



City of Salisbury



CITY COUNCIL AGENDA

January 11, 2016
Government Office Building

6:00 p.m.
Room 301

Times shown for agenda items are estimates only.

6:00 p.m. CALL TO ORDER

6:01 p.m. WELCOME/ANNOUNCEMENTS

6:03 p.m. CITY INVOCATION – Rev. Ms. Dianne Deming, Wicomico Presbyterian Church

6:05 p.m. PLEDGE OF ALLEGIANCE TO THE FLAG

6:07 p.m. COMMUNITY ORGANIZATION PRESENTATION

- **Healthy Waters Round Table Action Plan** – presented by: Alan Girard, Eastern Shore Director and Erik Fisher, AICP, Maryland Land Use Planner, Chesapeake Bay Foundation; Josh Hastings, Eastern Shore Land Conservancy Policy Manager; Amanda Pollack, City of Salisbury Public Works Deputy Director; Keith Hall, Salisbury-Wicomico Planning & Zoning Transportation and Long Range Planner

6:27 p.m. ADOPTION OF LEGISLATIVE AGENDA

6:28 p.m. CONSENT AGENDA – City Clerk Kimberly Nichols

- **December 4, 2015** Goal Setting Session minutes
- **December 7, 2015** Special Meeting minutes
- **December 7, 2015** Closed Session minutes (separate envelope)
- **Resolution No. 2573** – Employee Handbook Change- Education Reimbursement Policy
- **Resolution No. 2574** – accepting funds awarded through a grant from the Maryland Department of Housing and Community Development for Downtown branding
- **Resolution No. 2575** - accepting funds in the amount of \$5,000 from the Wicomico County Narcotics Task Force to be used towards the purchase of a Police K-9
- **Resolution No. 2576** - accepting a private donation from the Arthur W. Perdue Foundation, Inc. for New Year's Eve in Downtown Salisbury
- **Resolution No. 2577** - declaring that Fisher Architecture is eligible to receive Enterprise Zone benefits for property located at 542 Riverside Dr., Salisbury, MD
- **Resolution No. 2578** - authorizing the Mayor to enter into a lease agreement with St. Francis de Sales Church for use of City property for a Community Garden

6:33 p.m. ORDINANCES – City Attorney Mark Tilghman

- **Ordinance No. 2365** – 2nd reading - approving an amendment of the FY 2016 General Fund Budget to appropriate funding for the Traffic Division bucket truck
- **Ordinance No. 2368** – 2nd reading - approving a budget amendment of the FY 2016 Fire Department Budget to transfer funds from the City's General Fund surplus to the Fire Department's Buildings account

6:40 p.m. AWARD OF BIDS – Assistant Director of Internal Services – Procurement & Parking
Jennifer L. Miller

- Contract 102-16, 55' Material Aerial Tower Body & Cab-Chassis
- Change Order #1, Contract RFP 01-15, NS/SS Pumping Station Upgrades
- Declaration of Surplus – Public Works – 1995 Utility Truck

6:55 p.m. PUBLIC COMMENTS

7:00 p.m. ADJOURNMENT

Copies of the agenda items are available for review in the City Clerk's Office, Room 305 - City/County Government Office Building, 410-548-3140 or on the City's website www.salisbury.md

City Council meetings are conducted in open session unless otherwise indicated. All or part of the Council's meetings can be held in closed session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland 10-508(a), by vote of the City Council.

Proposed agenda items for January 25, 2016 Meeting

- Resolution No.____ - Reappointing Ronald G Alessi, Sr. to the Salisbury Zoo Commission
- Resolution No.____ - Appointing Bob Lore to the Salisbury Revolving Loan Bankers Review Committee
- Resolution No.____ - Appointing Albert G. Allen III to the Salisbury Board of Zoning and Appeals
- Resolution No.____ - Appointing Nestor T. Bleech to the Salisbury Revolving Loan Bankers Review Committee
- Resolution No.____ - Appointing John A. Foley III to the Salisbury Central City District Commission
- Resolution No.____ - Appointing Kevin Lindsay to the Salisbury City Parks and Recreation Committee
- Resolution No.____ - Reappointing Tim Meagher to the Mayor's Council in Support of People with Disabilities
- Ordinance No.____ -1st Reading- Budget Amendment- Vehicle Replacement
- Ordinance No. 2366 – 2nd reading - to amend Chapter 15.24.1620 Determination of Functional Family of the Salisbury City Code to amend the requirements of Functional Family
- Ordinance No. 2367 – 2nd reading - to amend Chapter 17.04.120 Zoning Definitions of the Salisbury City Code to amend the requirements of Functional Family

Dear Mayor Day and President Heath,

We are pleased to share the attached Healthy Waters Round Table action plan, which was created this fall with guidance and direction from elected and staff officials who represent all nine counties and six small to mid-size municipalities on Maryland's Eastern Shore. The plan recommends six collaborative actions that regional counties and towns can take to increase capacity to achieve local clean water goals. These actions have the potential to leverage funding and staff resources for use in your jurisdiction. We very much appreciate the contributions to the plan by the City of Salisbury's round table representatives.

We ask that you please share this plan with your colleagues on the Salisbury City Council. A briefing on the plan before the Council can be scheduled at your convenience by contacting me at 410-543-1999<<tel:410-543-1999>> or agirard@cbf.org<<mailto:agirard@cbf.org>>. The attached press release that summarizes this initiative is planned for distribution to media soon. Both the plan and the press release are accessible online at <https://agresearch.umd.edu/agroecol/educationoutreach/healthy-waters-round-table>.

On behalf of the Healthy Waters Round Table supporting partners, which include the Chesapeake Bay Foundation, Eastern Shore Land Conservancy, Harry R. Hughes Center for Agro-Ecology, UMD Sea Grant Extension, and our consultant Sandy Coyman at Earth Data, Inc., we look forward to working with the City of Salisbury in the coming months to advance your jurisdiction's interests in this plan and enhance your ongoing efforts to restore local waterways to health.

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Healthy Waters Round Table

Making Healthy Waters a Reality: Eastern Shore Priority Actions 2016

December 7, 2015

Supporting Partners:



Introduction/Executive Summary

Healthy waters, the long standing vision for the Chesapeake Bay and local rivers, are within our grasp. Counties and municipalities on Maryland's Eastern Shore are making progress toward achieving the Chesapeake Bay total maximum daily load (TMDL) pollution reduction targets by implementing specific activities set forth in watershed implementation plans (WIPs).

These activities are producing results for the benefit of citizens, local economies and the environment. However, while the outcomes have been positive, local government resources generally remain insufficient to fully implement the WIPs. Ways to increase efficiency and enhance local government capacity are needed to finish the job of bringing back local waterways to health.

In 2015, the Chesapeake Bay Foundation, Eastern Shore Land Conservancy, Harry R. Hughes Center for Agro-Ecology, and University of Maryland Sea Grant Extension, supported by consultant services supplied by Earth Data, Inc. (hereafter the supporting partners), convened Eastern Shore local leaders to form the Healthy Waters Round Table. This effort sought resource enhancements and collaborative actions able to bolster implementation of the WIPs. The Round Table worked to grow the local government capacities to achieve clean water goals.

One elected leader and one staff official from each Shore county as well as the municipalities of Berlin, Cambridge, Chestertown, Easton, Oxford, and Salisbury (see Appendix 1) were invited to meet as a



Restoring the health of local waters can help improve our economies. Note: all photos in this document by Sandy Coyman unless otherwise noted. This photo from Talbot County Tourism.

Healthy Waters Round Table in 2015. Meetings on August 12, September 10, October 28, and December 2 (see Appendix 2 for agendas) facilitated by the supporting partners brought the group together for strategic planning.

From interviews with local government officials and capacity analyses conducted earlier by the Hughes Center (see Appendix 3), an extensive listing of "Candidates for Collaborative Action" (see Appendix 4) was prepared and examined in detail by Round Table participants.

The participants set priorities for the wide-ranging proposed actions. This was based on a number of factors including the frequency with which items were mentioned by local governments, the perceived importance to local governments, the potential impact to local water quality, the capacity to be helpful to local governments, and the

likeliness that local governments would commit to moving each item forward.

The highest-ranking actions were analyzed further to determine the specific implementations steps believed to be necessary to produce the most valuable results. Participants agreed to recommend a discrete set of high value priority actions for focused attention.

The Healthy Waters Round

Table supporting partners heard from local leaders that there is strong interest in collaborative action. Working together, jurisdictions can accelerate their healthy waters progress. The Round Table was designed to provide a forum for local governments to formulate a plan for increasing efficiency and working cooperatively. This document serves as the Round Table participants' action plan.

The Healthy Waters Round Table brought together 42 local government representatives. This group with the help of the supporting partners generated a total of 120 concepts that were refined into five initial actions and six priority action initiatives. The two sets of actions are distinguished by the fact that the initial actions are within the supporting partners' capabilities and the priority actions require additional resources and/or new institutional arrangements.

The initial actions include:

1. Provide grant writing training.
2. Create and distribute model requests for proposals, requests for qualifications and contracts for soliciting grants and consultant services.



3. Secure MAST training for Eastern Shore jurisdictions.
4. Provide social marketing and public education training to engender support of healthy waters initiatives.
5. Obtain clarity and guidance on state stormwater management expectation and priorities for Eastern Shore jurisdictions.

The priority actions fall into the following six categories, which are discussed in more detail later:

1. Funding. Determine WIP implementation resource gaps by locality and work collaboratively to close gaps by securing support from federal, state, private, and other funding sources. A regional financing strategy can attract outside resources and better prepare local jurisdictions for making progress on pollution reduction obligations.
2. Best Management Practice (BMP) Tracking and Reporting. Pilot a BMP tracking database and develop an operations manual for replication across jurisdictions. Include data acquisition and verification protocols. Synchronize state and local tracking systems.

3. Sewer Extension Policy and Implementation. In partnership with the state, convene a workgroup, task force, or workshop to create a guidance document that addresses 1) denied service area creation and enforcement, 2) appropriate methods to fund facilities outside priority funding areas (PFA's), 3) delineation of suitable service areas, 4) mandatory connections, and 5) incentives. Increase public acceptance of sewer extension through community outreach and social marketing.
4. Circuit Rider. Survey localities to determine the gaps in staffing that might be best filled by outside service providers Collaborate across jurisdictions to create suitable contracting arrangements and solicit public and private funding for ongoing support.
5. Clearinghouse for Information and Procurement. Create web-based access to approaches, methods, and resources for WIP implementation. Feature successful projects and methods for meeting milestones, funding resources, qualified contractors, model requests for proposals (RFP's), requests for qualifications (RFQ's), contracts, reports of local significance, and notices of educational opportunities.
6. BMP Maintenance. Create BMP maintenance templates including maintenance plans, inspection forms, and repair schedules. Deliver staff trainings regionally to promote innovation and cross-fertilization across jurisdictions. Build maintenance considerations into

BMP project design and educate the public about the value and importance of BMP upkeep.

The initial actions will be pursued by the sponsoring partners. They will begin in 2016 and most should be completed within the year. The priority actions include 44 individual initiatives to facilitate local healthy water efforts, which are further categorized into initial priorities and items to be addressed once the first tranche is completed.

The following sections discuss each of the six priority actions that require additional resources and institutional arrangements. Eastern Shore jurisdictions can now review this plan and choose those initiatives and actions that will best help them achieve their local water quality objectives. The supporting partners will undertake the five initial actions identified that are within their existing work programs to facilitate local efforts. The partners will also continue to encourage and support collaborative local efforts to keep the initial momentum going.



To complete the priority actions, six work groups comprised of interested jurisdictions' representatives will be formed. Each will be tasked with developing a detailed work plan and strategy for implementing the priority

actions. In mid-2016, the Healthy Waters Round Table will reconvene to review the work plans and implementation progress. The sponsoring partners in addition to delivering the five initial actions will help facilitate the work groups and apply their resources as available to continue the collaborative process begun by the Round Table.

The Healthy Waters Round Table is intended to help Eastern Shore government officials and their partners identify and advance practical, cost-effective solutions to achieve clean water. Participants are able to

work across county and town lines to share knowledge and experience, maximize limited resources, and procure new funding and technical assistance. The Round Table has the potential to help communities fully realize the local economic, environmental and social benefits that clean and healthy waters deliver. With the WIP midpoint assessment due in 2017 and full BMP implementation expected by 2025, time is of the essence to grow the capacity needed to achieve success.

Healthy Waters Round Table Priority Actions Summary

Funding

Description: First round watershed implementation plan (WIP) budgets challenged local jurisdictions to look critically at the need for water quality improvement projects and the means to fund them. These budgets relied on the best management practices (BMPs) approved by the Chesapeake Bay Program at that time. For some jurisdictions, billions of dollars appeared to be needed; for all jurisdictions it now represents a major new financial commitment.

The Round Table participants ranked this action:

- first for urgency
- first for most resource intensive
- second most likely to affect water quality
- first most helpful to achieve work goals
- first most likely to be worked on

Funding leads all other priority actions for the Round Table participants' agendas. The group focused on seeking aid from state and federal sources as well as outside sources including private foundations; an idea that appears to be at odds with the state agencies' expectations. As a result, local governments will need to determine how to commit additional funds to their WIP implementation. State officials have recently suggested that a local funding source may be a prerequisite for access to Bay Restoration



Photo Bill Wolinski

Fund (BRF) monies after major WWTP upgrades are complete statewide in 2017.

A reconciliation of expected state and pass-through federal sources, vis-à-vis estimated local expenses for WIP implementation, could be helpful. Such an analysis would identify the gap between total WIP implementation costs and currently identified funds. In anticipation of a gap between these sources and program costs, three Eastern Shore jurisdictions have adopted stormwater utilities (Berlin, Oxford, and Salisbury) and several other jurisdictions have budgeted funds for WIP implementation.

Tools: Funds available to counties include:

- The Bay Restoration Fund
- Section 319 funds
- Public and private grants
- Loans

- Bonding (local)
- Critical Area and Forest Conservation Fund fee-in-lieu balances
- Other local discretionary fund balances
- The local general fund
- Local enterprise funds
- User fees
- Stormwater utility fees

The methods and restrictions of these sources are generally familiar to most participants and a discussion of each is beyond this plan's scope. The next steps section below provides suggested actions that can address suitable funding for water quality initiatives.

Resources Needed: WIP implementation using currently approved BMPs will require significant funds. If not already done, an assessment of the available state and federal pass-through funds should be conducted to determine the gap between these sources and the total statewide WIP implementation budget.

Local jurisdictions should also, to the degree possible, ensure that milestone commitments include an assessment of resources needed to achieve proposed and planned activities. Documenting funding and staff needs to achieve milestone targets would improve jurisdictions' access to federal, state and/or private assistance. This exercise facilitates development of near and long term capital and operating budgets, which will help anticipate and resolve competing interests for limited local resources.

Gaps and Challenges: For obvious reasons, sufficient funding is the greatest need for achieving healthy waters via WIP implementation. Determining the gap between available funds and program costs

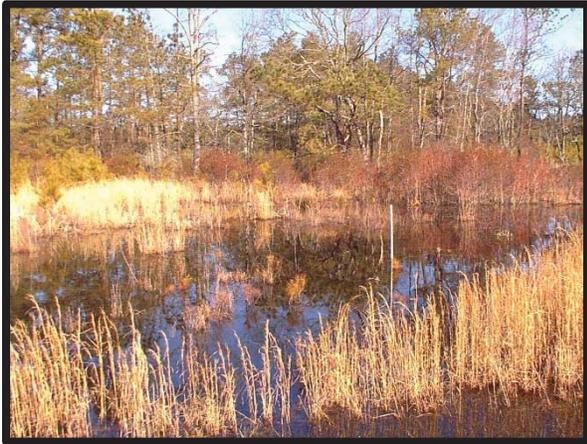
will give all involved a more realistic fiscal picture for WIP implementation. Once this relationship is established, an appropriate expense allocation for each government level can be negotiated. Then each level can responsibly assume its appropriate share of WIP implementation costs.

Discussion: Fund availability is the most important unresolved aspect in achieving healthy waters. Budgets for WIP implementation should be calculated and tallied statewide. This accounting of available funds and anticipated costs would clarify the amount of additional resources needed.

Several unknowns exist which could positively affect WIP implementation expenses. The first, nutrient trading, promises to permit new development and jurisdictions the opportunity to bid for and secure nutrient reduction credits. Credit purchases could be much less costly than expensive stormwater and septic retrofits tasked to local jurisdictions. Nutrient trading's success hinges on a host of challenges to bring about a workable and verifiable program. This includes much skepticism and uncertainty about nutrient trading's efficacy.

The second, new less costly BMPs, potentially offer superior performance and very low installation and maintenance costs. For example, a bioreactor can be as simple as a strategically located trench filled with wood chips with a service life of 20 years and pollution reduction efficiencies over 90 percent. Per pound cost of pollutant reductions are a fraction of traditional urban stormwater retrofits. Several such BMPs are yet to be approved for use in the WIPs, but are under active consideration.

Both alternatives if they become a reality could be game-changers for addressing WIP implementation costs. However, until they are brought formally into the Bay Model TMDL toolbox, they are only prospects with great potential.



Healthy Waters Round Table Next Steps:

1. Initial priority work items:
 - a. State and other non-local funding source amounts should be compared to the local total expenses for WIP implementation. This will determine the resource gap, which includes both funds and staffing needs to implement jurisdictions' WIPs. A realistic expectation for the role of state and federal funding is important to discern during this work and it will be important, as soon as possible, to understand what the future holds for the Bay Restoration Fund (BRF) post 2017. Fairness to the Eastern Shore should also be considered and greater communication with MDE is needed.
 - b. Jurisdictions should review their WIPs in light of the cost-effectiveness of their planned

BMPs. Funds should be allocated to the most cost-effective BMP until the opportunities for installation or available funds are exhausted, or the TMDL target is achieved. If the target is not achieved, remaining funds should then be applied to the next most cost-effective BMP. This iterative process should continue until either the allocated resources are exhausted or the target is achieved.

- c. All available resources and studies on BMP cost-effectiveness should be brought up-to-date and made centrally accessible. This could be located in a central clearinghouse for water quality information.
- d. Increase jurisdictions' awareness of the existing grant and funding processes and sources available for WIP implementation. Continue to provide email notices of grant application deadlines. Seek ways to make this information more accessible to appropriate staff, such as the central clearinghouse noted above.
- e. Consider including grantsmanship in the job description for the healthy waters circuit rider program should it develop.
- f. Develop an Eastern Shore collaborative to lobby for and recruit more funding from state, federal, foundation and other sources. Working together, Eastern Shore jurisdictions can proactively justify priority allocations from the BRF and other sources of funds.

- g. Jurisdictions should work collaboratively to obtain funding.
 - h. Each jurisdiction should assess its capacity to fund the portion of WIP implementation that is not expected to be funded by non-local sources.
 - i. An analysis by each local jurisdiction of pollution sectors, reduction strategies and related resource allocations as reflected in local milestone commitments and elsewhere can provide a strong platform from which to defend efforts to secure additional revenue.
 - j. For perspective, provide sample WIP implementation per-household budget costs on an annual and a monthly basis.
2. Pursue the following work items when the initial priority work items are substantially complete:
- a. Bring funders and potential grantees together to share perspectives and seek to streamline the grant application process. Expand the use of letters of intent. A model for such letters is the now common college application form. The Chesapeake Funders Network may be an appropriate sponsor for this work item.
 - b. Explore ways to streamline grant reporting to make it more manageable for smaller jurisdictions.
 - c. Healthy Waters Round Table partners should help local governments develop public and state-level recognition for funding clean water projects.
 - d. Explore the development of a regional financing plan for WIP implementation. Jurisdictions that detail resource needs and financing strategies for achieving locally-defined milestone commitments can develop cooperative approaches to close funding gaps. A regional, well-defined financing strategy can attract outside support and better prepare local jurisdictions for making progress on pollution reduction obligations.

Healthy Waters Round Table Priority Actions Summary

Best Management Practice (BMP) Tracking and Reporting

Description: Jurisdictions must determine the number, location and performance of the best management practices (BMPs) installed since the Chesapeake Bay Model base year of 2009. This enables the calculation of existing progress toward TMDL load reductions.

In addition, as new BMPs are installed, the jurisdiction must record and verify them to receive credit. Several potential sources generate BMP installations. These include the jurisdictions themselves, private individuals, non-profit organizations, and other private organizations.

Round Table participants ranked this action:

- second place for urgency
- second most resources intensive
- fifth place for affecting water quality
- second most helpful to achieve work goals
- third most likely to be worked on

Tools: A web-based portal would be ideal for jurisdictions to permit authorized individuals and organizations to report information about BMP installations. After all initial entries are made, the jurisdiction would verify the relevant installation parameters before the project can be



formally brought into the BMP inventory and credit is received. This requirement has been in place from the beginning of the TMDL program, but currently there is not a uniform statewide process for compliance. To bridge this gap, the following tools are under development:

MDE Report Forms—The Maryland Department of the Environment (MDE) established an Interim Collection Form as a means for standardizing the way BMP information is collected and reported.¹ However, this form has not been widely used as most jurisdictions are reporting progress in self-generated spreadsheets. MDE's Water Management Administration is developing a geodatabase designed primarily for MS4 jurisdictions for stormwater BMPs, which is scheduled to be

¹ Information and this form can be found on the MDE website:
<http://www.mde.state.md.us/programs/Water/TMDL/>

TMDLImplementation/Pages/MDSimpleBMPReportingTool.aspx

available in 2016. Also, MDE has developed an on-line septic system upgrade reporting tool. Both these databases will be downloadable to locally-accessible spreadsheet and database software. MDE's Water Quality Restoration and Accountability Program is developing a data management system to record non-point source BMPs for reporting to the Chesapeake Bay Program².

UMD Sea Grant Extension SMART Tool— A web-based reporting tool for private small scale BMP installations by homeowners. The tool can be found at: extension.umd.edu/watershed.

Resources Needed: Implementing a BMP tracking and reporting program will require both dedicated staff time and database or spreadsheet software. Uniform database software would be most helpful to generate summary reports and statistics. In addition, a system is needed to verify installation and inspections over time.

Gaps and Challenges: The most significant challenge is the lack of staff resources and budget. Many jurisdictions now struggle to conduct just the required regular stormwater facility inspections.

To assess the required staffing levels, an analysis of the approximate number and types of BMPs to meet the TMDL load reductions is necessary. First, an inventory of the jurisdiction's existing land use changes and BMP installations is needed so that the current pollutant load can be determined. Once the adjusted load reduction is calculated, an estimate of the additional BMPs needed could be completed.

The annual and monthly rate of installations linked to an assumed person-hours per inspection provides the basis for deriving the full time equivalents needed for initial installations' inspection and record keeping. Next, each BMP's maintenance inspection schedule should be determined. This estimates the labor needed to enable a jurisdiction to confidently document BMP establishment and performance. As a demonstration, such an analysis should be done for several representative jurisdictions' WIPs. This would provide an order of magnitude labor estimate for other jurisdictions, which is essential for budgeting.

Also an issue is the need to gather data on existing BMP installations and to capture private volunteer installations that may or may not be installed for water quality improvement purposes. Tree planting is one example of a BMP enjoying some voluntary installation, but at this time goes largely unrecorded. Reviewing existing



development records and ferreting out voluntary, private BMPs will be labor intensive, but this work could produce large savings when target load reductions are reduced.

² Dr. Jim George, personal correspondence, Maryland Department of the Environment, October 21, 2015.

Discussion: The need for tracking and reporting installed BMPs becomes more critical as time passes. Not only must a jurisdiction identify, verify and record new BMPs, but it must inventory and verify existing installations to retain credit.³ MDE, with the EPA's approval, has credited jurisdictions with an approximation of un-inventoried BMPs. This credit assumes that these BMPs are equal in load reduction to those actually inventoried.

This approach assumes that only about half of existing BMPs have been inventoried and included in MDE's official inventory. These agencies' current thinking is that as time passes, the BMPs that comprise the assumed credit must be specifically inventoried and verified or the credited load reduction will be lost.

Jurisdictions were asked to provide MDE with their historic BMP inventory by September 30, 2015. However, there is still a need to account for the installed but uncounted installations. Otherwise in the future, jurisdictions will be required to install BMPs to make up for the lost credit noted above.

Records for the above BMPs reside within the jurisdictions' development review files. This information, however, must be supplemented by field inspections and additional analysis to determine the full set of verification parameters.

In addition to BMPs identified in development records, several other BMPs must be documented for a jurisdiction to receive its full load reduction potential. They include:

1. Voluntary practices
2. Locally installed stormwater and septic upgrades
3. Urban stream restorations
4. Unapproved practices
5. Activities on federal lands⁴

The above issues and resulting work to overcome them present significant demands on the already overburdened local government staff. Addressing the BMP tracking and verification challenge requires much more than creating a database or a spreadsheet tool. Obtaining the needed data to create this electronic inventory presents the greatest challenge.

Healthy Waters Round Table Next Steps:

For this action, the next steps below are all short term priorities.

1. Local jurisdictions individually and through the Maryland Association of Counties (MACo) and the Maryland Municipal League (MML) should encourage the state to complete its web-based stormwater BMP tracking tools and publicize their development. The state should work with local jurisdictions and beta test it with counties and municipalities. Local jurisdictions should explore with MDE these databases' adaptability for local tracking purposes.
2. Eastern Shore jurisdictions individually and through MACo and MML should formally request of MDE that local jurisdictions be

³ Ibid, October 2, 2015.

⁴ Lister, Jessica J., *Requirements Analysis: Development of a Geographic Information System (GIS) to Track Best Management Practices (BMPs)*

for Talbot County's Watershed Implementation Plan (WIP) Talbot County, Maryland, unpublished paper, Salisbury University, 2013, page 14.

involved in the development of the stormwater tracking system.

3. In the interim, Eastern Shore jurisdictions as a group should seek funding and an organization to conduct the associated work to:
 - a. Develop a pilot jurisdiction for creating a BMP tracking database.
 - b. Include development of an electronic data entry technique that is suitable for field and office mobile device data entry and allows for smooth transition from device to report format.
 - c. Secure funding for staff sufficient to analyze the jurisdiction's development records, inventory existing

BMPs, and conduct the related field and analytical work necessary to verify and document the installation's parameters and performance.

- d. Develop a maintenance inspection protocol and checklist.
- e. Conduct representative maintenance inspections and record the staff time and other resources expended.
- f. Document the process, required person-hours, data gaps, itemized labor and non-labor costs and recommendations in an operations manual that supports the ability of other jurisdictions to effectively undertake this task.

Healthy Waters Round Table Priority Actions Summary

Sewer Extension Policy and Implementation

Description: Connecting conventional on-site septic systems to enhanced nutrient removal (ENR) waste water treatment plants (WWTP) holds promise for meeting a significant portion of a number of jurisdictions' septic sector nitrogen load limits. Many Eastern Shore jurisdictions have existing developed areas served by on-site septic systems located on poor soils or on small parcels; the health of local waterways suffers from both conditions. An alternative, replacing an on-site system with a best available technology system (BAT), has wide applicability, but these systems' performance cannot match ENR WWTP nitrogen reductions⁵⁵. With comparable initial costs above \$10,000, the better-performing ENR WWTP may produce a higher return on a dollars-per-pound of pollution ratio.

Municipal and county sanitary sewer systems with surplus ENR capacity offer an opportunity for septic system connections with the associated major nutrient reductions. For example, the Town of Easton has on average 1.42 million gallons per day of remaining WWTP capacity or about 5,680 equivalent dwelling units (EDUs). There are several satellite subdivisions developed with on-site septic systems within striking distance of Easton's system. These subdivisions are outside town limits and a common municipal policy is to serve



such areas only after annexation. Other jurisdictions around the Shore experience similar circumstances. Such communities usually seek annexation and sewer service only when faced with mass septic failures and the attendant health issues.

For county systems, opportunities also exist to reduce pollutants through septic connections. Talbot County is pursuing the connection of several villages and has included more than 700 such connections in their TMDL watershed implementation plan (WIP). All in all, septic to ENR connections appear to be an important tool for TMDL compliance.

The Round Table participants ranked this action:

- third place for urgency
- third most resources intensive

⁵⁵ BAT systems listed by the Bay Restoration Fund Ranking Documentation 2016 discharge in the range of 14 to 27 mg/l of nitrogen, while ENR plants

discharge less than 4 mg/l. A septic system without BAT can discharge nitrogen at concentrations of up to 40 mg/L.

- most likely to affect water quality
- third most helpful to achieve work goals
- second most likely to be worked on

Tools: On-site septics or septic connections are capital intensive projects requiring amendment to the affected county’s comprehensive water and sewer plan and in some cases require annexation or other creative arrangements between counties and towns.⁶ Grants and low interest financing from federal and/or state sources are available in some cases to offset costs to local government. Project costs not covered by grants or loans could be billed to the user through an enterprise fund. Both the initial and annual costs to the end user are significant. Front end costs can exceed \$10,000 while annual service costs may run into the hundreds of dollars⁷.

Resources Needed: As noted above, the capital costs of this approach can be significant and they are usually financed through grants, low interest loans, and bonds, often requiring all three mechanisms. Project design requires qualified engineers. Construction administration can be handled in-house or contracted out.

Gaps and Challenges: The most significant challenges relate to financing and growth management. These projects require dollars in amounts that severely impact the fiscal resources of many jurisdictions. The Bay Restoration Fund (BRF) was established to overcome this hurdle. In 2017 if the schedule holds, the BRF monies dedicated to ENR WWTP upgrades will be conditionally available for supporting septic connections after the major WWTP funding

commitments are made. A portion of these funds will be allocated to smaller WWTP upgrades and on-site septic connection projects along with other cost-effective WIP projects.

Extending sewer lines can result in sprawl development if connection access is not appropriately restricted. To address water quality issues, sewer extensions to existing communities may travel outside the state’s Priority Funding Areas (PFAs). Regulations adopted pursuant to HB 11 of 2014 provide a policy framework for extensions beyond PFAs; however, additional state guidance and clarity on such extensions would provide for a more efficient planning process for these lines.

Discussion: Septic connections to ENR plants provide promise for meeting jurisdictions’ septic sector TMDL load reductions. MDE has suggested that in some cases total treatment costs of residences connected to ENR systems are less than those connected to BAT systems. A detailed life-cycle cost analysis would provide a better picture of the relative cost-effectiveness of these alternative approaches.

With substantially increased BRF funding becoming available for WWTP upgrades, sewer line rehabilitation and extension, and other projects starting in FY’18, jurisdictions must firm up their WIP plans. The state will be judging projects on several criteria, with cost-effectiveness and readiness-to-proceed being key considerations. For this reason, prudent jurisdictions will reexamine their current WIPs and focus on BMPs with the highest

⁶ Round Table participants concluded that additional dialogue is warranted on issues related to annexation and town-county coordination. The Round Table did not identify specific “next steps” on this point.

⁷ Personal correspondence, Bill Wolinski, Environmental Engineer, Talbot County Department of Public Works, October 20, 2015.

ratios of pollutant reduction per dollar invested. To accomplish this, each BMP will need a life cycle cost analysis. This analysis may be beyond the capacity of many jurisdictions. The results for the Eastern Shore jurisdictions are likely to be similar and may be able to be completed on a regional basis.

Healthy Waters Round Table Next Steps:

1. Short-term priorities:
 - a. Request that MDE and MDP convene a working group to clarify and raise awareness of policies related to:
 - Denied service area creation and enforcement
 - Funding facilities outside PFAs
 - Cost-benefit analysis and project feasibility
 - Service area delineation
 - Mandatory connections
 - Incentives
 - WIP crediting and potential application to MS4 permit requirements
 - Impacts on remaining WWTP discharge allocations

Work group members should include county and municipal governments, applicable state agencies, health and sanitary departments, and supporting partners.

- b. Develop a regional needs assessment based on county water and sewer master plans,

municipal growth elements and other data that characterizes the resources necessary to resolve problem areas and identifies alternatives for areas not feasible to connect. The assessment should include an economic analysis of septic-sector BMPs. The information included can help guide jurisdictions to choose among these and other alternative septic sector BMPs.

2. Mid-term priorities:
 - a. Request that the state legislature develop a more explicit mechanism for its review and enforcement of denied service areas. This legislation should make the state a required and explicit signatory to a very limited set of circumstances permitting individual property connections in non-service designated areas. Specific criteria would limit conversion of denied service during comprehensive water and sewer plan updates and amendments.
 - b. Identify useful social marketing techniques to increase public acceptance of sewer extension to serve water quality goals. A grant-funded consultant could review prior efforts sponsored by groups such as the Rural Maryland Council and conduct additional research to fill knowledge gaps. A survey of public attitudes and test messages can inform development of outreach materials.

Healthy Waters Round Table Priority Actions Summary

Clearinghouse for Information and Procurement

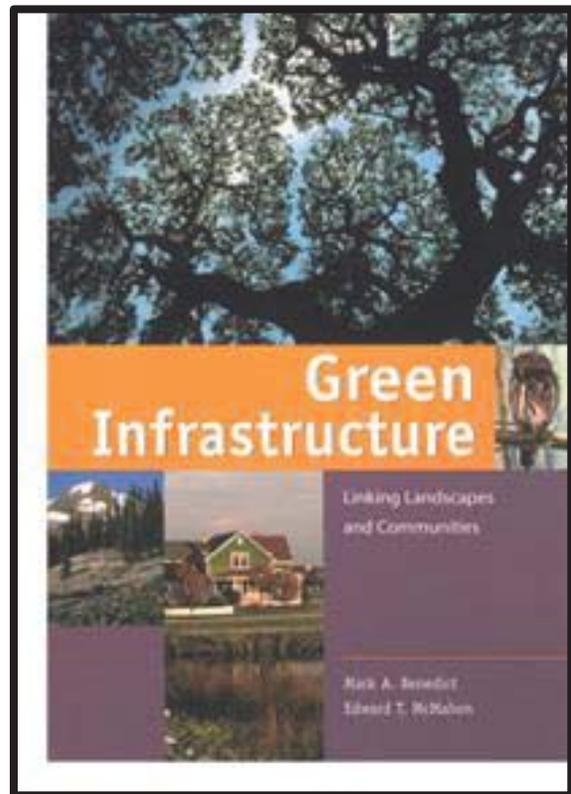
Description: Limited budgets and staff resources suggest that Eastern Shore jurisdictions pursue healthy waters in the most efficient manner possible. Creating a web-based tool for recording and accessing successful projects, methods, consultants, technologies and materials would provide a new and higher baseline of knowledge available to Eastern Shore jurisdictions. This tool could also provide a forum for sharing information as well as listing issues and questions that can be answered by the collective knowledge base throughout the local or state region.

This Round Table participants ranked⁸ this action:

- fourth place for urgency
- fourth for most resource intensive
- fifth most likely to affect water quality
- fifth most helpful to achieve work goals
- fourth most likely to be worked on

Although the priority for this action item falls down the list to the lower tier, this is a ranking of all the top priorities identified by the Round Table. Every item on the list is important. The Clearinghouse priority action

⁸ At the September 10, 2015 Roundtable Meeting, the Clearinghouse and Circuit Rider priority actions were combined during the small group discussion and for



is relatively inexpensive and it requires few resources to implement.

Tools: Tools of this nature are most effective when user driven. For that reason, it is suggested that a subgroup of Round Table participants research and decide the best platform for moving forward. The format can be chosen based on participants' survey responses regarding their practices

purposes of priority setting. So, these priority rankings are for the two actions combined.

and preferences on how best to receive and access information.

Resources Needed: Resources needed will be a function of the methods selected. This section will be completed once the method is selected.

Gaps and Challenges: Designing this tool to be self-maintaining would be optimal. However, to be of the most value, the tool will likely require routine updates and maintenance. An organization must monitor and periodically maintain the tool. A regional, state or a Bay wide institution could be this tool's care-taker.

Budget: Budget will be a function of the method selected. This section will be completed once the method is selected.

Discussion: Creating a central information clearinghouse that provides ready access to successful approaches, methods and other resources can help staff be efficient in planning and implementing their jurisdiction's watershed implementation plan (WIP).

Identified information needed includes:

- Successful project types with key parameters, contacts, and locations;
- Examples of model milestones and methods to achieve them;
- Funding sources and schedule for applications;
- Innovative techniques' status and prospects;
- Model contracts, requests for proposals (RFPs), requests for qualifications (RFQs), contracts, and maintenance agreements;

- An "Angie's List" of consultants and contractors enabling organizations to share their experience.
- BMP tracking, reporting and verification techniques, strategies and templates; and
- Regional reports and data and information on water quality status and changes;
- Notice of meetings, webinars, and other educational opportunities (email blast)

Healthy Waters Round Table Next Steps:

1. The subgroup with the partners will poll Healthy Waters Round Table participants to determine the best platform for helping local jurisdictions to receive/access information.
2. The subgroup with the partners will identify the most accessible web-based platform(s) for collecting and entering the preferred information. The subgroup with the partners will explore current websites (i.e.: Chesapeake Stormwater Network) to see what style is preferred and also provide examples. They will also determine a method to enable the local jurisdictions to enter content.
3. Determine and secure commitment from a regional, state or Bay wide institution to develop and manage the clearinghouse. UMD Sea Grant Extension may host a test web site and monitor uses. Other potential parties to host the site include the BEACON at Salisbury University, MACo, and MML. Other parties that may be included in this project are Environmental Protection Agency, Chesapeake Bay Program, and US Geological Survey as they have

indicated interest in the clearinghouse concept.

4. Publicize the tool's availability once completed and monitor its use; update and continue as long as it is

demonstrated to add value to local jurisdictions.

5. Determine a means of funding and maintaining the tool.

Healthy Waters Round Table Priority Actions Summary

Circuit Rider

Description: Over the last several years, Counties and towns reduced staff to adjust to falling revenues. With development and construction activity now picking up with staff at these reduced levels, watershed implementation plan (WIP) implementation may have become a secondary priority for some jurisdictions.

One alternative to adding full time staff for WIP implementation is to engage a circuit rider or consultant to supplement existing staff. This approach can make a senior level person available for a limited number of hours on a weekly or monthly basis for a specified period or project. For many jurisdictions this could either meet their WIP staffing need or provide the extra capability to accelerate their TMDL program.

This approach provides flexibility and a staff member with suitable qualifications to address the broad range of WIP implementation requirements. This work requires experience, deft handling and senior level analytical and program development skills.

The Round Table participants ranked⁹ this action:

- fourth place for urgency

⁹ At the September 10, 2015 Roundtable Meeting the Clearinghouse and Circuit Rider priority actions were



- fourth for most resource intensive
- fifth most likely to affect water quality
- fifth most helpful to achieve work goals
- fourth most likely to be worked on

Although the priority for this item fell down the list to the lower tier, this ranking is relative to the other top priorities identified by the Round Table. Therefore, every priority item may be helpful to a particular jurisdiction.

The Circuit Rider approach is relatively inexpensive and requires few resources to implement. This approach could supply just the force multiplier needed. Round Table participants recognized that returns on the

combined during the small group discussion and for purposes of priority setting.

relatively modest investment are likely to be great.

Tools: Many models exist for engaging a circuit rider. On the Eastern Shore, several small municipalities hire circuit riders as town managers, planners and other needed positions. In addition, there are past efforts that have used circuit riders during the initial stages of the WIP process. Essentially an individual is either contracted directly or through a third party organization to serve a prescribed function. The circuit rider's duties would be contained in the contract's scope of services and required qualifications would be noted in the initial position notice.

Resources Needed: Total budget for a circuit rider position would be in the vicinity of \$100,000 to \$150,000 per year to serve several jurisdictions. This figure estimates salary, support facilities, supplies and other expenses. Pending duties and responsibilities that participating jurisdictions would assign, it is estimated that one circuit rider could readily serve three jurisdictions and perhaps more if those served are small municipalities. There is also the recognition that it may be necessary to employ more than one circuit rider to address the jurisdictions' needs. Supervision of a circuit rider could potentially be handled by the three Eastern Shore regional councils; this has been broached with the Shore's three directors and while no commitments have been made, there is interest in exploring the concept further. In addition, the Maryland Rural Development Corporation already employs circuit riders in a number of areas and may be able to house this effort.

Gaps and Challenges: The principal challenge for this action is the willingness and fiscal ability of jurisdictions to engage a circuit rider. Collaborating jurisdictions

would need to settle on a specific circuit rider job description. Special care must be exercised in producing the job description or consultant scope of services. Round Table participants noted that some aspects of WIP implementation may not be appropriate for a circuit rider, e.g., construction project administration, as this requires intense internal and external coordination.

Should jurisdictions desire to pursue this concept, the following questions must be answered. For each question potential options are provided. The jurisdictions involved should determine how best to proceed either collaboratively or individually:

- What functions will the position(s) fulfill? The circuit rider can potentially fulfill many roles and functions. Several jurisdictions expressed the need for help with identifying existing BMPs and tracking new ones. Other potential functions include WIP and milestone development/updates and progress tracking, BMP site identification, public relations, and grant writing. A detailed scope of work prepared by each jurisdiction can help best position the circuit rider to deliver intended results.
- What are the qualifications for a circuit rider? A variety of backgrounds should be considered for this position. Planners, environmental scientists with non-governmental or nonprofit experience and environmental engineers depending on their education and experience could all be suitable. Specific qualifications would be linked to the actual functions to be provided. A mid or

senior level person would be required.

- Where would the circuit rider be housed? Several options exist. The tri-county councils have been approached and while non-committal are willing to explore the circuit rider concept further. The circuit rider could simply float to each jurisdiction for whom they work but will need to have an overarching body that they report to. The previously mentioned ongoing structure for circuit riders at the Rural Maryland Development Corporation may be appropriate for this function.
- How would a circuit rider be contracted? The circuit rider could be contracted directly or through an organization such as a tri-county council. Organizations that are able to receive grants or other sources of funding may be preferred to help secure resources that lower costs to participating jurisdictions. Another alternative is to directly engage a consultant as the circuit rider. In all cases, the served jurisdiction would receive an invoice and pay the appropriate contracted party and would not have engaged a full time employee. Participating jurisdictions in a scope of work could specify the terms and conditions under which the circuit rider is managed, either jointly or separately.
- How would a circuit rider be funded? There are several potential funding options for this position. The first option would invoice the served jurisdiction for services rendered. The second option could require jurisdictions to pay a user-fee upfront for access to the circuit rider. As an initial trial phase, grant

funding for all or a portion of a demonstration project could be sought. Jurisdictions should balance the political and operational costs on investing in a circuit rider with those of investing directly in additional staff support needed to meet water quality improvement obligations.

Discussion: Implementing a WIP will require significant funding and staff resources. The best management practices (BMPs) for urban stormwater and septic systems will entail numerous relatively small projects that are geographically dispersed. Design, bidding and contract administration even if projects are packaged will require significant, dedicated staff resources to properly oversee project execution. Government initiated and owned BMPs will require regular inspections and maintenance adding expenses and devoted staff time.

Privately built and held BMPs will require review if part of new development and inspections during construction. Throughout the project's useful life regular performance and maintenance inspections will ensure jurisdictions receive pollution reduction credit, but will further generate demand for staff resources.

This added work load argues for either hiring more full time staff or the creation of an alternative labor source. Circuit riders and/or consultants provide more flexibility to meet this need, enabling capacity for services delivered without the long-term funding commitment to full-time equivalent employees. With the 2025 deadline for BMP installation approaching, jurisdictions who engage a circuit rider can augment in-house resources, respond to specific unmet needs, and maintain fiscal flexibility.

Healthy Waters Round Table Next Steps:

1. Determine which jurisdictions need additional staff resources and are interested in exploring the circuit rider concept. Form a work group with these jurisdictions to pursue implementation.
2. Produce a gap assessment for jurisdictions interested in the circuit rider concept and then produce suitable job descriptions.
3. Determine the appropriate institutional/contracting arrangement.
4. Solicit funding to undertake a circuit rider program for jurisdictions seeking additional staff resources or to accelerate the implementation of the WIP. A pilot program may be useful to test the concept. It is

advisable for establishing a minimum two-year contract period. This will help generate a qualified pool of potential candidates for the position.

5. Explore local, state and federal legislative support for state funding, as well as private funding to institutionalize the circuit rider program.

Healthy Waters Round Table Priority Actions Summary

BMP Maintenance

Description: Watershed implementation plans (WIPs) will only succeed if the installed best management practices (BMPs) perform to specifications over time. Therefore, BMP maintenance properly done and timed is a key to achieving healthy local and Bay waters in the Chesapeake Bay Watershed.

BMP upkeep not only protects project performance but it will help maintain a jurisdictions' credits for their total maximum daily load (TMDL) efforts. Maintenance considerations often are overlooked during project design; this can be an expensive oversight particularly as performance verification requirements become more stringent. Consciously addressing maintenance must be built into BMP design, implementation, budgets and work plans.

The Round Table participants ranked this action:

- fifth place for urgency
- fifth for most resource intensive
- third most likely to affect water quality
- fourth most helpful to achieve work goals
- fourth most likely to be worked on

The maintenance priority ranking while low relative to the other priority actions is none-the-less critical to jurisdictions' water



improvement; we cannot overstate maintenance's importance.

Tools: BMP maintenance programs should explicitly identify required physical actions, schedules, equipment, labor, supplies and costs. Maintenance expenses are usually budgeted on an annual basis. Jurisdictions should analyze their BMP maintenance requirements and determine whether the annual budget can sustain the anticipated costs.

Many times, BMP maintenance is periodic and can occur in clusters. Should this be the case, creating a maintenance fund with annual contributions can finance the clustered expenses as they occur. This can smooth out annual budget spikes. Adding a contingency factor to yearly contributions would also help reduce unexpected budget increases.

Resources Needed: The total budget for BMP maintenance will be highly variable

and will be a function of the number, nature, and ownership of the installed BMPs.

Gaps and Challenges: A major challenge arises with the tendency to overlook maintenance needs and expenses during project development. Often this leads to selecting a project with the lowest initial cost without proper regard for future maintenance needs. This can be avoided by using life cycle costing, which expressly recognizes the project's cost stream over its lifespan. This stream includes upfront, as well as, upkeep costs. This technique also adjusts future expenses to their present value, giving a more rational basis for project selection.



Other barriers include inexperience and misunderstanding of the BMPs' nature, function, and requisite maintenance standards. This, along with the inherent difficulty with long term monitoring, requires planning and diligence. Monitoring can be especially nettlesome for privately developed projects.

Overcoming inexperience can be addressed through education and training. Opportunities exist for regional education and training efforts to increase their

effectiveness while reducing costs to individual jurisdictions.

Maintenance can be inglorious and tends to be overlooked as time passes and priorities change. With this, budgets and performance can decline.

Monitoring issues will require additional staff and appropriate funding. These resource needs should be recognized during budget development.

Discussion: Maintenance of installed BMPs will be one of the keys to achieving healthy local and Bay waters. Without proper maintenance, BMP performance will falter and in the worst case could increase pollutant loads. For example, poorly maintained denitrification BAT¹⁰ septic systems can produce more pollution than a standard system.

Understanding the value of maintenance is not a new challenge. While Eastern Shore jurisdictions have competent departments, many of the BMPs being implemented are unfamiliar to staff and require an orientation to their purpose and maintenance.

Also unfamiliar to maintenance workers may be a BMP's value. The priority for repairing potholes and misbehaving heating and air conditioning units may be self-evident; "cleaning" a ditch without exposing raw soil and removing its vegetation may be another matter. Clear maintenance standards will be required to provide frontline workers and supervisors with an understanding and sensitivity for maintaining their organization's healthy waters initiatives.

Alerting the public to the BMP's benefits and function is equally important. BMP neighbors need to understand these

¹⁰ Best Available Technologies (BAT)

facilities' appearance and necessary character may vary from what they are accustomed to. For example, a "clean" ditch devoid of vegetation delivers more pollution and floodwaters faster than one "filled with weeds and snakes." The latter provides natural filtration and slows stormwater, allowing it to seep into the groundwater. Attached is a fact sheet from Worcester County (see Appendix 5) designed to provide an improved understanding of healthy waters ditch maintenance.

Healthy Waters Round Table Next Steps:

1. Jurisdictions should build maintenance considerations into BMP project design.
2. Jurisdictions should provide a complete BMP maintenance template¹¹. Include both electronic and hard copy with:
 - a. A maintenance plan sheet (name, description, maintenance work required, responsible department, staff, equipment, supplies, cost and schedule)
 - b. Inspection forms
 - c. Schedule template for inspections and repair work
3. Jurisdictions and non-government (NGO) partners should include in public education campaigns a primer on maintenance program concepts. This would help create expectations aligned with the need for a more natural appearance of public and private grounds and facilities. The reduced roadside mowing schedules

that resulted from belt-tightening during the recent economic downturn serve as an example. Meadows now bloom along our roadways with wild flower, songbird habitat and water quality benefits.

4. Jurisdictions and non-governmental organizations (NGO) partners should explore with funders ways to finance the long term BMP maintenance needs to sustain their performance over time. For example, the state now provides funding for ENR WWTPs maintenance; perhaps on-going BMP maintenance training could also be funded.
5. Jurisdictions and NGO partners should make maintenance more prominent in internal and public educational water quality programs. These trainings should help the public and frontline staff understand the value of BMPs and that their appearance and their upkeep can vary from past norms. Maintenance should be specifically addressed in funding requests.
6. Jurisdictions and NGOs on the Eastern Shore can collaboratively deliver staff trainings on a regional basis to reduce the cost to individual jurisdictions and promote innovation and cross-fertilization among the attendees.
7. Explore collaboration for the purchase or use of supplies and equipment.

¹¹ Consult the Chesapeake Stormwater Network website for documents and workshop results on BMP

maintenance and inspections.
<http://chesapeakestormwater.net>

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Appendix 2—Meeting Agendas



Healthy Waters Round Table

Roland E. Powell Convention Center, Room 217
4001 Coastal Highway, Ocean City, MD
Wednesday, August 12, 2015
5:30 p.m. – 7:30 p.m.

5:30 Buffet Dinner

6:00 Welcome and Introductions

6:25 Local Government Resources

- *Gabe Cohee, Chesapeake & Atlantic Coastal Bays Trust Fund*
- *Jake Reilly, National Fish & Wildlife Foundation*
- *Jag Khuman, Maryland Department of the Environment*

6:55 Round Table Overview & Purpose

- *Enhance the capacity of Eastern Shore jurisdictions to achieve local goals for healthy water through:*
 - *Sharing of knowledge and experience*
 - *Maximizing limited resources*
 - *Partnering to secure new funding and assistance*
 - *Other?*

7:05 Ground Truthing

- *Local government capacity assessment review*
- *Group discussion*

7:25 Next Steps

- *Work Session: 9:30 a.m. – 3:30 p.m. Thursday, September 10, Tidewater Inn, Easton*
- *Action Plan Development: September – November*
- *Action Plan Review & Next Steps: 11:30 a.m. – 2:30 p.m. Wednesday, December 2, Tidewater Inn, Easton*

7:30 Adjourn

Optional: Informal conversation immediately follows at the Tiki Bar, Hampton Inn & Suites, 4301 Coastal Highway, Ocean City, MD (adjacent to and north of the Convention Center, bayside). Cash bar.



Healthy Waters Round Table Meeting Agenda

Date and Time: Thursday, September 10, 2015 9:30 a.m. – 3:00 p.m.

Location: Tidewater Inn, 101 East Dover Street, Easton, MD

9:30 Registration

9:50 Welcome and Introductions

10:20 Round Table Objectives and Principles

1. Program purpose: enhance Eastern Shore jurisdictions' capacity to achieve local healthy water goals
2. Goal for today: create a list of priority actions and identify steps and resources to accomplish them
3. Supporting Partner principles:
 - a. Facilitation not advocacy
 - b. Transparency
 - c. Assistance with effective local collaboration framework

10:30 Opportunity/Issue Assessment—Review key priorities for evaluation

11:30 Action Steps—Small group activity

1. Determine how priorities can be moved forward
2. Identify resources and responsible parties
3. Set timelines

12:10 Lunch

1:00 Action Steps Continued

2:00 Focus—Rank priority actions

2:45 Next Steps

1. Action plan development and review: September–November
2. Action plan discussion and adoption: 11:30 a.m.–2:30 p.m. Wednesday, December 2, Tidewater Inn, Easton

3:00 Adjourn



Healthy Waters Round Table Meeting Agenda

Date and Time: Wednesday, October 28, 2015 1:00 p.m. – 4:00 p.m.

Location: Hyatt Regency Hotel, 100 Heron Blvd. at Route 50, Cambridge, MD

1:00 Registration

1:10 Welcome and Introductions

1:30 Status Check

1. Progress review
2. Action plan development
3. Action plan finalization and implementation

1:45 Draft Action Plan Overview—Proposed implementation of local government priority actions

2:20 Break

2:30 Refinement—Small group review of specific implementation steps

1. BMP Tracking and Reporting
2. Sewer Extensions / Upgrades
3. Funding
4. Circuit Rider / Clearinghouse
5. BMP Maintenance

3:15 Review—Executive summary highlights, as proposed by participants

3:45 Next Steps

1. Action plan final review mid-November (date/time TBD at this meeting)
2. Action plan adoption: 11:30 a.m. – 2:30 p.m. Wednesday, December 2, Tidewater Inn, Easton. Lunch included.

4:00 Adjourn

Appendix 3—Hughes Agro-Ecology Center Interview Summary



HARRY R. HUGHES CENTER FOR
AGRO-ECOLOGY, INC.

Promoting and Supporting Viable Farms and Forests

January 21, 2015

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The Hon. Harry R. Hughes

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Ajax Eastman
Nina Rodale Houghton

Executive Director
Russell B. Brinsfield



MEMORANDUM

TO: The Honorable Larry Hogan, Governor of Maryland
State House

FROM: Harry R. Hughes, President 
Board of Directors of the Harry R. Hughes Center for
Agro-Ecology, An Affiliated Foundation of the University of
Maryland, College Park

RE: Synopsis of Interviews with the Watershed Implementation
Teams from 21 Counties and the City of Baltimore (Dorchester
and Worcester were unable to be reached after several attempts)

Positive Findings:

- The Watershed Implementation Planning (WIP) process has become institutionalized and is a part of the budget process or Capital Improvement Program at the local level. Those counties include: Allegany, Anne Arundel, Baltimore, Carroll, Charles, Frederick, Harford, Howard, Prince George's, St. Mary's, Washington and Wicomico along with Baltimore City.
- Even though the WIP effort is aimed at reducing nutrients to the Chesapeake Bay, local waters and their water quality is the focal point for local approaches being taken to attain nutrient reduction. Counties include: Allegany, Anne Arundel, Baltimore, Calvert, Caroline, Carroll, Cecil, Charles, Garrett, Harford, Kent, Montgomery, Queen Anne's, St. Mary's, Talbot, Washington and Wicomico along with Baltimore City.
- For the more urban jurisdictions, the MS4 permit drives the Watershed Implementation Planning process. The counties include: Anne Arundel, Baltimore County, Carroll, Frederick, Harford, Howard, Prince George's and Montgomery along with Baltimore City which has enhanced progress being made.
- Local Non-Governmental Organizations have been essential to the implementation of local government Watershed Implementation Plans. Counties that have noted this were: Allegany, Anne Arundel, Baltimore County, Calvert, Cecil, Charles, Frederick, Harford, Howard, Kent, Montgomery, Prince George's,

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Queen Anne's, Somerset, St. Mary's, Talbot and Wicomico along with Baltimore City. The Non-Governmental Organizations are viewed as doing the bulk of the work and many jurisdictional representatives said that without them, the attainment of the reductions needed for the first round of reporting to EPA and also for the next round might not have been or be successful.

- Several Regional and State-wide Non-Governmental Organizations were specifically mentioned as being very supportive and are viewed favorably. Examples include: The Center for Watershed Protection, The Chesapeake Bay Trust, The Nature Conservancy and the Chesapeake Sea Grant Watershed Specialist Program. Anne Arundel, Baltimore City, Baltimore County, Calvert, Caroline, Cecil, Kent, St. Mary's, Talbot and Wicomico made specific mention of these organizations.
- State agency efforts received high marks, specifically Science Services Administration and other units at MDE (Curry, George, Thornton, Pellicano) and at DNR (Cohee). Appreciation from the counties was noted for the staff visits from MDE to their respective jurisdictions to address questions and issues. Feedback from MDE is important to the local governments and important to the local WIP teams as they inform and educate their local officials. All interviewed jurisdictions made mention of this.
- State grant programs are receiving high marks from the local governments, particularly those administered by DNR. All jurisdictions interviewed made mention of this.
- The regional meetings as well as the webinars have been useful. For the webinars, it depends on the topic as to how useful and efficient they are, but both are needed. All jurisdictions made mention of this.

Matters Needing Attention:

- The issues between the regulated (MS4 permit) counties and the unregulated counties are becoming more diverse. For example, there appear to be stronger relationships and more cooperation on projects between the regulated counties and the State agencies and less so with jurisdictions that are unregulated.
- Municipalities, especially smaller ones, have been left out of the WIP process because of a lack of staff and resources, except for what a county is able to provide. This was specifically noted by Allegany, Calvert, Caroline, Cecil, Charles, Frederick, Harford, Kent, Queen Anne's, Prince George's, St. Mary's, Somerset, Talbot, Washington and Wicomico counties.
- Budget is the limiting factor in being able to do more. This was noted by Allegany, Calvert, Charles, Harford, Howard, Prince George's, St. Mary's and Washington counties.
- Available professional staffing (particularly engineers) is also a very big limiting factor in being able to do more. Cecil, Charles, Kent, Prince George's, Queen Anne's, St. Mary's and Wicomico counties made particular mention of this.

- Support from MDE's Water Administration is not as responsive as it could be. Carroll, Harford, Montgomery and Somerset counties made mentioned of this.
- The Maryland Assessment Scenario Tool (MAST) that is available for local governments to use to assess the efficiencies of Best Management Practices is still receiving low marks as to ease of ability to use and it has since become more complex because of changes made to it by MDE. Allegany, Anne Arundel (does double duty as it uses its own program and then feeds the data into MAST), Calvert, Caroline, Cecil, Charles (hired a consultant to help integrate its data into MAST), Harford, Howard, Kent, Queen Anne's, Somerset, St. Mary's, Washington and Wicomico counties all made similar statements.
- Finish developing and implement a Statewide tracking system because lack of a tracking tool is causing each jurisdiction to develop its own system and consistency of data across the board is hampered without a uniform system of reporting and tracking of projects. All interviewed jurisdictions expressed this concern.
- MDE needs to do a better job with outreach and education on topics such as Lawn Care, Pet Waste, Rain Gardens, etc. Information on these topics as well as others is sorely needed. Allegany, Baltimore City, Baltimore County, Harford and Howard made particular mention of this and the same group along with other jurisdictions noted that the MDE Website is hard to navigate so therefore information on the above topics is difficult to find.
- There is a need for efficiencies for new Best Management Practices (BMPs), or for BMPs that local jurisdictions are trying out. They are: street sweeping (Baltimore City, Baltimore Co. and Charles County), pump out of septic tanks (Charles), sand mounds (St. Mary's), swales, bio-swales and ditches (Baltimore Co., Somerset), oyster cultivation (restoration projects) (Calvert, Talbot), stream restoration (Carroll).
- Credits should be considered for the following: Planting of trees (Port Tobacco), removing land that could be developed from development such as making a park out of a paved over shopping center (Charles), voluntary BMPs (St. Mary's), and credit for Maximum Extent Practicable (Montgomery), hooking up septics to the Wastewater Treatment Plants (WWTP) (Anne Arundel), benefits from stream corridors (Calvert), and receiving Stream Regeneration through Upland Hydrologic Recovery (Carroll). And who will get the credits for Consent Decree CSO and SSO efforts?
- Concern about how inspection and maintenance of all of the BMPs that have been put into place (both large and small) will be difficult because there is insufficient staff at the local as well as at the State level to do this. All interviewed jurisdictions expressed this concern.
- Concern about adequate staffing at the State level to review and approve projects in time to coincide with grant funds available for projects. All jurisdictions noted this concern.
- Concern about expeditious and consistent reviews of watershed restoration projects between the Federal, State and local governments. All jurisdictions noted this issue as well.

- Implementing consequences when local jurisdictions do not move forward with their WIPs. Those who have been unable to move forward believe they need a “kick” (Calvert). While those that have moved forward and have spent considerable time, effort and money do not want to have to bear the lack of effort on the part of other jurisdictions (Cecil, Montgomery).
- There are concerns with the "Accounting for Growth" policy and regulations and their implication for all jurisdictions. This is of particular concern with the low growth part of the State. (Allegany, Garrett, Talbot, Washington and Wicomico Counties).
- State leadership is missing from the business development perspective as to involving contractors, construction inspectors, etc. Cecil, Harford and Wicomico Counties expressed this concern.

Suggestions from the Local Jurisdictions for Moving Forward:

- A contract position that can be shared by the counties for engineering work as well as for grant writing would be a big help. Allegany, Calvert, Cecil, Kent, Washington, Wicomico, Somerset and St. Mary’s counties were all in agreement with this suggestion.
- Tracking: Tie MS4 reporting and WIP reporting to a State developed, top down State-wide system. Example, Health Dept and the septics issue, and the data base with stormwater structures. Howard, Somerset and Washington Counties said this could all be handled with one tracking system.
- Consider the Think Blue Maine website as an example for resources, toolkits and documents for homeowners, educators, children and municipalities.
- Develop partnerships such as is being done in Prince George’s County (the 3 P’s of Public, Private Partnerships) to implement programs and projects where money is not so plentiful. And in this regard, the State agency counterpart (DBED) should be brought into this process to help foster those relationships in other areas of the State.
- Wrap up the SMART tracker (WAC BMP tool) and make it available to the rest of the State (Prince George’s)
- Have the Cabinet set up training for inspectors, contractors to help move the implementation of the WIPs along and also to help handle the inspection function once BMPs are in the ground and require monitoring.
- To expedite implementation of projects, have MDE establish a regional office on the Eastern Shore (or use one if it has one on the Eastern Shore) for jurisdictions to bring in their projects, ask questions, obtain answers and move forward all in a day.
- MDE should consider changing and revising the formula for small jurisdictions so that they can take advantage of funding Enhanced Nutrient Reduction (ENR) for their small wastewater treatment plants (WWTP) under the Bay Restoration Funds. This is because they

do not have the budgets to float loans until they receive the funding nor do they have the money to match a project of this nature.

- MDE should consider improving the timing of Bay Restoration Fund (BRF) septic connecting grants so that all qualified septic owners can obtain funding by the time a new sewer connection is available (current process provides limited funding each year, forcing many low-income septic owners to take out loans to cover the gap between the deadline to connect and the year BRF funds are allocated.) In addition, MDE should consider expanding the use of BRF funds to update the smaller systems as well as increasing funds for connections to public systems.
- The State should mandate a stormwater fee for all jurisdictions, not just the highly populated ones.
- The State should champion projects that are not currently being implemented to improve water quality. In many cases what is lacking is a demonstrated successful project.
- Watersheds do not have jurisdictional boundaries so money allocations should not either. At present, county allocations appear to be limited to a set amount.
- MDE should establish a certified repository of BMPs and tracking and reporting system to ensure uniformity throughout the jurisdictions.
- It would be very helpful if the accuracy of the numbers provided by the State was confirmed so that the WIP teams felt confident in providing these numbers to their officials and in using the numbers during the decision process for funding and implementation of projects.
- The State should implement a more rapid review process for new and pending BMPs as this would greatly assist the counties with planning and implementing approaches. At present the lengthy process is preventing cheaper, more innovative BMPs from being placed in the ground.
- MDE should work with the Maryland Association of Counties (MACo) to provide outreach and education to newly elected officials at the MACo's winter 2015 conference.

cc: Joe Bartenfelder, Secretary Designee (MDA)
Charles Evan, Jr., Secretary Designee (DNR)
R. Michael Gill, Secretary Designee (DBED)
Ben Grumbles, Secretary Designee (MDE)

Appendix 4—Candidates for Collaborative Action

Candidates for Collaborative Action Reported by Local Governments (summarized)

CATEGORY	SUMMARY DATA	
Primary/ Secondary	1-Sentence Description	# of Entries/ Jurisdiction
BMPs	Develop a centralized, uniform tracking system for BMP reporting	6
Tracking	Consistent BMP tracking mechanism across counties and towns within counties	Kent
	Work with Mike Scott @ SSU on tracking mechanism	LSRC
	Develop an app for BMP inspections that satisfies verification requirements	Salisbury
	BMP tracking/reporting system	Salisbury
	Multi-jurisdictional tracking system	Talbot
	Central tracking system	Hughes Center Survey
BMPs	Build workforce capacity for BMP installation	5
Workforce	Installers training and certification (through schools?)	Wicomico
	Workforce development program focused on contractor shortage	USRC
	Build private sector capacity for installing BMPs	MSRC
	Develop a community volunteer corps that could hop on grants	Cecil
	Inspector/contractor training	Hughes Center Survey
BMPs	Develop a workforce and knowledge base to conduct BMP maintenance and verification	5
Maintenance	Develop a maintenance corps (regional paid or volunteer) for stormwater BMPs	Berlin
	Maintenance of BMPs a major concern	Easton

	Best practices for BMP management and upkeep	Talbot
	BMP maintenance corps	Wicomico
	Resources for BMP monitoring and maintenance	Hughes Center Survey
BMPs	Develop and share information about the cost effectiveness of approved and pending BMPs	5
Technical Assistance	CWP BMP cost effectiveness information	Talbot
	Basin-wide WIP for stormwater/wastewater ranked by cost-effectiveness	Wicomico
	TA for cost effective BMPs	Hughes Center Survey
	Identify the cheapest per-pound BMPs for stormwater	Talbot
	Publish/share BMP cost effectiveness information	Somerset
BMPs	Accelerate the testing and approval of new BMPs, especially for septic systems	3
Innovation	Test center for new/innovative BMPs (funding & expertise)	Caroline
	Accelerate CBP review & approval process for new BMPs	Hughes Center Survey
	Develop alternatives to traditional BAT systems: wood chip walls, etc.	Caroline
BMPs (TA)	Establish an MDE Eastern Shore field office to expedite project permitting	1
Coordination	Continue HWRT as an ongoing forum and include additional local government structures/partnerships	7
Forum	Continued forum (like HWRT) for interjurisdictional collaboration	Wicomico
	Engage with MAMSA and MAMWA on policy issues	Berlin
	Participate in joint Regional Council meetings (MACo) & quarterly exchanges with RMC	USRC
	Present HWRT progress at winter MACo conference	MSRC
	Work with Rural Maryland Council	MSRC
	Regional councils may be appropriate location for regional TMDL efforts. Review with board once proposal is set	MSRC
	Coordinate with MACo/MML	MSRC

Coordination	Provide a clearinghouse for sharing information and success stories among jurisdictions	4
Information	Develop an infrastructure for sharing information, strategies and success stories	Cecil
	Dissemination of success stories	Hughes Center Survey
	Success story sharing time (ex: hoist truck for bag filters)	Salisbury
	Online clearinghouse of information, success stories, and contacts (across counties, perhaps a web portal)	Talbot
Coordination	Build a forum for Town-County collaboration	3
Inter-governmental	Provide a forum for Town-County cooperation	Somerset
	Involve more munis for greater buy-in and results	LSRC
	Pooling of resources across jurisdictional lines to maximize cost effective BMPs (town SW in county)	Cecil
Coordination	Develop relationships in state government to advance local government partnership efforts	2
Inter-governmental	ID someone from Governor's Office who can be an advocate for HWRT programs	LSRC
	Talk to Tracy and Keith at MDP to get local perspective on TMDL efforts and needs.	LSRC
Coordination	Engage the State of Delaware in cross-border watershed assessments and policy discussions	2
Inter-governmental	Interstate watershed assessment with DNREC	Cecil
	Delaware growth affecting MD water quality	LSRC
Coordination	Increase collaboration between local governments and Eastern Shore educational institutions	1
Funding	Increase grant funding to close gaps, especially for engineering and eligibility	6
	Money to support detailed engineering (most grants only fund planning or implementation)	Somerset
	Engineering and permitting capacity that does not require preliminary expense	Oxford
	Construction cost assistance	Oxford
	Close the funding gap for "ordinary" small towns: don't qualify for CDBG or environmental emergency funds	Caroline
	Pool of seed money to tap as match for state and federal grants	Somerset

Consider pursuing a carve out for \$6M rural development ask USRC

Funding	Simplify grant making: information centrally accessible, workshops for gov't staff, and unified applications and deadlines	5
	Simplify grant making cycles and applications. Universal application, and funders sort out the rest?	Salisbury
	Clearinghouse for outside funding resources to leverage with inside money	Queen Anne's
	Grants workshop for DPW staff focused on WIP funding sources & funder criteria	Somerset
	Grant opportunity summaries with application deadlines and applicable costs	Salisbury
	Funding resources clearinghouse	Talbot
	More capacity for securing and administering grants	Salisbury

Funding	Coordinate grant applications across jurisdictions to increase share for the Eastern Shore	3
	Regional coordination on grant applications so there is less competition on ES	Wicomico
	Use BRF funds as engagement hook. Western shore will get the money if ES does not act	LSRC
	Unified ES effort to secure more state and federal funding	Worcester

Funding	Advocate for USDA to better align funding priorities with WIP goals	3
	Voice to USDA to better align spending priorities with WIP goals (ex., rejected ENR as a "luxury")	Caroline
	Align USDA funding priorities with WIP goals	Worcester

Funding	Extend grant funding commitments to cover longer timeframes and more stages of the process	3
	Assurance that initial funding will bring additional funding	Oxford
	Move BRF from a yearly RFP to a CIP (project-based) model	Worcester
	Innovative and consistent funding	Cecil

Funding	Target revenue from fines for local WIP work	1
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Outreach	Educate the public to increase WIP understanding and support	4
	Citizen education campaign to overcome NIMBY sentiments for urban BMPs	Berlin

	Citizen outreach to overcome resistance to high costs	Caroline
	Public communication and awareness (DPW has no capacity)	Talbot
	TA for public education	Hughes Center Survey
Outreach	Engage the farming community	3
	Engage farmers, proactively present at county farm bureaus?	RMC
	DPW / local Farm Bureau regular information exchange	Talbot
	More interaction between local government and farming community	Reception Flip Charts
Outreach	Increase local understanding of federal and state initiatives, including the Bay model and regulatory priorities	2
	Hold training to increase confidence in model	Hughes Center Survey
	More communication from state agencies on regulatory initiatives (PMT sludge rules were a surprise)	Worcester
Planning	Plan and deliver projects regionally	4
	Regional watershed assessments to help with project targeting (ex., TNC Pocomoke effort)	Worcester
	Larger, regional projects rather than smaller ones for broader impact at same effort	Wicomico
	Regional implementation across counties and categories	Kent
	Regional RCPP projects like TNC's Pocomoke effort bring money to the Shore	Reception Flip Charts
Planning	Secure assistance with WIP strategy development	2
	TA for general WIP strategy development	Hughes Center Survey
	Town has focused on projects and needs overall strategy for TMDLs (Coyman observation)	Easton
Policy	Enhance sewer extension policy by resolving annexation, accessibility, funding, credit, and public education issues	6
Sewer Extension	Work through annexation laws and service policies for extending sewer lines to failing septic systems	Salisbury
	Resolve policy issues around municipal sewer extensions: credit, annexation	Salisbury
	Pursue denied access protections and limit funds for sewer extensions to failing systems only	Talbot

	Address small towns with sewer needs	LSRC
	Guidance on serving failing septic system area as mentioned by Jag Khuman	Salisbury
	Move neighborhoods towards agreement about septic system connections	Talbot
Policy	Advance trading on the Shore	4
Trading	"Informal" nutrient trading (state can "work on the trade market")	Cecil
	Advance nonpoint--nonpoint nutrient trading on Eastern Shore	LSRC
	Nutrient trading is a concern, uncertain about its benefits and how it would work.	LSRC
	Earn SW credit for installing ag practices on county-owned lands	Reception Flip Charts
Policy	Obtain clarity and guidance on state stormwater management expectations and priorities	3
State	MS4 Phase II permit requirement info and reporting assistance	Salisbury
	Clarity about future regulatory expectations for Phase II MS4s	Cecil
	Mandate stormwater fee for all jurisdictions	Hughes Center Survey
Policy	Increase sensitivity and responsiveness to farm community issues	3
	Joint ES letter to Gov asking for a tax credit to support alternative energy per PMT regs (poultry & sludge)	Worcester
	Phosphorus management tool large issue with ag community. Be prepared for this to be discussed. Work with Ag on TMDLs	LSRC
	Regional conversation about dramatic increase in poultry houses	Worcester
Policy	Prioritize minor WWTP upgrades, potentially through BRF formula adjustments	2
State funding	Increased focus on upgrades to minor plants and villages on septic	Caroline
	Revise BRF formula to prioritize small WWTPs & expand funding for septic connections	Hughes Center Survey
Policy	Seek approval to meet WIP goals at the regional or basin scale	2
WIP	Permission to meet WIP goals as a regional coalition or basin	Wicomico
	Basin-scale WIP compliance	Kent

Procurement	Establish a procurement clearinghouse to streamline access to products and services	6
	Pre-qualified contractors list	Queen Anne's
	Contractors clearinghouse	Talbot
	Collective, prequalified vendor listing	Wicomico
	Need more qualified contractors	Wicomico
	Procurement clearinghouse (ex., ebid through state for vehicles)	Wicomico
	Procurement clearinghouse	Salisbury

Procurement	Establish model RFPs that can serve multiple projects and jurisdictions	3
	Regional RFP for others to piggyback on (LSRC model: can hire ESRGC with just a quote - no bidding)	Salisbury
	Model RFPs	Salisbury
	RFPs that can serve multiple projects	Oxford

TA	Share design and engineering services, potentially through a circuit rider	6
Design & Engineering	Shared stormwater or wastewater engineering expertise	Caroline
	Engineering circuit rider	Hughes Center Survey
	TA or funding to more rapidly scale up promising pilots (ex., TNC not ready to expand ditch work)	Cecil
	Circuit rider to ID potential future projects and find credit for existing projects	Talbot
	Shared contract position for engineering and grant writing	Hughes Center Survey
	BMP design assistance	Queen Anne's

TA	Increase project management capacity	4
Project Administration	Need help with project administration	Wicomico
	Soup-to-nuts project management: grant manager, project manager, engineering, permit compliance, reporting all in one shop - like done for ferry dock, for example	Oxford
	Project delivery assistance - MES to play a role?	Salisbury

Simplify or outsource project management: procurement, managing contracts, filing reports Cecil

TA	Secure MAST training and assistance	2
	MAST training for increased proficiency in planning and reporting	Kent
	TA for MAST	Hughes Center Survey

Appendix 5—Ditch Maintenance Public Information, Worcester County, MD

PUBLIC ROADSIDE DRAINAGE SYSTEMS IN WORCESTER COUNTY, MARYLAND

In Worcester County, roadside ditches are the typical means for providing flood control for roads, but if not managed optimally, these ditches can also contribute to water pollution.

The purpose of this fact sheet is to provide Worcester County citizens with information about the roadside drainage system, specifically, where does roadside drainage occur, how it is maintained, why certain maintenance techniques are preferable, and what actions citizens can take to ensure optimal road safety and water quality associated with the drainage system.

What is the Purpose of Roadside Ditches?

Roadside ditches, swales or similar drainage features are installed to move water from rain and runoff from the road to a pond, creek, or other waterway. A ditch may require design and maintenance that is based upon specific local characteristics and needs to ensure adequate road drainage as well as safety.

Who is Responsible for Drainage in Worcester County?

All public roads are located within land which is referred to as the road right-of-way (R-O-W). Roadside drainage features, typically ditches, are also located within road R-O-Ws. The R-O-W is typically owned and managed by a public entity, such as the County or a homeowners' association. The Worcester County Department of Public Works has jurisdiction over, and is responsible for managing, County road R-O-Ws.

Importantly, the role of a ditch or other drainage feature within the road R-O-W is to drain the road, not the adjacent private property. Drainage of private properties is the responsibility of homeowners' associations, Public Drainage Associations (these exist primarily in agricultural areas) or individual property owners.

How Can a Ditch be Designed and Managed to Minimize Pollution?

Pollutants from the roadway as well as sediment can be transported from the road R-O-W to surface waters or groundwater, and ultimately, to the bays. Adequate vegetation and/or ponding slow and filter runoff. To ensure water quality is protected, the County creates gentle slope drainage swales wherever possible; uses seed and matting to stabilize new drainage; does not cut trees or remove stumps, except when necessary to improve road drainage or for safety reasons; and mows only 5 times per year.

Aren't "Clean" Ditches the Best Way to Assure Drainage?

Removing vegetation and exposing soil does not improve ditch drainage, and can pollute downstream waters with additional sediment and clog drainage.

Should There be Water Standing in the Ditch?

The open drainage system is suited to our coastal, rural landscape. It also helps protect water quality by slowing the movement of stormwater and providing some settling of sediment and uptake of pollutants before it reaches creeks or bays. Unlike dense urban areas, Worcester County does not use closed pipe systems to convey stormwater. Closed pipe systems are expensive and they can cause costly damage to water quality.



Bare soil in this ditch will erode and contribute to pollution downstream. Photo by Bruce Nichols, NRCS



Sediment traps and protective buffers improve water quality downstream. Photo by Bruce Nichols, NRCS



Photo by Katherine Munson

What Design and Management Techniques Both Protect Water Quality and Provide Adequate Drainage?

- Shallow, wet ditches remove nutrients and settle out sediments better than deep, narrow ditches.
- Stable, vegetated ditch sides prevent erosion.
- Small pools, if it is possible to provide them, trap sediment.
- Ditching should be avoided in areas where the road R-O-W consists of tidal marsh, because roadside drainage will usually not be improved while sediment pollution will increase.
- Should trees be removed from a road R-O-W, stumps should be left in place to prevent erosion and retain stability unless drainage is impeded.
- Grass buffers adjacent to a ditch/drainage area help reduce erosion, therefore reducing the need for maintenance.

But What About Mosquitoes?

Unfortunately, mosquitoes are part of life on the coast. Because mosquitoes sometimes carry diseases that affect humans, there are certain actions and precautions both government and you can take to minimize human exposure. Mosquitoes breed best in standing water without natural predators. The best example of this situation is a container left about that fills with rainwater. Draining County roadside ditches will have no significant effect on local mosquito populations if wetlands or salt marsh is nearby. Ditches that drain within 30 hours of a storm event will not breed mosquitoes. Some ditches provide some habitat for mosquito predators, such as fish, which can minimize the mosquito population.

How Can Citizens Contribute to Road Safety and Water Quality?

Landowners adjacent to road R-O-Ws can work with the County to ensure that both public safety and the environment are protected. Recognizing the purpose of the roadside drainage system and qualities of effective, environmentally friendly drainage is the first step. Adjacent landowners should **NOT** do the following activities in a road R-O-W and ditch:

- **Scrape or excessively mow, exposing bare soil, as this can contribute to erosion and sediment pollution.**
- **Fertilize or apply herbicides, as this may pollute water.**
- **Place any materials in the R-O-W including: yard debris such as grass clippings or leaves, landscaping such as trees or rocks, or pavement as this may impede road drainage.**

Landowners who are interested in working with the county to install practices that enhance water quality associated with roadside drainage may contact the Department of Comprehensive Planning at 410-632-5651.

For more information or to report a problem with road drainage, please contact Worcester County Department of Public Works, Roads Division, 410-632-2244.



A wide, shallow drainage area can reduce erosion and control sediments. Photo by Bruce Nichols, NRCS



Photo by Katherine Munson



Adjacent property owners can reduce pollution by avoiding over-mowing, fertilizing or placing stone, wood or cement in the R.O.W. Photo by Bruce Nichols, NRCS

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PRESS RELEASE

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For Immediate Release

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Maryland Eastern Shore counties and municipalities unite to propose collaborative actions to clean local waters

PRACTICAL, COST-EFFECTIVE STEPS RECOMMENDED

Representatives from all nine Eastern Shore counties in Maryland, as well as from Berlin, Cambridge, Chestertown, Easton, Oxford, and Salisbury, have agreed to an action plan to expedite restoration of Shore creeks and rivers and the Chesapeake Bay. The group of more than 30 local government representatives, known as the Healthy Waters Round Table, recommended five preliminary steps to pursue in 2016.

With help from five supporting non-profit, academic and research organizations, the group narrowed down a list of 120 ideas into a handful of initial actions that could be accomplished with existing resources. They also identified longer-range actions that could be achieved with added resources.

“Many local leaders on Maryland’s Eastern Shore care deeply about the value that clean water brings to local economies and the region’s quality of life,” said Dirck Bartlett, a round table participant who serves on the Talbot County Council. “But we have a long way to go to meet goals for cleaner water on the Shore. This plan allows for the counties and municipalities here to work together on the most practical, cost-effective clean-up strategies.”

The five preliminary steps recommended for 2016 are: provide grant writing training; create and distribute model documents for soliciting grants and consulting services; secure staff training for the Maryland Assessment Scenario Tool (MAST), a web-based nitrogen, phosphorus and sediment load estimator tool to streamline environmental planning; provide staff training in social marketing and public education; and obtain clarity and guidance on state stormwater management expectations and priorities for Eastern Shore communities.

(MORE)

Longer-term priorities of the group include:

- Identify and prioritize means to fill gaps in funding water quality control projects;
- Streamline the process for tracking and reporting of Best Management Practices;
- Develop policies and procedures for expanding sewer service to appropriate areas currently utilizing septic systems;
- Create a circuit rider system to assist jurisdictions with specific contractor help;
- Establish a sharable clearinghouse of methods, approaches and resources for reducing pollution; and
- Improve the maintenance of existing devices and practices used to control polluted runoff.

To complete the priority actions, six work groups comprised of interested jurisdictions' representatives are being formed with each one tasked with developing a detailed work plan to implement each priority. All Eastern Shore local government representatives are invited to attend the upcoming work group meetings.

Government representatives met four times as a round table from August to December 2015 to prioritize steps for action, based on several guiding questions, such as, "What cost effective solutions exist and which are the highest priority?"

The Eastern Shore leaders who participated in the program said they value the opportunity to work cooperatively on the best methods for achieving clean water.

"With the Healthy Waters Round Table, we're working across county and town lines to share knowledge and experience, maximize limited resources, and procure new funding and assistance," said Queen Anne's County Board of Commissioners president Jim Moran.

Maryland and 5 other states in the Chesapeake Bay region, along with the District of Columbia, have until 2025 to establish practices that reduce pollution to specific levels under a regional plan to restore the Bay called the Chesapeake Clean Water Blueprint. The plan also requires each state to submit progress reports every two years. If achieved, the pollution reductions will significantly boost the populations of fish, oysters, and crabs in the Bay, heal damaged aquatic habitats, and boost economic development, experts say.

In Maryland, counties and municipalities also are being asked to contribute their own efforts to meet the mandated state pollution reduction goals. Eastern Shore counties have made some progress, but many are seeking new ways to accelerate their efforts.

Eastern Shore local officials involved in the Healthy Waters Round Table include:

Upper Eastern Shore

Cecil County	Alan McCarthy, Council Vice President
Cecil County	Alfred Wein, County Administrator
Cecil County	Kordell Wilen, Chief, DPW Development Services Division
Kent County	William Pickrum, Commission President
Kent County	Amy Moredock, Director, Planning, Housing and Zoning

(MORE)

Queen Anne's County	Jim Moran, Commission President
Queen Anne's County	Rob Gunter, Community and Environmental Planner
Town of Chestertown	Chris Cerino, Mayor
Town of Chestertown	Liz Gross, Council Member
Town of Chestertown	Kees DeMooy, Zoning Administrator

Middle Eastern Shore

Caroline County	Wilbur Levengood, Commissioner
Caroline County	Katheleen Freeman, Director, Department of Planning, Codes & Engineering
Caroline County	Leslie Grunden, Planner III
City of Cambridge	Donald Sydnor, Commission President
City of Cambridge	Odie Wheeler, Director, Department of Public Works
Dorchester County	Ricky Travers, Council President
Dorchester County	Don Satterfield, Council Member
Talbot County	Dirck Bartlett, Council Member
Talbot County	Ray Clarke, County Engineer
Talbot County	Bill Wolinski, Environmental Engineer
Town of Easton	Robert Willey, Mayor
Town of Easton	Rick Van Emburgh, Town Engineer
Town of Oxford	Carole Abruzzese, Commission President
Town of Oxford	Gordon Graves, Town Commissioner
Town of Oxford	Cheryl Lewis, Town Administrator

Lower Eastern Shore

City of Salisbury	Jake Day, Mayor
City of Salisbury	Jim Ireton, City Council Member
City of Salisbury	Amanda Pollack, Deputy Director, Department of Public Works
Somerset County	Kymerly Kudla, Planner
Town of Berlin	Gee Williams, Mayor
Town of Berlin	Jane Kreiter, Director, Departments of Water Resources and Public Works
Wicomico County	John Cannon, Council President
Wicomico County	Keith Hall, Transportation & Long Range Planner
Wicomico County	Weston Young, Director, Department of Public Works
Worcester County	Jim Bunting, Commission President
Worcester County	Robert Mitchell, Director, Department of Environmental Programs

The supporting partners that helped create the Healthy Water Roundtable are: the Chesapeake Bay Foundation; Eastern Shore Land Conservancy; Harry R. Hughes Center for Agro-Ecology; and University of Maryland Sea Grant Extension. Earth Data Incorporated provides the round table with consultant services.

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**CITY OF SALISBURY
GOAL SETTING SESSION
DECEMBER 4, 2015**

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Present

Mayor Jacob R. Day, Council President John R. Heath, Council Vice President Laura Mitchell (arrived 12:30 p.m.), Councilwoman April Jackson, Councilman James Ireton, Jr. (left 12:15 p.m.), Councilman Muir Boda

In Attendance

Delegate Carl Anderton, Facilitator Michelle Ennis, City Administrator Tom Stevenson, Assistant City Administrator Julia Glanz, City Clerk Kim Nichols, Police Chief Barbara Duncan, Human Resources Manager Jeanne Loyd, Fire Chief Rick Hoppes, Public Information Officer Chris Demone, Public Works Director Mike Moulds, Community Development Director Deborah Stam, IT Director Bill Garrett, Zoo Director Ralph Piland, Internal Services Director Keith Cordrey, Business Development Specialist Laura Kordzikowski, Neighborhood Services and Code Compliance Director Susan Phillips, Deputy Director Planning & Zoning Lori Carter, members of the press and the public.

The City Council convened in a goal setting session from 9.00 a.m. to 4:00 p.m. in the Worcester Room of the Commons Building at Salisbury University. Council members, community leaders, City staff members and citizens participated in numerous discussion exercises that lead to the creation of City values and the eventual identification of City priorities.

Michelle Ennis of Tri Community Mediation facilitation the goal setting session. Attached is the summary prepared by Ms. Ennis, and is included as part of the minutes.

City Clerk

Council President

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Other Topics & Values:

- Work on areas where there is opportunity for collaboration with the county (6 – the group decided that this is a goal that will be woven into other goals)
- Brand through focus on strength and marketing (5)
- Accessible transportation (5)
- Neighborhood preservation (4)
- Secure city funding to achieve goals (4)
- Maintain and improve public works as a gateway to economic development foundation through infrastructure (4)
- Youth development (4)
- Recreational centers for youth (4)
- Racial unity (4)
- Invest in education to enhance labor pool (3)
- Maintain focus on education through accessibility, equality and prioritization (3)
- Increase homeownership (3)
- Increase involvement of/by people we are trying to serve and engage in decision making and planning processes (3)
- Support sustainability of area businesses (3)
- Focus on infrastructure as economic catalyst for jobs (3)
- Create a more tax friendly environment to attract business development (2)
- Discipline and respect in schools (2)
- Re-entry opportunities in community (2)
- Maintain and develop affordable accessible inclusive and diverse opportunities (2)
- Utilize new and emerging technology in growth of city (2)
- Lower crime rates (2)
- Increase capacity of city services (2)
- Connect resources for increased awareness and accessibility to reduce poverty and addiction, and increase housing (2)
- Identify resources to enhance quality of life programming (2)
- Address public concern about crime for accuracy and to reflect current trends (2)
- Create greater employment for students interested in technology (1)
- Re-purpose vacant buildings to increase growth, development, & aesthetic, and decrease crime (1)
- Improve life safety in structures (1)
- Focus on at risk kids (1)
- Affordable housing (1)
- Increase manufacturing jobs (1)
- Cleanliness of city (1)
- City Corps like Peace Corps with preference for city jobs (1)
- Increase efficiency in city programs (1)
- Community pride and engagement (1)
- Increase tax base (1)
- Homeless population compliance and noncompliance (1)
- Learning opportunities for parents (1)

- 86 • Build on technology to attract nationally known companies (1)
- 87 • Focused and involved parenting (1)
- 88 • Incentivize industry (1)
- 89 • Focus on downtown's development economically and through community (1)
- 90 • Highlight Salisbury's downtown as an attraction (1)
- 91 • Focus on city for growth and development and work out from there (1)
- 92 • Fair and affordable taxes (1)
- 93 • Increase economic prosperity without racial distinction/divide (1)
- 94 • Examine impact of regulations on movement and growth (1)
- 95 • Employment opportunities (1)
- 96 • Decrease gap in incomes (1)
- 97 • Increase technology programs to create competitive schools and students (1)
- 98 • Activities for youth and young adults
- 99 • Possibility of curfew, its implementation and implications for youth
- 100 • Streamline emergency services for the city
- 101 • Create a stronger base for internet industry
- 102 • Thriving "minitropolis" from inside out
- 103 • Appeal to defense industry
- 104 • Accessible services to invisible residents
- 105 • Provide recreational activities throughout community that are affordable and accessible
- 106 • Increase shared understanding of challenges throughout all demographics for workforce development
- 107 • Multigenerational educational opportunities K-lifelong learning
- 108 • Maintain interest in all levels of education as providers and recipients
- 109 • Community safety impacted by global and national events
- 110 • Generate financial sustainability
- 111 • Focus on positive changes city wide
- 112 • Improve public school system
- 113 • Attract talent through programs and industry
- 114 • Students learning downtown
- 115 • Increase job skills experientially
- 116 • Safety
- 117 • Equality
- 118 • Behavioral health
- 119 • City addresses directly concerns for behavioral health proactively
- 120 • Focus on financial stability for the senior population
- 121 • Highly accessible, diverse opportunities for community honoring individuals' self determination
- 122 • Family friendly city
- 123 • Reduce poverty
- 124 • Retain students as city residents and workforce
- 125 • Increase property values
- 126 • Improve cost of living – affordability
- 127 •

128 **Color code:**

129  Green: It needs to happen now

130  Yellow: It needs to happen but is not a first pick

131  Blue: I like the idea but I need more information

132

133 **A: Address Heroin Problem Locally and Statewide**

- 134 • Addiction education in schools.    
- 135 • Increase accessibility to treatment.  
- 136 • Make Narcan accessible.   
- 137 • Prosecute heroin distribution network like you would a murder.  
- 138 • Check in with people in halfway houses. 
- 139 • Adopt a heroin distribution strategy within our policy structure. 
- 140 • Educate parents on sign of use. 
- 141 • Make nasal spray Narcan accessible. 
- 142 • Educate people on proper disposal of used medications/narcotics (don't flush, trash, or leave in medicine cabinet).
- 143 • Fast track treatment.   
- 144 • Encourage state to enforce health parity/addiction equity (pay same for bronchitis as addiction).
- 145 • Provide training for anyone administering medications.
- 146 • Train all city staff.
- 147 • Train & equip all city staff in use of Narcan.
- 148 • Inform city residents what to look for when purchasing and using heroin.
- 149 • Tighten restrictions on doctors' ability to prescribe opiates.
- 150 • Do not lower age for eligibility to receive prescription.
- 151 • Have a long-term treatment facility on the Eastern Shore.
- 152 • Shut down big Pharma.
- 153 • Make big Pharma pay.
- 154 • Monitor physicians.
- 155 • Provide drugs.
- 156 • Provide needle exchange programs.
- 157 • Maintain funding for medically assisted treatment programs.
- 158 • Create tougher laws.
- 159 • Create longer sentences for people pushing poison.
- 160 • Develop a regional strategy to work with Lower Delaware.
- 161 • Recover & Re-entry programs.
- 162 • Get clarity on how we respond to drug addicts and how we treat drug dealers.
- 163 • Develop separate and distinct plans to deal with addicts and dealers.
- 164 • Leverage and maximize national programs and ensure that we are getting maximum use out of them.
- 165 • Use data to establish a baseline.
- 166 • Base the road forward on where we are now.
- 167 • If you see something, say something.
- 168 • Educate kids earlier and annually.
- 169 • Bring in former addicts to speak in schools.

- 170 • Use scared straight programs.
- 171 • Parents, schools, churches, and community organizations together educate kids.
- 172 • Acknowledge addiction throughout community in all peoples regardless of age, race, gender, income, education, and ethnicity.
- 173
- 174 • Take people who are willing to hand stuff over and ask for help – have an advocate (health or law enforcement) assigned to them and assist in getting help rather than getting arrested.
- 175
- 176 • Find programs in other cities that are effectively addressing the heroin problem.
- 177 • Connect people in transition with resources.

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180 **B: Health of Wicomico River and Ponds for Recreation and Health**

- 181
- 182 • Support best management practices to prevent pollution of streams and runoff.
- 183 • Ban plastic bags.
- 184 • Promote environmentally protective landscaping.
- 185 • More experiential learning in the school.
- 186 • Providing community with “fish eye” view of river bed.
- 187 • Provide education on proper disposal of medicines and other toxic materials.
- 188 • More accessibility to the river.
- 189 • Increase launch site to the river.
- 190 • Marketing the river and promoting river activities.
- 191 • Enhance knowledge to the community about their impact on the water.
- 192 • Increase wolf cutouts.
- 193 • More promotion of the river.
- 194 • Developing high impact low cost strategies.
- 195 • Increase recreational business of the river.
- 196 • Address impact of the river on septic systems.
- 197 • Provide incentives for pervious surfaces.
- 198 • Provide education in school about the river and life cycle.
- 199 • Skimmer/ trash wheel to keep the river clean.
- 200 • Using watershed signs.
- 201 • Informing the public of the amount of trash collected by the trash wheel.
- 202 • Re-examine parking requirements to reduce runoff from impervious surfaces.
- 203 • Provide incentives for onsite treatment of runoff for existing properties of impervious surface.
- 204 • Littering fines for property owners bordering the waters.
- 205 • Provide education on proper fertilization acts.

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213 **C: Salisbury as Economic and Arts Hub of the Eastern Shore**

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- 215 • Regaining events that have been lost: ●●●●●●●●
- 216 ○ Salisbury Festival
- 217 ○ Chicken Festival
- 218 • Privatize liquor sales. ●●●●●●●●
- 219 • Branding the city & downtown. ●●
- 220 • Centralizing market for county and city. ●●●●
- 221 • Use wifi and large 1G fiber downtown as an opportunity to attract high end tech business. ●●●●
- 222 • Continue river walk development with amphitheater. ●●●●
- 223 • Promote successes of businesses here. ●●
- 224 • Creating a marketing niche that attracts performers. ●●
- 225 • Increasing and retaining restaurant venues. ●
- 226 • North prong development. ●
- 227 • Central community calendar for events. ●
- 228 • Collaboration between city & county to reduce cost an incentive for artist and performers. ●●●●
- 229 • Provide events for all demographics. ●
- 230 • Enhance communication to all citizens. ●
- 231 • Promoting. ●
- 232 • Maintain events locally.
- 233 • Nigh life events.
- 234 • Museum, paintings.
- 235 • Concert.
- 236 • Provide a comprehensive branding for events.
- 237 • Forming an event planner committee.
- 238 • Forming an event planner promoter.
- 239 • Adapt a downtown master plan.
- 240 • Have a standalone events and market organization (private).
- 241 • Government should not run the stand alone.
- 242 • Access funding of government for events and marketing of city
- 243 • Develop a strategy to retain the student of S.U., UMES and Wor-Wic to stay here (stop the brain drain).
- 244 • Provide venues for performance, arts, and sports.
- 245 • Dual purpose space with restaurant.
- 246 • Making city more walk and bike friendly.
- 247 • More cooperative liquor board.
- 248 • Street festivals.
- 249 • Block parties.
- 250 • Training young people to continue Salisbury's legacy.

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256 **D: Academically Competitive School System**

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- 258 • Non-traditional pathways to successful careers. ● ●
- 259 • Make parents feel welcomed to interact with teachers and administration. ● ● ●
- 260 • Parents are responsible for kids' behavior. ●
- 261 • Improve student scoring on PARCC testing. ●
- 262 • Increase graduation rate. ●
- 263 • Remove the tax cap. ● ● ●
- 264 • Strong arts and music program. ● ● ●
- 265 • Smaller Classrooms. ● ●
- 266 • Have career days starting in elementary schools. ● ● ●
- 267 • Addressing truancy. ●
- 268 • Teaching collaborative behaviors. ●
- 269 • Teaching cooperative behaviors. ●
- 270 • Teaching entrepreneurship. ●
- 271 • Explore charter schools. ●
- 272 • More technical training in lower grades. ●
- 273 • Remove stigma from not pursuing college. ●
- 274 • Engaged Parents. ●
- 275 • Modern technology. ●
- 276 • Computerized classrooms. ●
- 277 • Increase respect and discipline. ● ● ●
- 278 • More STEM. ● ●
- 279 • Classes/education on local government. ●
- 280 • Anti-bullying programs. ●
- 281 • Provide access to existing entrepreneurial career resources and centers. ●
- 282 • Modern Facilities.
- 283 • Advanced technology.
- 284 • Lower student to teacher ratio.
- 285 • More environmentally beautiful schools.
- 286 • More governmental programs in schools.
- 287 • More greenery on school grounds.
- 288 • Opportunities for community service connections.
- 289 • Connecting truant students and their families with resources.
- 290 • Attendance mediation program.
- 291 • Schools connect personally with parents.
- 292 • Career coaching.
- 293 • More students going to college.
- 294 • Create an environment conducive to learning.
- 295 • Less DOJ involvement in schools.
- 296 • Schools involve parents more.

- 381 • Make sure technology can support policing efforts.
- 382 • Be careful about Big Brother watching.
- 383 • Choose how to create safety.
- 384 • Balance safety and privacy.
- 385 • Officers catch kids doing good.
- 386 • Community members reach out to officers.
- 387 • Residents learn how to respond when pulled over.
- 388 • Residents turn car lights off before officer approaches.
- 389 • Officers offer support to single family homes.
- 390 • Officers play ball with kids.
- 391 • Look out for our police officers.
- 392 • Have an activity selected by kids and families to interact with officers (i.e. playing ball, picnic).
- 393 • Communities police their own neighborhoods.
- 394 • Teach communities to police their own neighborhoods.
- 395 • Offer mentoring through Big Bother/Big Sister program.
- 396 • Post last year's and current year's stats on signs throughout neighborhoods.
- 397 • Provide positive feedback to adults and residents when doing right.
- 398 • Let people know about safety commercial and residential home security surveys.
- 399 • Give out BK coupons.
- 400 • Have speed awareness signs that celebrate drivers doing the speed limit.
- 401 • Have signage telling the number of kids in neighborhood.
- 402 • Post signs saying "this many...can't spare any..."
- 403 • Post "drive like your child lives here."
- 404 • Research areas of need to create safety awareness for kids (i.e. Deaf child lives here).
- 405 • Have policeman's ball.
- 406 • Change mindset of young people – in terms of service to others.
- 407 • Sell a child ticket with each adult ticket.
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1 **CITY OF SALISBURY, MARYLAND**

2
3 **SPECIAL MEETING**

DECEMBER 7, 2015

4
5 **PUBLIC OFFICIALS PRESENT**

<i>Council President John “Jack” R. Heath</i>	<i>Mayor Jacob R. Day</i>
<i>Council Vice President Laura Mitchell</i>	<i>Councilman Muir Boda</i>
<i>Councilman James Ireton, Jr.</i>	<i>Councilwoman April Jackson</i>

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8 **IN ATTENDANCE**

9
10 *City Clerk Kimberly R. Nichols, Assistant City Clerk Diane Nelson, Assistant City Administrator*
11 *Julia Glanz, City Attorney Mark Tilghman, and Wicomico County Elections Director Anthony*
12 *Gutierrez*

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14 *****

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16 *The City Council convened in a Special Meeting in Council Chambers on December 7, 2015.*
17 *Council President Heath called the meeting to order at 3:45 p.m.*

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19 **ADOPTION OF LEGISLATIVE AGENDA**

20
21 *Mr. Boda moved, Mrs. Mitchell seconded and the vote was unanimous to approve the Special*
22 *Meeting agenda as presented.*

23
24 **NOVEMBER 23, 2015 REGULAR MEETING MINUTES**

25
26 *Mr. Boda moved and Mr. Ireton seconded to approve the November 23, 2015 regular meeting*
27 *minutes.*

28
29 *Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to amend the November*
30 *23, 2015 regular meeting minutes by striking Mrs. Mitchell’s name as being present and*
31 *inserting her name under “PUBLIC OFFICIALS NOT PRESENT” since she did not attend the*
32 *November 23, 2015 meeting.*

33
34 *The November 23, 2015 regular meeting minutes, as amended, were unanimously approved.*

35
36 **ORDINANCE NO. 2358 – 2nd reading** – *approving an amendment of the FY16 General Fund*
37 *Budget to appropriate funds needed to cover the shortfall in the November 2015 Elections*
38 *Budget*

40 *On a motion and seconded by Mr. Boda and Mr. Ireton, respectively, Ordinance No. 2358 for*
41 *second reading was unanimously approved as presented.*

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43 **ADJOURNMENT**

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45 *Council President Heath adjourned the Special Meeting at 4:10 p.m.*

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City Clerk

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Council President

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator *JG*
Subject: Tuition Reimbursement Policy
Date: January 6, 2016

Attached please find a resolution to modify the Employee Handbook to allow for tuition reimbursement for college credit.

Unless you or the Mayor have additional questions, please advance this memorandum and resolution of support to the City Council for approval.

Attachment: Tuition Reimbursement Policy; Resolution to Modify the Employee Handbook



City of Salisbury
Employee Handbook Addition

0411 College Tuition Reimbursement Program

Chapter: 4 – Employee Benefits Section: 0411 (New)

Dates: Revised November 17, 2015

Purpose: A College Tuition Reimbursement Program is designed to provide an opportunity for employees to obtain education in order to increase their competence in their present jobs and to prepare for future advancements within the City.

Policy:

- I. Core Requirements
 - A. Eligibility will be based upon the following guidelines being met;
 - 1. Available budgeted funds in the Human Resources Tuition fund in the then current fiscal year. Funds will be encumbered for approved requests in the order they are received from each Department.
 - 2. Approval from the Department Head.
 - 3. Employee will not be in a probationary period and will be rated as “Satisfactory” or better during their most recent employee performance review.
 - B. Employees must submit a letter of interest in attending educational classes to their supervisor by ~~July 1~~January 1st of each calendar year. The letter should include name of the institution, name of courses, a description of how this class would directly improve their job performance, and all associated costs. This provides the Department Head with sufficient time to incorporate approved tuition requests into their next FY budgets. This information will be used to determine budget availability.
 - C. The City will reimburse for pre-approved tuition expenses. Tuition reimbursement will be provided up to a fiscal year maximum of four classes per fiscal year per eligible employee.
- II. Approved Programs & Courses
 - A. Tuition reimbursement is available for credit granting associate, bachelor, or graduate degree programs at any regionally accredited university ~~and or~~ college.

220-02 College Education Program

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- B. Personal interest courses that are not job related and second degrees are programs not supported under this Tuition Reimbursement Policy.
 - C. Courses must directly relate to job duties currently performed by the employee, or duties which could be performed in the future by the employee at a position within City government at the approval of the Department Head. Courses that will not directly relate to the employee's current or potential job performance within the City government are not supported under this Tuition Reimbursement Policy.
- 51 III. Non-Credit Courses
- A. A preparatory, non-credit, or remedial class will not be covered under the tuition reimbursement program.
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- 55 IV. Reimbursement Level
- A. Tuition reimbursement will be provided up to an annual maximum of four courses per fiscal year. Expenses such as textbooks and lab fees are not eligible for reimbursement.
 - B. The annual maximum is based on the fiscal year, July through June.
 - C. Reimbursement will be credited to the fiscal year in which the class was completed. For example, if a class is completed in June but the reimbursement is not paid until July the reimbursement is considered part of the prior fiscal year annual maximum allowable amount.
 - D. Reimbursement will be paid at 75 percent as long as you receive a grade of 3.0 or above.
 - E. Grants, scholarships, or other funds which the employee does not have to repay must be disclosed when applying for Tuition Reimbursement. The City's payments will be coordinated with these programs so the employee does not receive more than 100% reimbursement for the tuition.
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- 71 V. Employee Responsibility
- A. Pre-Approval
 - 1. You must have your course pre-approved by the Department Head in order to be eligible for reimbursement. Any tuition reimbursement request submitted after the requested class has started will be denied.
 - 2. To have your class pre-approved, send a completed Training/Travel Request Form to your immediate supervisor, containing all required information. You will be notified whether your request has been approved or denied. The Tuition Reimbursement Request will be returned to your attention for you to re-submit when applying for your reimbursement.
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220-02 College Education Program

- B. Applying for Reimbursement for Your Tuition
 - 1. After you have completed the class, you must re-submit the pre-approved Tuition Reimbursement Request to your Department Head within 60 days of completing the class. The following information must be attached:
 - a. Evidence of the grade earned: Official grade report or transcript.
 - b. A verified statement of the cost of tuition and adequate receipts showing payment was made.

- VI. Termination of Employment
 - A. If you are terminated by the City for any reason except business conditions, eligibility for reimbursement ends immediately, whether your class is completed or not. If a participant is laid off or terminated due to a slow economy, job elimination, or other business conditions over which the employee has no control, the employee maintains eligibility for reimbursement at the completion of the course, as long as the class began prior to the layoff or termination.
 - B. If participants quit their employment with the City before the class is completed, eligibility ends immediately.
 - ~~B-C.~~ If participants quit their employment with the City voluntarily within one year of receiving tuition reimbursement, the complete sum of the reimbursement must be repaid to the City.

- VII. Tax Status
 - A. The rules of this program are governed by the Internal Revenue Code. As such, certain reimbursements may be subject to income taxes. All reimbursements are processed through the City's payroll system, regardless of whether they are subject to income tax or not. The payment of any taxes due remains the responsibility of the employee.
 - B. The rules of this program may be modified at any time without notice to keep the program in compliance with the Internal Revenue Code.

1 **RESOLUTION NO. 2573**

2
3 A Resolution of the City of Salisbury to Modify the Employee Handbook.

4 **WHEREAS**, the City of Salisbury has an Employee Handbook; and

5 **WHEREAS**, the Human Resources Division of the Internal Services Department has
6 reviewed the Employee Handbook; and

7 **WHEREAS**, the Human Resources Division recommends making changes to the
8 Employee Handbook to meet the needs of the City and its employees; and

9 **WHEREAS**, the recommended changes have been discussed with the Mayor, each of the
10 Department Directors and the City Council;

11 **NOW, THEREFORE**, BE IT RESOLVED by the City of Salisbury, Maryland to amend
12 the Employee Handbook as shown on Attachment A with additions underlined.

13 THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting
14 of the City of Salisbury held on ____ day of _____ 2016, and is to become effective immediately
15 upon adoption.

16
17 **ATTEST:**

18
19 _____
20 Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

21
22
23
24 APPROVED BY ME THIS ____ day of _____, 2016.

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26 _____
27 Jacob R. Day, Mayor
28

Chapter 4

Employee Benefits

0411 College Tuition Reimbursement Program

All City employees may be eligible to be reimbursed for college tuition. A College Tuition Reimbursement Program is designed to provide an opportunity for employees to obtain education in order to increase their competence in their present jobs and to prepare for future advancements within the City. This is dependent on availability of funding and meeting criteria set forth in the College Tuition Reimbursement Program.

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: City Council
From: Laura Kordzikowski
Subject: DHCD Technical Assistance Grant
Date: 12/9/15

The City of Salisbury received a \$20,450 Technical Assistance Grant from DHCD for the purpose of branding the Downtown. The use of these funds includes consultant costs, marketing, web planning design and development, downtown community engagement, advertising, printing, and promotional items, and web hosting. The City is providing a match of \$20,457; \$12,057 of that match is in-kind. The exact breakdown of expenses can be found on page 9 of the attached grant agreement. I will be happy to answer any of your questions with regards to this grant and the Downtown branding it will pay for.

1 **Resolution No. 2574**

2 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING
3 FUNDS AWARDED THROUGH A GRANT FROM THE MARYLAND DEPARTMENT OF
4 HOUSING AND COMMUNITY DEVELOPMENT FOR DOWNTOWN BRANDING.

5 WHEREAS, the City of Salisbury applied for grant funding through the Technical
6 Assistance Grant Program application submitted to the Maryland Department of Community and
7 Housing Development (DHCD); and

8 WHEREAS, the City of Salisbury applied for funding in order to support the Downtown
9 branding efforts of the City; and

10 WHEREAS, a grant in the amount of \$20,450 was awarded to the City of Salisbury.

11 NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Salisbury,
12 Maryland does hereby accept the funds awarded from the DHCD in the amount outlined above;
13 and

14 BE IT FURTHER RESOLVED THAT, Mayor Jacob R. Day is authorized and
15 empowered to execute any and all documents required for receipt of said funds.

16 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
17 Council of the City of Salisbury, Maryland held on January 11, 2016 and is to become effective
18 immediately.

19
20 ATTEST:

21
22 _____
23 Kimberly R. Nichols
24 CITY CLERK

25 _____
26 John R. Heath
27 CITY COUNCIL PRESIDENT

28
29 APPROVED BY ME this _____ day of _____, 2016.

30 _____
31 Jacob R. Day
MAYOR

TECHNICAL ASSISTANCE GRANTS PROGRAM GRANT AGREEMENT

This Grant Agreement (this "**Agreement**") entered into as of the Effective Date (as hereinafter defined), by and between the DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, a principal department of the State of Maryland ("**DHCD**") and THE CITY OF SALISBURY. (**Grantee**).

RECITALS

WHEREAS, Grantee has applied to DHCD for a grant under the Operating and Technical Assistance Grants Program (the "**Program**") to undertake activities that are consistent with the provisions of Sections 2-102 and 4-1101 through 4-1105 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended (the "**Act**"), and COMAR 05.11.01 et seq.; and

WHEREAS, the purpose of the Program is to enable eligible nonprofit organizations, local governments, local development corporations and local development agencies to obtain or provide advisory, consultative, training and educational services to initiate or enhance community development, and commercial revitalization activities; and

WHEREAS, in reliance upon the representations and certifications contained in the Grantee's application for grant assistance dated September 10, 2014 (the "**Application**"), DHCD has approved an award of grant funds to the Grantee, to be expended by the Grantee in accordance with the requirements and provisions of this Agreement.

IN CONSIDERATION of the mutual promises and covenants contained in this Agreement, DHCD and Grantee agree as follows:

1. Specific Purpose. The purpose of this Agreement is to provide the Grantee with financial assistance to pay for the activities set forth in Exhibit A hereto (the "**Project**").

2. Grant Amount.

(a) DHCD agrees to provide Grantee with a grant from the Program in a total amount not to exceed Twenty Thousand Four Hundred Fifty and 00/100 Dollars (\$20,450.00) (the "**Grant**").

(b) The Grant shall be disbursed in accordance with Section 6 of this Agreement and as detailed in Exhibit B of this Agreement.

3. Grantee Contribution.

(a) The Grantee shall make a contribution, which may be cash or in-kind contribution, to the Project in the total amount of Twenty Thousand Four Hundred Fifty Seven and 00/100 Dollars (\$20,457.00) (the "**Grantee Contribution**"). A description of the Grantee Contribution is set forth in Exhibit A of this Agreement.

(b) The value of the Grantee Contribution shall not be less than one dollar for every dollar of the Grant.

4. Grant Period.

(a) The Grant shall be disbursed over a one year term. The term is deemed to commence on the Effective Date of the Agreement (the “**Grant Period**”). Grantee shall provide evidence of its required contribution in proportion to the grant disbursement prior to any such disbursements.

5. Expenditure Period for the Grant. All expenses to be paid with the Grant or the Grantee Contribution shall be paid in a manner satisfactory to DHCD, prior to the expiration of the Grant Period. The Grantee shall expend the Grant and the Grantee Contribution only for the categories of activities set forth in Exhibit B. The Grantee shall maintain complete financial records relating to the receipt and expenditure of all funds.

6. Disbursement of the Grant.

(a) Requests for disbursement of the Grant shall be in writing upon forms provided by DHCD.

(b) Requests for disbursement of Grant funds must be accompanied by a statement that the representations, certifications, and other matters contained in the Application, the Project, and this Agreement are and remain true and complete in all material respects. Disbursement requests may seek funds to pay for certain projected costs anticipated to be incurred as well as reimbursement for costs incurred on or after the date of the Application. DHCD shall have the right at any time to request that the Grantee provide additional supporting documentation with any request for disbursement.

(c) All disbursements of the Grant are subject to the availability of funds under the Program during the Grant Period.

(d) Initial disbursement of the Grant may be made at any time after the effective date of this Agreement subject however to any special conditions set forth in Exhibit C. Grantee shall indicate on the initial disbursement request (i) all costs for which payment is requested, and (ii) the availability and allocation of the Grantee Contribution.

(e) Subsequent disbursements of the Grant shall be made on a quarterly basis. DHCD reserves the right to make disbursements contingent upon completion by Grantee of the activities set forth in Exhibit A, in a manner acceptable to DHCD. Grantee shall indicate on each periodic disbursement request (i) all costs for which payment is requested and (ii) the availability and allocation of the Grantee Contribution.

(f) DHCD may make disbursements of the Grant more frequently than quarterly if, DHCD in its sole discretion determines that a disbursement would materially benefit the Project and help the Grantee accomplish the activities set forth on Exhibit A.

(g) DHCD reserves the right not to disburse all or any portion of the Grant if in the sole discretion of DHCD: (i) Grantee has failed to supply any material fact in a disbursement request; (ii)

Grantee has failed to document the availability of or provide the requisite amount of the Grantee Contribution or any portion thereof; (iii) Grantee's disbursement request, when combined with all prior disbursement requests, exceeds the total amount of the Grant; or (iv) Grantee is in default under this Agreement.

(h) Disbursements of the Grant for expenses that have been projected but not yet incurred shall be deposited by the Grantee in a non-interest bearing account and must be expended within 90 days of receipt by the Grantee.

7. Default and Remedies.

(a) A default shall consist of a breach of any covenant, agreement, term or certification in this Agreement including a determination by DHCD that (i) the Grantee has expended all or any portion of the Grant or the Grantee Contribution for purposes other than as set forth herein; (ii) the Grantee has expended all or any portion of the Grant or the Grantee Contribution other than in accordance with the permitted categories of activities and matching source of funds set forth in Exhibit B; (iii) the Grantee has not received the amount of the Grantee Contribution originally projected or budgeted, or (iv) the Grantee is not completing the Project activities to the satisfaction of DHCD.

(b) Upon the occurrence of default, DHCD in its sole discretion may:

- (1) Reduce or withhold payment in response to Grantee's next disbursement request;
- (2) Demand repayment from Grantee; and
- (3) Terminate this Agreement.

(c) In addition to the rights and remedies contained in this Agreement, DHCD may at any time proceed to protect and enforce all rights available to DHCD by suit in equity, action at law, or by any other appropriate proceedings all of which rights and remedies shall survive termination of this Agreement. Furthermore, no failure or delay of DHCD to exercise any right, power, or remedy consequent upon a default shall constitute a waiver of any such term, condition, covenant, certification, or agreement, or preclude DHCD from exercising any such right, power, or remedy at any later time or times.

8. General Requirements of Records and Reports; Inspection.

(a) Records and Inspection. Grantee shall maintain accurate financial records in a form acceptable to DHCD of all transactions relating to the receipt and expenditure of the Grant and the Grantee Contribution. Grantee shall maintain and shall make the financial records, books, accounts, other relevant records, administrative offices and personnel, whether full-time, part-time, consultants or volunteers, available to DHCD during reasonable work hours upon request during the term of this Agreement and for a period of not less than 3 years following termination of this Agreement.

(b) Quarterly Progress Reports. Grantee shall provide DHCD with quarterly progress reports, beginning with the date of this Agreement, in a form to be provided by DHCD which shall contain information about the progress of the Grantee in relation to the Project, and Grantee's organizational and housing production goals, problems encountered, expenditures made against the

operating budget, and a projection of revenues required for the next quarter, including a disbursement request, if applicable. Grantee shall ensure that each quarterly progress report is received by DHCD within 10 working days of the close of the quarterly period.

(c) Final Report. Within 45 days after the expiration of the Grant Period, the Grantee shall submit to DHCD a final report which describes the progress made in fulfilling the purposes of the Grant, any problems encountered in fulfilling these purposes, as well as any other relevant factors related to the Grant as determined by DHCD. The Final Report shall also contain an expense and revenue summary of the Project, certified by the highest fiscal officer of the Grantee, which lists all expenditures relating to the Grant and the Grantee Contribution, and lists all the sources of the Grantee Contribution. In addition, any completed studies, surveys, reports or other work products, if applicable, shall be attached to the Final Report.

(d) Audit. Grantee shall provide DHCD with:

(1) An annual financial statement within 30 days of the end of the fiscal year of Grantee, and

(2) Copies of any audits performed on Grantee's records by any other entities.

9. Modifications.

(a) DHCD will consider reasonable modifications to the Project. Prior to a request being made to DHCD, the board of directors or other governing body of the Grantee must first approve the modification.

(b) Upon approval of the modification by the board of directors or other governing body of the Grantee, Grantee shall submit a written request for modification of the Project to DHCD. DHCD shall determine, in its sole discretion, whether to allow the requested modification.

10. Assistance from DHCD. In carrying out the Project activities, Grantee agrees to accept assistance from DHCD or DHCD's designee if DHCD deems it necessary.

11. Grantee's Certifications. Grantee certifies to DHCD that:

(a) Grantee is either a local jurisdiction, a local development agency, local development corporation or a nonprofit organization duly organized and validly exists under the laws of Maryland, which is qualified to do business in the State of Maryland, and has all requisite power and authority to enter into and carry out the transactions contemplated by this Agreement;

(b) This Agreement has been duly authorized, executed and delivered by the Grantee in such manner and form as to comply with all applicable laws to make this Agreement the valid and legally binding act and agreement of Grantee;

(c) Grantee Contributions shall be expended in proportion to Grant disbursements; or in amounts greater than the Grant disbursements and may be expended in advance of Grant disbursements, but must be expended during the Grant Period and in accordance to paragraph 6(b).

- (d) No officer, director or member of the Grantee will personally benefit from the Project;
- (e) The representations, statements and other matters contained in the Application are and remain true and complete in all material respects;
- (f) If applicable, Grantee has obtained, or has reasonable assurances, that it will obtain, all federal, State and local government approvals, permits and reviews which may be required to accomplish the Project activities and its goals under the Project;
- (g) Grantee has not previously received any financial assistance under the Program;
- (h) Grantee is not affiliated with or controlled by a for-profit organization; and
- (i) The Grantee Contribution is not comprised of State funds or funds from State administered federal programs.

12. Nondiscrimination and Drug and Alcohol Free Workplace.

(a) Grantee may not discriminate against and hereby certifies that it prohibits discrimination against and will not discriminate against any person on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical or mental disability, or age in any aspect of its projects, programs or activities.

(b) Grantee shall comply with applicable federal, State, and local laws regarding discrimination and equal opportunity in employment, housing, and credit practices, including:

- i) Titles VI and VII of the Civil Rights Act of 1964, as amended;
- ii) Title VIII of the Civil Rights Act of 1968, as amended;
- iii) Title 20 of the State Government Articles, Annotated Code of Maryland, as amended;
- iv) The Department's Minority Business Enterprise Program, as amended;
- v) The Governor's Executive order 01.01.1989.18 related to Drug and Alcohol Free Workplaces, and any Department or State regulations adopted or to be adopted to carry out the requirements of that Order;
- vi) The Fair Housing Amendments Act of 1988, as amended;
- vii) and the Americans with Disabilities Act of 1990, as amended;

13. Fair Practices Certification.

(a) The Grantee certifies that it prohibits discrimination on the basis of:

(1) Political or religious opinion or affiliation, marital status, color, race, sex, age, creed or national origin; or

(2) The physical or mental disability of a qualified individual with a disability.

(b) Grantee agrees that it will not engage in the forms of discrimination set forth in this Agreement.

(c) Upon the request of DHCD, Grantee shall submit to DHCD information relating to its operations, with regard to political or religious opinion or affiliation, marital status, physical or mental disability, race, color, creed, sex, age, or national origin on a form to be prescribed by DHCD.

14. Indemnification. The Grantee (i) releases DHCD, its agents, employees, and the Program from, (ii) agrees that DHCD, its agents, employees and the Program shall not have any liability for, and (iii) agrees to protect, indemnify and save harmless DHCD, its agents, employees and the Program from and against any and all liabilities, suits, actions, claims, demands, losses, expenses and costs of every kind and nature, including a reasonable attorney's fee, incurred by, or asserted or imposed against, DHCD, its agents, employees, or the Program, as a result of or in connection with the Project or the Project. All money expended by DHCD, its agents, employees, or the Program as a result of such liabilities, suits, actions, claims, demands, losses, expenses or costs, together with interest rate not to exceed the maximum interest rate permitted by law, shall constitute an indebtedness of Grantee and shall be immediately and without notice due and payable by Grantee to DHCD.

15. Notices. All notices, requests, approvals and consents of any kind made pursuant to this Agreement shall be in writing. Any such communication, unless otherwise specified, shall be deemed effective as of the date it is mailed, postage prepaid, addressed as follows:

(a) Communications to DHCD shall be mailed to:

Department of Housing and Community Development
2 North Charles Street, Suite 450
Baltimore, Maryland 21201
Attn: Nicholas Rudolph, Project Manager

(b) Communication to Grantee shall be mailed to:

City of Salisbury
125 North Division Street, Room 104
Salisbury, Maryland 21801
Attn: Laura Kordzikowski, Business Development Specialist

16. Amendment. This Agreement or any part hereof, may be amended from time to time only by a written instrument executed by both of the parties.
17. Assignment. No right, benefit or advantage inuring to the Grantee and no burden imposed on Grantee under this Agreement may be assigned without the prior written approval of DHCD.
18. Governing Law. This Agreement shall be construed, interpreted and enforced in accordance with the laws of the State of Maryland.
19. Effective Date. This Agreement is effective as of the date of its execution by DHCD (the "Effective Date").

IN WITNESS WHEREOF, the parties hereto have executed this document with the specific intention of creating a document under seal.

WITNESS/ATTEST:



CITY OF SALISBURY

By:  (SEAL)
Name: Laura Kordzikowski
Title: Business Development Specialist

DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT

By: _____ (SEAL)
_____, Assistant Secretary
Division of Neighborhood Revitalization

Effective Date

Approved for form
and legal sufficiency

Assistant Attorney General

- Exhibit A - Description of the Project including Grantee Contribution
Exhibit B - Project Budget
Exhibit C - Special Conditions

EXHIBIT A

MARYLAND TECHNICAL ASSISTANCE PROGRAM

SCOPE OF SERVICES

As more fully described in Grantee's application for funds
dated September 10, 2014

GRANTEE: City of Salisbury

GEOGRAPHIC AREA:

TYPE OF OCCUPANCY:

CONSTRUCTION TYPE:

GRANT AMOUNT: \$20,450

USE OF FUNDS: Grants funds shall be used to hire a consultant to develop a cohesive brand identity and supporting campaign for Downtown Salisbury, and a portion of printing and advertising costs and web hosting expenses.

OTHER CONTRIBUTION(S)

<u>Source of Funds</u>	Amount	Value Derivation
Grantee	\$8,400	Cash
Grantee	\$12,057	In-Kind

EXHIBIT B

MARYLAND TECHNICAL ASSISTANCE PROGRAM

PROJECT BUDGET

USES OF FUNDS	SOURCES OF FUNDS				TOTALS
	DHCD	Grantee	Other		
Consultant Costs Associated with Branding, Marketing and Web Planning, Design and Development	\$16,500				\$16,500
Downtown Community Engagement Meetings	\$250				\$250
City Staff Time		\$12,057			\$12,057
Advertising, Printing and Promotional Items	\$3,000	\$8,400			\$11,400
Web Hosting and Domain Purchase	\$700				\$700
TOTALS	\$20,450	\$20,457			\$40,907

EXHIBIT C

MARYLAND TECHNICAL ASSISTANCE PROGRAM

SPECIAL CONDITIONS

City of Salisbury



JAMES IRETON JR.
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR



Maryland
699 W. SALISBURY PARKWAY
SALISBURY, MD 21801
TEL: 410-548-3165



BARBARA DUNCAN
CHIEF OF POLICE

November 2, 2015

TO: Tom Stevenson
FROM: Colonel David Meienschein
SUBJECT: Resolution – WINTF Funds

Attached, please find a Resolution to accept \$5,000.00 in funds from the Wicomico County Narcotics Task Force (WINTF). The funds will be used for the purchase of K-9, equipment and handler training.

Unless you or the Mayor, have further questions, please forward this Resolution to the City Council.

A handwritten signature in black ink, appearing to read "David Meienschein".

David Meienschein
Assistant Chief of Police

1 RESOLUTION NO. 2575

2
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING
4 FUNDS IN THE AMOUNT OF \$5,000 FROM THE WICOMICO COUNTY NARCOTICS
5 TASK FORCE TO BE USED TOWARDS THE PURCHASE OF A POLICE K-9.

6
7 WHEREAS, these funds have been provided by the Wicomico County Narcotics Task
8 Force to assist in funding a police K-9; and

9
10 WHEREAS, the purchase of an additional K-9 will assist the Salisbury Police
11 Department in combatting illicit drug activity in Salisbury; and

12
13 WHEREAS, these funds will be combined with existing funds to make the purchase of
14 the K-9, equipment, and handler training; and

15
16 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
17 OF SALISBURY, MARYLAND that funds of \$5,000.00 be accepted from the Wicomico
18 County Narcotics Task Force and used to purchase the K-9, equipment and handler training for
19 the Salisbury Police Department.

20
21 THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the
22 City of Salisbury, Maryland held on _____, 2016, and is to become
23 effective immediately upon adoption.

24
25
26 ATTEST:

27
28
29 _____
30 Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

31
32
33 APPROVED BY ME THIS:

34
35 _____ Day of _____, 2016

36
37
38 _____
39 Jacob R. Day, Mayor
40

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator 
Subject: Accepting a Donation from The Arthur W. Perdue Foundation, Inc. for New Year's Eve
Date: December 29, 2015

Attached please find a resolution accepting a donation from The Arthur W. Perdue Foundation, Inc. in the amount of \$2,500 in support of New Year's Eve Salisbury (NYESBY). This is the third annual NYESBY and this year the City of Salisbury is organizing the event. The previous years have seen estimated attendance numbers of 1500 and 2500 at the event. This donation will help with the costs of the band, party favors, portable restrooms facilities, and staff and support. NYESBY is a key event to continuing the renaissance of Downtown Salisbury. This year's event will be BIGGER. BRIGHTER. SPARKLIER. LOUDER.

Unless you or the Mayor have additional questions, please advance this memorandum and resolution of support to the City Council for approval.

Attachment: Resolution Accepting a Donation from The Arthur W. Perdue Foundation, Inc. in Support of NYESBY

1 RESOLUTION NO. 2576

2
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING A
4 PRIVATE DONATION FROM THE ARTHUR W. PERDUE FOUNDATION, INC. FOR
5 NEW YEAR’S EVE IN DOWNTOWN SALISBURY (NYESBY)

6
7 WHEREAS, this is the third annual NYESBY in Downtown Salisbury; and

8
9 WHEREAS, this year the City of Salisbury is organizing the event with the support
10 of Headquarters Live; and

11
12 WHEREAS, the past two years of the event saw attendance numbers of 1500 and
13 2500; and

14
15 WHEREAS, NYESBY is a key event to continuing the renaissance of Downtown
16 Salisbury; and

17
18 WHEREAS, the Council of the City of Salisbury supports the acceptance of
19 donations for the NYESBY; and

20
21 WHEREAS, donations assist with the cost of the band, party favors and other
22 assorted handouts, portable restroom facilities, and staff and support; and

23
24 WHEREAS, The Arthur W. Perdue Foundation, Inc. has offered to make a donation
25 to the NYESBY in the amount of \$2,500.00.

26
27 WHEREAS, this is the first year The Arthur W. Perdue Foundation, Inc. has made a
28 generous donation to this event; and

29
30 NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury,
31 Maryland does hereby accept the donation of \$2,500.00 for the NYESBY.

32
33 THIS RESOLUTION was introduced and duly passed at a meeting of the Council
34 of the City of Salisbury, Maryland held on January 11, 2016 and is to become effective
35 immediately upon adoption.

36
37 ATTEST:

38
39 _____
40 Kimberly R. Nichols
41 CITY CLERK

John R. Heath
PRESIDENT, City Council

42
43
44 APPROVED by me this _____ day of _____, 2016

45
46
47 _____
48 Jacob R. Day
49 MAYOR, City of Salisbury



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JACOB R. DAY
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

BOB CULVER
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

December 11, 2015

TO: Laura Kordzikowski

FROM: John F. Lenox, AICP, Director of Planning & Zoning 

SUBJECT: Fisher Architecture – 542 Riverside Drive

At your request, this department has reviewed the Enterprise Zone request submitted by Fisher Architecture for property located at 542 Riverside Drive. The subject site is located on State City Tax Map #111, Parcel #1493 on the northwesterly side of Riverside Drive. The site is located in the Central Business District.

The Central Business District permits a number of uses including business uses and offices, and professional uses including medical, legal, engineering, surveying and architectural offices.

The Planning Staff is not aware of any requests to subdivide this property. Tax map records indicate this site consists of one parcel totaling 28,458-sq. ft. of land area exceeding the 5,000-sq. ft. minimum lot area required by the Code.

If any additional information is needed, please do not hesitate to call.

Department of Public Works

Inter Office Memorandum

To: Mike Moulds, Director of Public Works
From: Rick Baldwin
Subject: Enterprise Zone Qualifications – Fisher Architecture
Date: December 3, 2015

Review of Public Works criteria for Enterprise Zone designation of Fisher Architecture located at Riverside Dr., Salisbury, Maryland.

- Fisher Architecture located at Riverside Dr. is in compliance with the City's sewer use requirements specifically Chapter 13.12 of the City of Salisbury Code of Ordinances.
- Fisher Architecture located at Riverside Dr. is in compliance with State and local storm water management codes and regulations for the date built.

Laura Kordzikowski

From: Connie Klaverweiden
Sent: Tuesday, December 08, 2015 10:59 AM
To: Laura Kordzikowski
Cc: Keith Cordrey
Subject: FW: Enterprise Zone Fisher Architecture
Attachments: Fisher Arch.pdf

Laura,

I have reviewed the information for Fisher Architecture at 542 Riverside Drive. The real estate taxes for that location (in the name of 542 Riverside Drive LLC) are up to date, and Fisher Architecture has not been at that location long enough to owe personal property taxes.

*Connie L. Klaverweiden
City of Salisbury, MD
Internal Services Dept./ Finance Division*

From: Keith Cordrey
Sent: Tuesday, December 01, 2015 12:08 PM
To: Connie Klaverweiden; Cheryl Carpenter
Cc: Laura Kordzikowski
Subject: FW: Enterprise Zone Fisher Architecture

Connie,

Can you please advise Laura as requested per the attached memo?

Keith Cordrey
Director of Internal Services | City of Salisbury
Let's Do Business Salisbury
125 N. Division Street, Room 103
Salisbury, MD, 21801-4904
(410) 334-3028
kcordrey@ci.salisbury.md.us



INTER

OFFICE

MEMO

Office of Business Development

To: Mike Moulds, Jack Lenox, **Bill Holland**, and Keith Cordrey
From: Laura Kordzikowski
Subject: Enterprise Zone Qualifications – Fisher Architecture
Date: November 30, 2015

I have received a request from Fisher Architecture located at 542 Riverside Dr, that they be deemed qualified to receive Enterprise Zone benefits. In order to receive such designation, it is necessary that they meet certain criteria. I am requesting that your departments help me in processing their application by helping me to determine if they meet the necessary criteria.

Public Works

Does this business meet the limitations of the City's Sewer Use Ordinance?

Does this business meet State and local storm water management codes and regulations?

Planning & Zoning

Does this business meet the zoning code?

Does this business comply with subdivision regulations?

Building, Permits & Inspections

Does this business meet the building code (or did it at the time of construction)? **YES**

Does this business meet all permit requirements? **YES**

Finance

Is this business up to date on their taxes?

Please answer the questions above under the heading for your department and return to my office by **12/8/2015**. Your assistance is appreciated. If you have any questions, please let me know.

cc: Mayor Day

City of Salisbury

JACOB DAY
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR



MARYLAND

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3100
Fax: 410-548-3102

November 30, 2015

Ms. Caitlin Fisher
Fisher Architecture
542 Riverside Dr
Salisbury MD 21801

Dear Caitlin Fisher:

I have received your request for enterprise zone designation for Fisher Architecture located at 542 Riverside Dr, Salisbury MD. I will begin processing this request immediately. I will be back in touch if I need further information, and to let you know when this matter will be brought before the City Council and the County Council for approval.

If you have any questions in the meantime, please let me know. My phone number is 410-677-1915.

On behalf of the Mayor and the City Council, I would like to express our appreciation for your interest in investing in our community.

Very truly yours,

Laura Kordzikowski
Business Development Specialist – City of Salisbury

cc: Mayor Day



**City of Salisbury
Enterprise Zone Program Information And Qualification Application**

Application

Applying For:

Income Tax Credit Real Property Tax Credit Both

General Information

Today's Date: November 24, 2015
Name of Firm: Fisher Architecture, LLC
Legal Status: Corporation Proprietorship Partnership Other
FEIN: 27-1337229
Contact Person: Lauren C. Fisher
Title: Chief Financial Officer
Mailing Address:

542 Riverside Dr.
Salisbury, MD 21801
Street Address (if different):

Telephone Number: 410-742-0238
E-Mail Address: cfisher@fisherarchitecture.com

Property Information

Address of Property for Which Enterprise Benefits are sought:

542 Riverside Dr.
Salisbury, MD 21801

Property Tax # (10 digit - if available): _____
Name of Property Owner: 542 Riverside Dr., LLC
Address of Property Owner: 542 Riverside Dr. Salisbury, MD 21801
Approximate Size of Property: .65 Acres
Approximate Size of Existing Building: 2000 Square Feet prior to renovation
Current Base Assessment Price: \$ 300,000

Information on Applicant Business

Is Company Located in Enterprise Zone now: Yes No If yes, since what year: 2015 (after renovation)
Is Company relocating from another place?: Yes No
If yes, where was previous location?: Salisbury, MD
Is Company a new, start up business?: Yes No
Headquarters location: _____

Submit Application to:
Business Development Specialist - City of Salisbury
125 North Division Street, Room 104
Salisbury, MD 21801
410-677-1915 | info@citylivingsalisbury.com



City of Salisbury Enterprise Zone Program Information And Qualification Application

Describe the Company's primary and secondary products or services that are, or will be, produced at the facility in the Enterprise Zone:

We are an architectural firm with an interior design department.

Business NAICS Code (if available): _____

Did Enterprise Zone benefits affect your decision to locate at this address?: Yes No

Proposed Project – Real Property Tax Credit

Proposed Project Is: New Construction Rehabilitation

Project Starting Date: October 2014

Anticipated Completion Date: June 2015

Description of Project:

We completely renovated the existing building. The drive through was enclosed to create a new conference room. One full bath was added new ceilings, floor, walls and finishes.

Cost of Project: \$ 175,000

Proposed Project – State Income Tax Credit

Current Number of Employees in the Zone:

Total: 12 Full Time: 10 Part Time: _____

New Jobs Created in the Zone:

Total: 2 Full Time: 2 Part Time: _____

Creation Date: 7/13/15 & 11/9/15

Hourly Wage for Typical New Job (without benefits): \$ 18.27 = 22.60 /hour

Additional Cost of Benefits Provided (Per New Employee): \$ _____ /hour

Please include a list of all hired employees, the date of hire, how many hours a week they work, and what their wages are. Sheet is attached.

Signatures

Signature of Person Completing This Form: [Signature]

Typed Name: Lauren C. Fisher

Title: Chief Financial Officer

Date: November 24, 2015

How did you hear about this opportunity:

Laura Kordzikowski - She attended our ribbon cutting and 5 year anniversary event.

Submit Application to:
Business Development Specialist – City of Salisbury
125 North Division Street, Room 104
Salisbury, MD 21801
410-677-1915 | info@citylivingsalisbury.com

Real Property Data Search (w2)

Guide to searching the database 

Search Result for WICOMICO COUNTY

[View Map](#)[View GroundRent Redemption](#)[View GroundRent Registration](#)

Account Identifier: District - 13 Account Number - 055890

Owner Information

Owner Name: 542 RIVERSIDE DR LLC Use: COMMERCIAL
 Principal Residence: NO
 Mailing Address: 542 RIVERSIDE DR Deed Reference: /03766/ 00266
 SALISBURY MD 21801-

Location & Structure Information

Premises Address: 542 RIVERSIDE DR Legal Description: L-28,458 SQFT
 SALISBURY 21801-0000 542 RIVERSIDE DR
 RES W & L DAVIS & A BANK

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	131
0111	0003	1493		0000				2016	Plat Ref:	0014/0250

Special Tax Areas: Town: SALISBURY
 Ad Valorem:
 Tax Class:

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
1979	2140		28,458 SF	

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
		OFFICE BUILDING				

Value Information

	Base Value	Value As of 01/01/2013	Phase-in Assessments As of 07/01/2015	As of 07/01/2016
Land:	108,100	108,100		
Improvements	129,700	129,700		
Total:	237,800	237,800	237,800	
Preferential Land:	0			

Transfer Information

Seller: 542 RIVERSIDE LLC Type: ARMS LENGTH IMPROVED	Date: 10/22/2014 Deed1: /03766/ 00266	Price: \$315,000 Deed2:
Seller: ATLANTIC BANK Type: ARMS LENGTH IMPROVED	Date: 05/01/2014 Deed1: /03703/ 00156	Price: \$240,000 Deed2:
Seller: WILMINGTON TRUST FSB Type: ARMS LENGTH IMPROVED	Date: 04/24/2000 Deed1: /01743/ 00329	Price: \$380,995 Deed2:

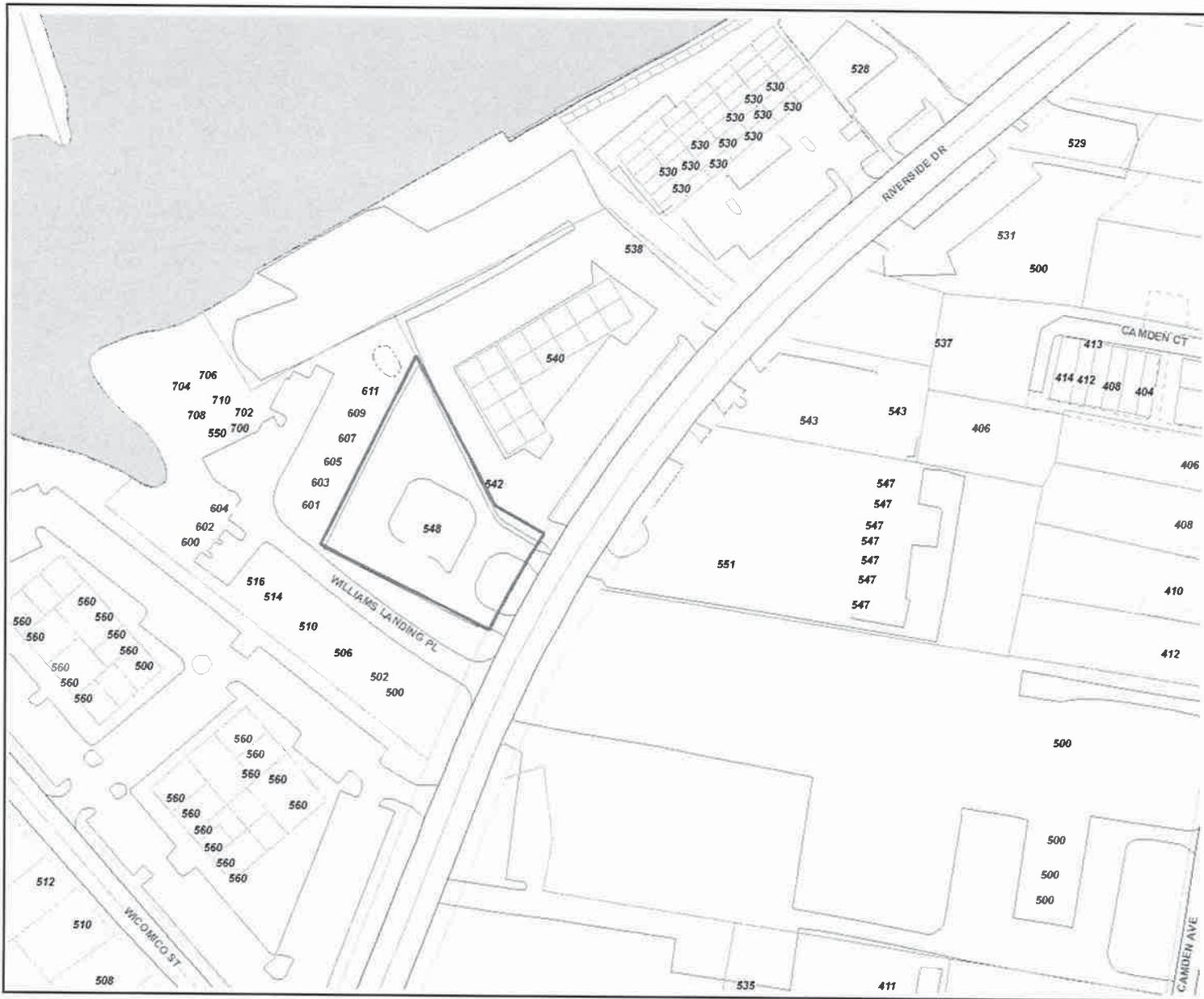
Exemption Information

Partial Exempt Assessments:	Class	07/01/2015	07/01/2016
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00
Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	

Homestead Application Information

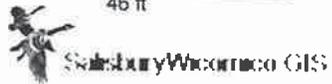
Homestead Application Status: No Application

CITY OF SALISBURY



46 ft

542 Riverside Drive



- Streams
- Water Bodies
 - DisplayValue
 - 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7
- Edge of Pavement
- Driveways
 - LAYER
 - X-DRIVEWAY
- Parking
 - LAYER
 - X-CL-PARK
 - X-PARK-PAVED
 - X-PARK-UNPAVED
- Wicomico.SDE.Wicomico_Addresspoints
- Municipal Areas
 - CAD
 - Delmar
 - Fruitland
 - Hebron
 - Mardela
 - Pittsville
 - Salisbury
 - Sharptown
 - Willards
- Railroads
- Bridge
- ROW
- Parcels
- Salisbury - Wicomico Enterprise Zone
- Fruitland Enterprise Zone
- Street Centerlines
- Wicomico County Boundary

RESOLUTION NO. 2577

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND DECLARING THAT Fisher Architecture IS ELIGIBLE TO RECEIVE ENTERPRISE ZONE BENEFITS FOR PROPERTY LOCATED AT 542 Riverside Dr, SALISBURY MD.

WHEREAS the City of Salisbury, Maryland and Wicomico County created an Enterprise Zone on June 6, 1983 for the purpose of encouraging economic development of the area encompassed within the boundaries of such zone; and

WHEREAS the Enterprise Zone was created under authority granted by the State of Maryland; and

WHEREAS the State Code permits certain benefits to be extended to businesses that locate or expand in the Enterprise Zone provided that they meet certain standards; and

WHEREAS, the City of Salisbury and Wicomico County have also established certain standards, which must be met in order for a business to be deemed eligible to receive Enterprise Zone benefits; and

WHEREAS, Fisher Architecture meets the standards set forth in the State Code and in local regulations to be eligible to receive Enterprise Zone benefits; and

WHEREAS, Caitlin Fisher, representing Fisher Architecture has requested that the company be designated as eligible for Enterprise Zone benefits because of its investment of more than \$50,000 at their property located in the zone at 542 Riverside Dr;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, Maryland that Fisher Architecture be designated as eligible to receive the benefits of the Enterprise Zone effective upon the adoption of this resolution.

The above Resolution was introduced and read and passed at the regular meeting of the Salisbury City Council on the _____ day of _____, 2016.

Kimberly R. Nichols
CITY CLERK

John R. Heath
PRESIDENT, City Council

APPROVED by me this
_____ day of _____ 2016.

Jacob R. Day
MAYOR, City of Salisbury

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator JG
Subject: Community Garden- Boundless Playground Lot
Date: December 30, 2015

Attached you will find a resolution, lease, map, and supporting material for the recommendation to approve St. Francis De Sales Church to create a community garden on the empty City owned lot behind Boundless Playground and the Chipman Cultural Center.

City staff have met with members of St. Francis De Sales, GreenSBY, and the Camden Community Garden to discuss and plan another community garden. This coalition is excited to continue the positive impacts they began in Camden into another neighborhood.

The area that St. Francis De Sales Church would like to lease is outlined in black ink on parcel P.1862 on the map attached. There is a historical easement that runs through the property that must be addressed with the Maryland Historical Trust. The City is proposing extending an existing water service to a metered yard hydrant at the City's cost. We are suggesting a three year lease term.

Unless you or the Mayor have additional questions, please advance this memorandum and resolution of support to the City Council for approval.

Attachment: Resolution to Enter into a Lease Agreement with St. Francis De Sales Church for Use of City Property for a Community Garden; Lease Agreement; Boundless Playground- Existing Water Utilities map; St. Francis Letter of Interest; Lease Proposal

Campus Ministry House
211 West College Avenue
Salisbury, Maryland 21801

December 5, 2015

City of Salisbury
125 North Division Street
Room 304
Salisbury, Maryland 21801

Dear Mayor Day and Ms. Glanz:

I'm writing in reference to our meeting on November 23rd regarding St. Francis leasing the plot behind the Boundless Playground in Newtown for the purpose of starting a neighborhood garden, based on the successful model founded by Pastor Martin Hutchinson on Camden Avenue.

I currently work as Coordinator of Catholic Youth for St. Francis, and Campus Minister at Salisbury University and University of Maryland Eastern Shore. In addition to assisting young people in being their best selves, I have extensive gardening experience and a passion for connecting with the sacredness of our world through work in the garden. As a younger woman, I was first an apprentice to graduates of Longwood Gardens who oversaw the Salisbury University Horticulture Departments. At that time, I learned greenhouse management and propagation. I was appointed a student supervisor, and also learned interior landscaping, and bed design. As I moved on, throughout the years I continued to expand my knowledge through such experiences as working in a biodynamic , organic medicinal herb garden (growing flowers and other plants that were processed on-site into supplements to support health and healing) , and at an organic flower farm. I love to grow anything from orchids to onions.

I'm excited about the opportunity to combine my love of teaching, healing, aesthetics and gardening to contribute to the new movement in Salisbury to uplift our community by engaging as many interested parties (young and old, expert and novice) as I am able in the garden project.

Thank you for your role in facilitating this vision for a greener Salisbury, and improving the spirit of our home.

Nicole Long
Coordinator of Youth and Campus Ministries
Diocese of Wilmington
443-614-6142

1 RESOLUTION NO. 2578

2
3 A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY MARYLAND
4 AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH ST.
5 FRANCIS DE SALES CHURCH FOR USE OF CITY PROPERTY FOR A COMMUNITY
6 GARDEN

7
8 WHEREAS, The City of Salisbury desires to enter into a lease agreement with St. Francis
9 De Sales Church, to allow volunteer members to construct and operate a Community Garden
10 Project on City property; and

11
12 WHEREAS, the City property is located on land directly behind Boundless Playground
13 and the Chipman Cultural Center bordering Ellen Street, Broad Street, and Poplar Hill Avenue;
14 and

15
16 WHEREAS, the terms and conditions of the proposed lease are set forth in the attached
17 Agreement wherein St. Francis De Sales Church is acting as the legal Tenant for this site; and

18
19 NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Salisbury
20 authorizes the Mayor to enter into the aforementioned Lease Agreement with St. Francis De
21 Sales Church.

22
23 THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting
24 of the Council of the City of Salisbury held on this ____ day of _____, 2016 and is to
25 become effective immediately upon adoption.

26
27
28 ATTEST:

29
30
31 _____
32 Kimberly R. Nichols
33 CITY CLERK

34 _____
35 John R. Heath
36 PRESIDENT, City Council

37
38 APPROVED by me this ____ day of _____, 2016

39 _____
40 Jacob R. Day
MAYOR, City of Salisbury

Boundless Garden Proposal
Submitted by Nicole Long
December 28, 2015

1. St. Francis is interested in establishing a community garden on the open lot portion of the Boundless Playground site.
2. We are proposing raised bed garden plots. The typical bed is 4 feet by up to 24 feet in length.
3. Raised beds would be constructed of non-toxic untreated wood or recycled materials manufactured for the purpose of creating raised bed gardens.
4. Mowing of the area would be a collaboration between the Garden Founder and the City. Determining the exact dimension of the leased area will answer this question.
5. The project is proposed as an open use project for the community to plant and harvest.
6. Water service will be necessary. There is an existing water fountain on the property that we hope we can tap into. We hope to establish a metered source, but with the City donating water to benefit the mission of the garden. Metering the source will allow the City to track consumption.
7. A shed will be necessary for housing tools and materials. The specifics are open for discussion. The Garden Founder would ideally like participants to help build the structure if there is expertise, but this is an item to be explored. The idea is to have the community invest as much sweat equity as possible, so that there is pride and personal investment in the site.
8. We would utilize the same resource for the Sign as the Camden Community Garden, in order to create unity and consistency.
9. Composting would be an option if there is no threat of drawing unwanted animals.
10. No additional fencing is proposed.
11. Lighting would need to be discussed. No additional lighting is proposed at this time.
12. We would like community members to participate in the installing of seating such as benches.
13. A liability insurance policy would be provided by St. Francis de Sales Catholic Church.
14. We would like to leave open the possibility of constructing a cobb oven, which is a catalyst for community engagement.

LEASE

THIS AGREEMENT, made this ___ day of _____, 2016, between the CITY OF SALISBURY, (“Landlord”) and ST. FRANCIS DE SALES CHURCH (“Tenant”).

1. Landlord hereby leases to the said Tenant a space for a community garden on a section of City land fronting on Ellen Street adjacent to the Boundless Playground, as shown on the attached Exhibit A. The Boundless Playground is designated as P.1862 on a survey entitled “Resubdivision, Boundless Playground” dated August 14, 2015, and recorded among the Land Records for Wicomico County, Maryland, on December 17, 2015, in Liber 16, Folio 675. In consideration thereof, the Tenant agrees to pay the Landlord the sum of One Dollar (\$1.00) per year due on the date of execution of this Lease Agreement. The term of this Lease shall be three years.

2. Tenant hereby covenants with the Landlord as follows:
 - A) To clean and maintain the space in a satisfactory condition;
 - B) To remove any debris or litter on an “as needed” basis from the entire area.
 - C) To maintain the garden beds by weeding, planting, pruning and any other appropriate need of a garden;
 - D) To maintain and mow any grassy areas on an “as needed” basis;
 - E) To maintain and/or replace, as necessary:
 - a. Permanent trash receptacles
 - b. Identification signage
 - c. Benches
 - d. Raised garden beds
 - e. Shed
 - F) To keep premises in good order and to surrender the peaceful and quiet possession of the same at the end of the said term in as good condition as when received, and further the Tenant will not do, suffer or permit anything to be done in or about the premises which will contravene any policy of insurance of the Landlord, nor use, nor permit their use for the purposes other than those of public gardening. Tenant further covenants that it will not at

any time assign this agreement, or sublet the property or any portion thereof, without the written consent of the Landlord, or its representatives. Tenant further covenants that no alterations or repairs will be made to the leased premises without prior consent of the Landlord, and that, whatever alterations or repairs the Tenant will be permitted to make will be completed at Tenant's own expense unless otherwise agreed upon by Landlord.

- G) To provide the Landlord with a Certificate of Insurance naming the Landlord as an additional insured. Such certificate will evidence that the Tenant has insurance in the following amounts: General Commercial Liability (General Aggregate \$2,000,000; each occurrence \$1,000,000; Fire Damage \$300,000; and Medical Expense \$10,000).
 - H) To permit access to property by authorized agents of Landlord or its employees.
 - I) To comply with all Landlord ordinances.
 - J) To cooperate fully with routine or emergency activities of Landlord's agencies.
 - K) To ensure that no lewd or indecent actions, conduct, language, pictures or portrayals be included in the activities or events presented by Tenant on the premises, and nothing is to be presented, used, sold or solicited that is against the law, or contrary to, or forbidden by, the ordinances of the Landlord and the laws of the State of Maryland. Tenant agrees to abide by and to be bound by the decisions of the Landlord should any questions of propriety arise under this paragraph.
 - L) To have all facades, signs, etc. approved by the Department of Building, Permitting & Inspections.
3. All improvements, as needed, will be at the expense of the Tenant.
 4. All utility costs such as water, electricity, etc., will be at the expense and responsibility of the Tenant.
 5. Tenant knows, understands, and acknowledges the risks and hazards associated with using the property and hereby assumes any and all risks and hazards associated therewith. Tenant hereby irrevocably waives any and all claims

against the City or any of its officials, employees, or agents for any bodily injury (including death), loss or property damage incurred by the Tenant as a result of using the property and hereby irrevocably releases and discharges the City and any of its officials, employees or agents from any and all claims of liability arising out of or associated with the use of the property.

6. Indemnification. Tenant shall indemnify and hold Landlord harmless from and against all claims, liabilities, judgments, fines, assessments, penalties, awards, or other expenses, of any kind or nature whatsoever, including, without limitations, attorneys' fees, expert witness fees, and costs of investigation, litigation or dispute resolution, relating to or arising out of any breach or alleged breach of this Agreement, or any Breach or alleged act of negligence, by Tenant its subcontractors or agents.
7. Tenant will pay the Landlord for any and all physical loss or damage of the property (including the cost to repair or replace the property) caused by, arising out of, relating to or associated with the use of the property by the Tenant or by Tenant's members, employees, agents, or invitees.
8. IT IS FURTHER AGREED that if the Tenant violates any of the foregoing covenants on its part herein made, the Landlord will have the right without formal notice to reenter and take possession of said land associated with this Lease Agreement and to cause the benches, garden beds and shed to be removed at the sole expense of Tenant or to remain on the property of the Landlord, at the option of the Landlord.

THIS AGREEMENT is contingent on written consent from the Maryland Historical Trust giving approval of the proposed change in use of this land. The Maryland Historical Trust holds a conservation easement on a portion of this parcel, as further described in the Deed of Easement dated June 21, 1989 and recorded in the Land Records of Wicomico County, Maryland, in Liber 1184, Folio 566. This lease shall not begin until written consent is received from the Maryland Historical Trust. If Lessee takes any action on this project prior to receipt of said consent, Lessor has no responsibility or liability for such action or any related expenses.

IN WITNESS WHEREOF, the said parties have hereunto subscribed their names and affixed their seals the day and year first before written.

ATTEST:

CITY OF SALISBURY

Kimberly R. Nichols
City Clerk

Jacob R. Day
Mayor

ATTEST:

St. Francis De Sales Church

BY _____ (SEAL)

ORDINANCE NO. 2365

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE FY 2016 GENERAL FUND BUDGET TO APPROPRIATE FUNDING FOR THE TRAFFIC DIVISION BUCKET TRUCK.

WHEREAS, the actual cost for the replacement Bucket Truck for the Traffic Division exceeds the budgeted amount in the City's FY 2016 budget; and

WHEREAS, the actual cost for the Sanitation Division Refuse Truck was less than the budgeted amount in the City's FY 2016 budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's Fiscal Year 2016 General Fund Budget be and hereby is amended as follows:

- 1) Decrease Public Works Sanitation by \$10,700
- 2) Increase Public Works Traffic by \$10,700

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 14 day of December 2015, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of _____, 2015.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS ____ day of _____, 2015.

Jacob R. Day, Mayor

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190
Fax: 410-548-3192

JACOB R. DAY
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA – Award of Bids

January 11, 2016

- | | |
|--|--------------|
| 1. Contract 102-16
55' Material Aerial Tower Body & Cab-Chassis | \$199,892.00 |
| 2. Change Order #1
Contract RFP 01-15
NS/SS Pumping Station Upgrades | \$ 60,468.00 |
| 3. Declaration of Surplus
Public Works – 1995 Utility Truck | \$ 0.00 |

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190 Procurement
Fax: 410-548-3192 Procurement

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER
ASST. DIRECTOR OF INTERNAL
SERVICES

JACOB R. DAY
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

Council Agenda

January 11, 2016

TO: Mayor and City Council

SUBJECT: Award of Bid – Contract 102-16
55' Material Aerial Tower Body & Cab-Chassis

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Salisbury Public Works Department to solicit bids for Contract 102-16, which specified a 55' Material Aerial Tower Body & Cab-Chassis.

The Procurement Department followed standard competitive bidding practices by advertising in the Daily Times, on the City of Salisbury's website, utilizing the City's vendor list, and advertising on the State of Maryland's website, eMaryland Marketplace. A total of three (3) vendors submitted a bid by the due date and time of August 28, 2015 at 2:30 p.m.:

Brian Hoskins Ford	\$190,500
Altec Industries, Inc.	\$205,822
Western Star Trucks of Delmarva	\$214,404

The equipment bid by Brian Hoskins Ford and Altec Industries did not meet the specifications of the bid, and the equipment from Western Star was over budget. However, the Procurement Department was able to negotiate both the purchase price and trade-in price so as to achieve a final buy price of \$199,892.00. Upon the 2nd reading and Council approval of Ordinance 2365 for the Public Works Budget Amendment, scheduled for January 11, 2016, there will be sufficient funds in account 22000-577025. The bucket truck has a delivery lead time of 300 days, ARO.

The Procurement Department requests Council's approval to award Contract 102-16, a 55' Material Aerial Tower Body & Cab-Chassis, to Western Star Trucks of Delmarva, in the amount of \$199,892.00.

Sincerely,

Jennifer Miller

Assistant Director of Internal Services – Procurement and Parking

City of Salisbury



MARYLAND



JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3170
Fax: 410-548-3107

MICHAEL S. MOULDS, P.E.
DIRECTOR OF PUBLIC WORKS

To: Jennifer Miller, Asst. Director of Internal Services
From: Michael S. Moulds, P.E., Director of Public Works
Date: January 5, 2016
Re: Acquisition of Department of Public Works Vehicles

With the approval of the Budget Amendment the Salisbury Department of Public Works will have funds allocated in the FY 2016 budget to purchase a replacement Bucket Truck in the amount of \$199,892.00. The Department is prepared to proceed with the acquisition of this vehicle.

Requests for bids were solicited on August 28, 2015. Three vendors responded.

Brian Hoskins Ford, Coatsville, PA	\$190,500.00
Western Star Trucks of Delmarva, LLC	\$214,404.00
Altec Industries, Inc, Plains, PA	\$205,822.00

As a result of a review of the bids it was determined that the bids from Hoskins and Altec did not meet the specifications of the Bid.

In order to get the vehicle purchase within budget, the Department negotiated with Western Star to reduce the purchase price to \$211,892.00 and increase the trade in amount from \$5,000 to \$12,000.

Based on this information, we would like to request that a Purchase Transaction be initiated with Western Star of Mardela Springs, MD, to complete the procurement of the bucket truck for \$199,892.00. Funding for the vehicle would be assigned from budget account #22000-577025.

Should you have any questions or require additional information, please feel free to contact me.

Michael S. Moulds, PE
Director of Public Works

1/5/16
Date

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190 Procurement
Fax: 410-548-3192 Procurement

JACOB DAY
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER
ASST. DIRECTOR OF INTERNAL
SERVICES

Council Agenda

January 11, 2016

TO: Mayor and City Council

SUBJECT: Change Order #1 to Contract RFP 01-15
NS/SS Pumping Station Upgrades – Engineering Construction Services

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Department of Public Works to process Change Order #1 in the amount of \$60,468.00 for Contract RFP 01-15 NS/SS Pumping Station Upgrades – Engineering Construction Services. This change order would also extend the date of Substantial Completion to May 3, 2016. Both the monetary and time extension are needed for continuing the inspection services and contract administration while the General Contractor for the project, Bearing Construction, finishes the work required under Contract 104-15. Additional details are noted in the department memo.

Funds are available in the following account:

30200-513020-55512 WWTP Upgrade

The Department of Internal Services, Procurement Division, requests Council's approval for Change Order #1 as noted above to Whitman, Requardt & Associates in the amount of \$60,468.00

Sincerely,

Jennifer Miller
Asst. Director of Internal Services – Procurement and Parking

City of Salisbury



MARYLAND



JACOB R. DAY
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3170
Fax: 410-548-3107

MICHAEL S. MOULDS, P.E.
DIRECTOR OF PUBLIC WORKS

To: Jennifer L. Miller, Assistant Director of Internal Services – Procurement
From: Michael S. Moulds, P.E., Director of Public Works *MSM*
Date: December 14, 2015
Re: RFP 01-15 Northside/Southside Pumping Station Upgrades
Engineering Construction Services
Change Order No. 1

Per RFP 01-15, Whitman, Requardt and Associates (WRA) is providing Engineering Construction Services for the Northside/Southside Pumping Station Upgrades. WRA's services include full time construction inspection and construction administration. The construction contract was for 365 days and the contract end date is January 5, 2016. The General Contractor, Bearing Construction, is behind schedule. As a result, Public Works is seeking to extend WRA's contract so that full time inspection services and contract administration can continue until this project is complete.

The General Contractor is responsible for meeting the construction schedule. Monthly progress meetings are held with the General Contractor, WRA and the City. Discussion at the meetings since August have documented that the project was tracking behind schedule. We have requested that the General Contractor provide additional staffing for the project and a solution to bring the project on schedule. That has not occurred to date. Current projections by the General Contractor is that they can achieve Substantial Completion by April 8, 2016. It is anticipated by WRA that the punch list will be completed within another month past Substantial Completion.

The contract with the General Contractor includes a provision for Liquidated Damages if the contractor does not complete the work in the allotted time. At this time, the General Contractor has not presented justification for a time extension and they have been formally notified that Liquidated Damages may be assessed beginning on January 6, 2016.

Please process Change Order No. 1 which results in an increase of \$60,468.00 and a time extension of 17 weeks. Funds are available in account 30200-513020-55512.

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190
Fax: 410-548-3192

JACOB R. DAY
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

January 11, 2016

i

To: Mayor and City Council

Subject: Declaration of Surplus – 1995 Utility Truck

The Procurement Division received a request from the Salisbury Public Works Department to declare a 1995 Utility Truck as surplus. This vehicle is over 10 years old, has high mileage and substantial body deterioration and is in need of repairs that would exceed the value of the vehicle. Additional details regarding the needed repairs are noted in the departmental memos, attached.

Unit #T-1 1995 Ford F250 VIN 1FTEF25H1SNA50071

Upon declaration of surplus, as approved by Council, the Procurement Department will attempt to sell the vehicles via an auction sale. If unsellable through an auction service, it will be sold locally as salvage.

Thank you,

Jennifer Miller
Assistant Director of Internal Services-Procurement & Parking

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3170
Fax: 410-548-3107

JACOB R. DAY
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

MICHAEL S MOULDS, P.E.
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

TO: Jennifer Miller

FROM: Bill Sterling / Ben Baker

DATE: 12/22/2015

REFERENCE: Surplus T-1 YR. 1995 Utility Body Truck

The Traffic Department recommends T-1, Utility Body Truck be declared surplus.

Make/Model- Ford / F250

Miles/Hours- 109,849

VIN # 1FTEF25H1SNA50071

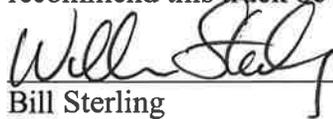
Vehicle Condition – Poor / Inoperable

This vehicle is currently in poor condition due to high mileage, age of vehicle, and body deterioration.

Body Condition- Poor

All repairs would exceed the value of the vehicle and would not bring the vehicle back to a standard that would last long before something major or minor breaks again.

This vehicle was replaced by a surplus Fire Dept. Utility Body Truck in the 2015. We recommend this truck be included in the City sponsored auction.



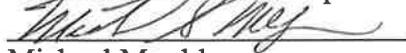
Bill Sterling

Traffic Manager



Ben Baker

Vehicle Maintenance Supervisor



Michael Moulds

Director of Public Works

12-18-15
Date

12-18-15
Date

12-18-15
Date