to the degree practicable. DHS funding priorities outlined in this document reflect the National Preparedness Guidelines priority investments as appropriate. Programmatic requirements or priority investment categories reflecting the national preparedness architecture are expressly identified below.

¹ The National Preparedness Guideline and its supporting documents were published in final form and released on September 13, 2007. The Guidelines are available at: <http://www.dhs.gov/xprepresp/publications>

Overarching Funding Priorities

The funding priorities for the FY 2009 ARRA PSGP reflect DHS's overall investment strategy, in which two priorities have been paramount: risk-based funding and regional security cooperation.

First, DHS will focus the bulk of its available port security grant dollars on the highest-risk port systems. This determination is based on ongoing intelligence analysis, extensive security reviews, and consultations with port industry partners and Congressional direction.

At the recommendation of the United States Coast Guard (USCG), some ports are being considered as a single cluster due to geographic proximity, shared risk and a common waterway. As with other DHS grant programs, applications from these port clusters must be locally coordinated and include integrated security proposals to use ARRA PSGP grant dollars.

Eligible port areas, as well as ferry systems, were identified using a comprehensive, empirically-grounded risk analysis model. Risk methodology for ARRA PSGP programs is consistent across the modes and is linked to the risk methodology used to determine eligibility for the core DHS State and local grant programs.

Within the ARRA PSGP, eligibility for all grant awards is first predicated on a systematic risk analysis that reviews and rates eligible ports in a given area for comparative risk. All port areas will be comparably rated. The FY 2009 risk assessment formula was further strengthened and refined from last year's risk assessment formula.

The ARRA PSGP risk formula is based on a 100 point scale comprising "threat" (20 points) and "vulnerability/consequences" (80 points). Risk data for eligible port areas is gathered individually and then aggregated by region. The DHS risk formula incorporates multiple normalized variables, meaning that for a given variable, all eligible port areas are empirically ranked on a relative scale from lowest to highest.

DHS's risk assessment methodology for ARRA PSGP considers critical infrastructure system assets, and characteristics from four areas that might contribute to their risk: intelligence community assessments of threat; economic consequences of attack; port assets; and area risk (to people and physical infrastructure immediately surrounding the port). The relative weighting of variables reflects DHS's overall risk assessment, as well as the FY 2009 program priorities. Specific variables include multiple data sets regarding military mission variables; adjacent critical asset inventories; Coast Guard Maritime Security Risk Analysis Model (MSRAM) data; and international cargo value and measures of cargo throughput (container, break bulk, international and domestic).

ARRA PSGP Priorities

In addition to these two overarching priorities, the Department has identified the following four priorities as its selection criteria for FY 2009 ARRA PSGP. Due to the current state of the economy, Congress intends stimulus funding to be spent quickly with a principal objective of job creation. Additionally, in meeting its mission responsibilities, DHS must ensure that priority is given to cost-effective projects that can be executed expeditiously and have a significant and near-term impact on risk mitigation. Please consider this when identifying projects within one or more of the following priorities:

1. Enhancing Maritime Domain Awareness (MDA)

MDA is the critical enabler that allows leaders at all levels to make effective decisions and act early against threats to the security of the Nation's seaports. In support of the National Strategy for Maritime Security, port areas should seek to enhance their MDA through projects, such as access control/standardized credentialing, command and control, communications, and enhanced intelligence sharing and analysis.

2. Enhancing Improvised Explosive Device (IED) and Weapons of Mass Destruction (WMD) prevention, protection, response and recovery capabilities

Port areas should seek to enhance their capabilities to prevent, detect, respond to and recover from terrorist attacks employing IEDs, WMDs and other non-conventional weapons. Of particular concern in the port environment are attacks that employ IEDs delivered via small craft (similar to the attack on the USS Cole), by underwater swimmers (such as underwater mines) or on ferries (both passenger and vehicle).

3. Efforts supporting implementation of the Transportation Worker Identification Credential (TWIC)

The TWIC is a Congressionally mandated security program through which DHS will conduct appropriate background investigations and issue biometrically enabled and secure identification cards for individuals requiring unescorted access to U.S. port facilities. Regulations outlining the initial phase of this program (card issuance) were issued by the Transportation Security Administration (TSA) in cooperation with the Coast Guard in 72 Federal Register 3492 (January 25, 2007).

4. Construction or infrastructure improvement projects that are identified in the Port Wide Risk Management Plan (PWRMP) and/or Facility Security Plans (FSPs), and/or Vessel Security Plans (VSPs)

3. **DUNS number.** The applicant must provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number with their application. This number is a required field within grants.gov and for CCR Registration. Organizations should verify that they have a DUNS number, or take the steps necessary to obtain one, as soon as possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at (866) 705-5711.
4. **Valid Central Contractor Registry (CCR) Registration.** The application process also involves an updated and current registration by the applicant. Eligible applicants must confirm CCR registration at <http://www.ccr.gov>, as well as apply for funding through grants.gov.
5. **Investment Justification.** As part of the FY 2009 ARRA PSGP application process, applicants must develop a formal Investment Justification that addresses each initiative being proposed for funding. These Investment Justifications must demonstrate how proposed projects address gaps and deficiencies in current programs and capabilities. The Investment Justification must demonstrate the ability to provide enhancements consistent with the purpose of the program and guidance provided by FEMA. Applicants must ensure that the Investment Justification is consistent with all applicable requirements outlined in this application kit.

The Investment Justification must address or answer the following questions:

- Is your organization a member of the Area Maritime Security Committee?
- Is your facility a MTSA regulated facility?
- If you are a MTSA regulated facility, what part of 33 CFR do you come under?
- If you are not a regulated facility under MTSA, do you have a facility security plan, and if you have a plan what authority approved your security plan?
- Have you applied for any other security related grants, if you have what grant program and when?
- If you are a recognized Law Enforcement Agency, how many MTSA regulated facilities or vessels are in your immediate area of responsibility?
- How many members of your company or agency have taken Incident Command System course: ICS 100, ICS 200, ICS 300, ICS 700, and ICS 800?
- If you are a Fire Department how many MTSA regulated facilities and MTSA regulated vessels are in your immediate area of responsibility?
- Is your organization listed in a risk mitigation plan?
- Is there an MOU/MOA in place for this investment, to share this investment with other agencies?

6. Memorandum of Understanding/Memorandum of Agreement (MOU/MOA)

Requirement. State and local agencies, as well as consortia or associations that are required to provide security services to MTSA regulated facilities pursuant to an AMSP, are eligible applicants. However, the security services provided must be addressed in the regulated entities' security plans. A copy of an MOU/MOA with the identified regulated entities will be required prior to funding, and must include an acknowledgement of the security services and roles and responsibilities of all entities involved. This information may be provided using one of the attachment fields within grants.gov.

The security services provided must be addressed in the regulated entities' security plan. A copy of a Memorandum of Understanding (MOU) or a Memorandum of Agreement (MOA) between those identified entities will be required prior to funding, and must include an acknowledgement of the security services and roles and responsibilities of all entities involved. The MOU/MOA must address the following points:

- The nature of the security that the applicant agrees to supply to the regulated facility (waterside surveillance, increased screening, etc)
- The roles and responsibilities of the facility and the applicant during different MARSEC levels.
- An acknowledgement by the facility that the applicant is part of their facility security plan.

If the applicant is mentioned as a provider of security services under the port's Area Maritime Security Plan, in lieu of an MOA/MOU, written acknowledgement from the Area Maritime Security Committee (AMSC) members, or a letter from the Federal Maritime Security Coordinator validating this status, will be acceptable. *In addition, MOA/MOUs submitted in previous ARRA PSGP award rounds will be acceptable, provided the activity covered also addresses the capability being requested through the FY 2009 ARRA PSGP.*

If applicable, the MOU/MOA for state or local law enforcement agencies and/or consortia providing layered protection to regulated entities must be submitted with the grant application as a file attachment within grants.gov.

COTP Zone Abbreviation_Port Area_Name of Applicant_MOU
(Example: Hous_Galveston_Harris County_MOU)

IED and WMD Prevention, Protection, Response, Recovery Capabilities

Funds may be used for the following types of IED and WMD prevention, protection, response and recovery capabilities for port areas:

Port Facilities, Including Public Cruise Line and Terminals

- Chemical, biological, radiological, nuclear and explosive agent detection sensors
- Canines
- Intrusion detection
- Small boats for State and local law enforcement marine patrol or port security incident response
- Video surveillance systems that specifically address and enhance security Access control/standardized credentialing
- Improved lighting
- Hardened Security gates and vehicle barriers
- Floating protective barriers
- Underwater intrusion detection systems
- Communications equipment for risk mitigation (including interoperable communications)
- Reconfiguring of docks to prevent small boat access

Vessels

- Chemical, biological, radiological, nuclear and explosive agent detection sensors
- Restricted area protection (cipher locks, hardened doors, CCTV for bridges and engineering spaces)
- Communications equipment for risk mitigation (including interoperable communications)
- Canines for explosives detection
- Access control and standardized credentialing
- Floating protective barriers

Transportation Worker Identification Credential (TWIC)

The TWIC is designed to be an open architecture, standards-based system. Port projects that involve new installations or upgrades to access control and credentialing systems, should exhibit compliance with TWIC standards and program specifications. Recipients of grant funding for the implementation of TWIC systems may be requested by the Federal government to apply these systems in a field test of TWIC readers in accordance with the SAFE Port Act. Systems implemented with grant funding may be used by recipients to comply with the TWIC rulemaking requirements. However, the fees associated with the application for and issuance of the TWIC cards themselves are ineligible for award consideration.

Allowable cost under this section include those projects that will ensure the safe and secure transit of foreign seafarers and shore staff/support [who are not eligible for Transportation Worker Identification Credentials] to and from the vessel while at MTSA regulated facilities.

3. Unallowable Costs

The following projects and costs are considered ineligible for award consideration:

- The development of risk/vulnerability assessment models and methodologies
- Projects in which Federal agencies are the primary beneficiary or that enhance Federal property
- Projects that study technology development for security of national or international cargo supply chains (e.g., e-seals, smart containers, container tracking or container intrusion detection devices)
- Proof-of-concept projects
- Projects that do not provide a compelling security benefit (e.g., primarily economic or safety vs. security)
- Projects that duplicate capabilities being provided by the Federal government (e.g., vessel traffic systems)
- Proposals in which there are real or apparent conflicts of interest
- Personnel costs (except for those specifically identified in this guidance)
- Business operating expenses (certain security-related operational and maintenance costs are allowable. -- see "Security Operational and Maintenance Costs" for further guidance)
- TWIC card fees
- Signage, projects for placarding and billboards, or hard fixed structure signage
- Reimbursement of pre-award security expenses
- Outfitting facilities, vessels or other structures with equipment or items providing a hospitality benefit rather than a direct security benefit. Examples of such equipment or items include, but are not limited to: office furniture, CD players, DVD players, AM/FM radios and the like
- Weapons and associated equipment (i.e. holsters, optical sights and scopes), including, but not limited to: non-lethal or less than lethal weaponry including firearms, ammunition, and weapons affixed to facilities, vessels or other structures
- Expenditures for items such as general-use software (word processing, spreadsheet, graphics, etc), general-use computers and related equipment (other than for allowable M&A activities, or otherwise associated preparedness or response functions), general-use vehicles and licensing fees
- Other items not in accordance with the AEL or previously listed as allowable costs
- Land acquisitions and right of way purchases

1.3– Audit Requirements.

- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

1.4 – Duplication of Benefits. There may not be a duplication of any federal assistance, per 2 CFR Part 225, Appendix A, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Circular may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons.

→ **1.5 – Buy American Act.** Grant recipients of the FY 2009 ARRA PSGP must follow the standards identified in the Buy American Act, 41 U.S.C. §§10a-10d. The Buy American Act requires that all supplies and construction materials purchased be produced in the United States, unless such materials are not reasonably available, or such a purchase would not be in the public interest. Grant recipients must follow the Federal Acquisition Regulations implementing the Buy American Act, 48 CFR Part 25.

2. Non-supplanting Requirement. Grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or grantees may be required to supply documentation certifying that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

3. Technology Requirements.

3.1– National Information Exchange Model (NIEM). FEMA requires all grantees to use the latest NIEM specifications and guidelines regarding the use of Extensible Markup Language (XML) for all grant awards. Further information about the required use of NIEM specifications and guidelines is available at <http://www.niem.gov>.

3.2– Geospatial Guidance. Geospatial technologies capture, store, analyze, transmit, and/or display location-based information (i.e., information that can be linked to a latitude and longitude). FEMA encourages grantees to align any geospatial activities with the guidance available on the FEMA website at <http://www.fema.gov/grants>.

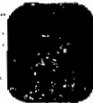
3.3– 28 CFR Part 23 guidance. FEMA requires that any information technology system funded or supported by these funds comply with 28 CFR Part 23, Criminal Intelligence Systems Operating Policies, if this regulation is determined to be applicable.



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Transportation Worker Identification Credential

03/08/2010

Attn: City Council, City of Salisbury
Louise Smith, Gary Comegys, Deborah Campbell, Terry Cohen, Shanie Shields
203 West Philadelphia Avenue
Salisbury, Maryland 21801
CC: Mayor James Ireton, Jr

Dear Council,

It is my hope that the few words offered here may play a part in further demonstrating the necessity to establish an annual salary for the position of Manager/Curator at Poplar Hill Mansion. I offer them as someone intimately acquainted with the Mansion's history and day to day operations but also as a museum professional "outsider" looking in at the difficult decision facing Council. The question before Council is in fact related to a larger dilemma facing house museums throughout the U.S. Most, if not all, are struggling to: find an identity, truly serve the public as educational institutions, maintain proper collections management and care, become fiscally solvent, and hire staff who can demonstrate an ability to competently run a non-profit business.

These dilemmas, like the museums where they fester, have a history. They are heavily rooted in the 1970s when many cities across the country supported the opening of local history museums congruent with the buzz surrounding the 1976 United States bicentennial. Friends groups, associated with these museums, became common place. Often, they were the ones responsible for saving these historic structures from demolition, and played a lead role in opening the museums to the public. As a historian and supporter of historic preservation, I applaud the efforts made by these dedicated individuals and continue to acknowledge the sacrifices made by volunteers today. Yet, what did not often occur during the 1970s, and the decades to follow, was a balanced recruitment of trained or well experienced museum and non-profit professionals to work hand in hand with these Friends groups. This happened for a variety of reasons including budget concerns, a lack of community support, an unwillingness to relinquish control, or the thought that "scholars always make good managers". The point being that the history associated with house museums is truly beginning to rear its head in the 21st century. Declining attendance, the notion of irrelevance, and the threat of closure are on everyone's mind in the "museum world."

The Council now has an opportunity to take a step in the right direction when it comes to the Mansion. Many of the same concerns and issues mentioned above have faced Poplar Hill over the years and have stemmed from the fact that there has not been an established staff position in place. House museums, including Poplar Hill, can no longer afford to stumble along using the traditional model. The "caretaker" model, quite frankly, does not suit the needs of today's house museums. There must to be a steady hand, working in harmony with the Friends group, so that strategic, fundraising, and marketing plans can be firmly established, collections management policies enforced, and daily operations formally managed.

As chair of the Small Museums Association annual conference I am acquainted with the many concerns facing house museums in this region and would be willing to meet with Council in person if called upon to shed more light on this subject. I can be reached at 301-809-3097.

Respectfully,

Jason Illari