

ORDINANCE NO. 2088

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE FY 10 GENERAL FUND AND CITY MARINA FUND BUDGET TO APPROPRIATE FUNDS FOR THE INCREASED COSTS OF MANAGING THE MARINA AND REPAIRS AND UPGRADES TO THE MARINA .

WHEREAS, the FY 10 General Fund and Marina Fund budgets were created with certain estimates, and;

WHEREAS, as the year has progressed it has been determined that those estimates will not be sufficient to cover all of the costs of certain budget classifications, as well as the costs of certain repairs and upgrades to the Marina, and;

WHEREAS, the City Council desires to update the budget to reflect the necessary amounts needed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the City's Fiscal Year 2010 General Fund and Marina Fund budgets be and are hereby, amended as follows:


- 1) Increase the Marina Fund Revenue by \$130,000
- 2) Increase the Marina Fund Expense by \$130,000
- 3) Increase the General Fund Current Surplus Revenue Account by \$130,000
- 4) Increase the General Fund Debt Service and Other Uses by \$130,000

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 28th day of September, 2009, 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 12th day of October, 2009.

ATTEST:


Brenda Colegrove, City Clerk


Louise Smith, President
Salisbury City Council

Approved by me this

13th day of October, 2009.


James Ireton, Jr., Mayor

INTER

OFFICE

MEMO

Office of the Mayor

To: City Council
From: John R. Pick
Subject: Marina Fund Budget Amendment
Date: September 28, 2009

At the Council work session at which the proposed budget amendment for the Marina was discussed, a request was made that we attempt to identify further cuts in the FY 10 budget to offset the additional amount requested rather than to take this amount out of the General Fund surplus. We have identified one item, totaling \$70,000, which we can use to partially offset this budget amendment. This amount becomes available as a result of the fact that there was a \$70,000 balance remaining from the Headquarters Fire Station project. This balance will be applied by Sun Trust against this year's Lease Purchase payment on this project thus reducing our budgetary expenditure by \$70,000. However, the Public Works Department has reviewed its budget (see attached memo from Dorine Turner) and has been unable to identify further cuts it could make at this time without impacting services or canceling needed projects. Due to the fact that we may receive grant funds to offset up to 100% of the fuel tank installation cost, the Mayor recommends that we utilize the \$70,000 from the Fire Station project to partially offset this budget amendment and take the remaining balance from surplus.

In accordance with an opinion from the City Attorney (see attached e-mail), we cannot transfer funds from one department to another during the first three-quarters of the fiscal year. Accordingly, the budget amendment that was included in the agenda packet, and which proposes transferring the entire \$130,000 from the General Fund surplus to the Marina, is the budget amendment that we recommend that the Council adopt. The \$70,000 from the Fire Station project will be transferred to an account from which it cannot be transferred or spent. Therefore, at the end of the year, it will roll back into the surplus.

If you have any questions, please let me know.

cc: Mayor Ireton
Lore' Chambers
Pam Oland
Acting Fire Chief Rick Hoppes
Chip Messick
Brenda Colegrove



DEPARTMENT OF PUBLIC WORKS
CITY OF SALISBURY, MARYLAND

DATE: September 25, 2009
TO: John Pick, City Administrator
FROM: Dorine Turner, Resource Manager
THRU: Chip Messick, Acting Public Works Director
SUBJECT: Salisbury Marina Budget Ordinance

On Monday, September 21st, 2009 the City Council consented to move forward the Budget Amendment for the Port of Salisbury Marina in the amount of \$130,000, with the understanding that we would try to find existing budget funds for as much as possible. The Finance Department has located \$70,000 available in the Fire Department Budget for an existing lease payment that was less than estimated. I have reviewed the General Fund engineering and project accounts for FY10 and determined that only Sidewalk for Harbor Point project funds (\$55,000), and the Street Repaving program funds (\$45,500) remain after the necessary budget cuts that were performed due to the decrease in State of Maryland funding. The Public Works Department does not recommend utilizing the Street Repaving funds due to already limited funding for repaving projects for this fiscal year.

Please contact me at the number below or by email at dturner@ci.salisbury.md.us if you have any questions or concerns regarding these matters.

Respectfully,

Dorine Turner,
Resource/Marina Manager

Newell W. Messick III, P.E.
Acting Public Works Director

John Pick

From: Paul D. Wilber [pwilber@webbnetlaw.com]
Sent: Friday, March 06, 2009 4:32 PM
To: Barrie Tilghman; John Pick; Brenda Colegrove; Deborah S. Campbell; Eugenie (Shanie) P. Shields; Gary A. Comegys; Louise Smith; Terry E. Cohen
Subject: Budget Amendment Ordinance

Brenda has asked the question as to whether the Budget Amendment moving funds from the Legal Budget to the Marina Budget is timely for March 9, 2009, meeting.

Pursuant to Charter Section SC7-27 a transfer of an unencumbered appropriation balance from one department to another is permitted in the last three (3) months of the budget year. Accordingly, the Budget Amendment Ordinance for the Marina operating funds should be presented at the first meeting in April, 2009.

Another solution, if the Budget Amendment is to go forward on March 9, 2009, is to either use the Contingency Fund or the unencumbered surplus account. PDW

Paul D. Wilber, Esquire

Webb, Burnett, Cornbrooks,
Wilber, Vorhis, Douse & Mason, LLP
(410) 742-3176
pwilber@webbnetlaw.com
115 Broad Street
P.O. Box 910
Salisbury, MD 21803-0910

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9/24/2009

INTER

OFFICE

MEMO

Office of the Mayor

To: City Council
From: John R. Pick *JRP*
Subject: Marina Budget Amendment
Date: September 23, 2009

The draft of the Marina Budget Amendment that is attached to this agenda item is the original draft and reflects taking the entire \$130,000 from surplus. At the request of Council, we are attempting to find additional budget reductions to offset either all or most of this amount. We will provide Council with a revised Budget Amendment prior to the Council meeting on the 28th.

If you have any questions, please let me know.

cc: Mayor Ireton
Chip Messick
Pam Oland
Brenda Colegrove



DEPARTMENT OF PUBLIC WORKS CITY OF SALISBURY, MARYLAND

DATE: September 16, 2009
TO: John Pick, City Administrator
FROM: Dörine Turner, Resource Manager
THRU: Chip Messick, Acting Public Works Director
SUBJECT: Salisbury Marina Budget Ordinance

On March 10, 2009 Jim Caldwell received from Frank Ennis, Public Works Safety Coordinator, and Steve Walston, Safety Resources, a list along with pictures of all the safety violations at the Salisbury Marina. When I was given responsibility for the Marina in late April/early May, I began working on resolving many of these issues. The remaining safety violations are noted on a memo from Frank Ennis dated July 10, 2009. Please see the attached list of work items that have been completed and the cost of materials and construction.

The highlighted items are projects that still need to be completed and additional funding provided in the FY2010 budget to do so. These items are briefly explained as follows:

Fuel Tanks

The 2 Underground Storage Tanks (USTs) have been removed by Jones & Frank from the City Parking Lot by Brandy River in accordance with MDE regulations and requirements. I would like to compliment all of Jones & Frank's employees for their professionalism, diligence, and understanding through such grueling work.

The Engineering specifications being performed by Jim Malorie of Jones & Frank, for an Above Ground Fuel Tank system, have been received and the preliminary estimate for construction and installation is approximately \$98,000. I have recently received a letter from the Maryland Department of Natural Resources that states the Application for Waterway Improvement Grant funding has been approved for the FY2011 project funding list. The Waterway Improvement Fund Grant provides for either 50% or 100% funding depending on amount of funding received by DNR from the State of Maryland. This was confirmed in discussions with Michael Ewing the Department of Natural Resources Regional Program Administrator. There is no guarantee that the State will have the funds to issue this grant to the City.

Once the construction of the Above Ground Fuel tank and pumps has been completed, the Marina will need to purchase the fuel for the Spring Boating Season. We are requesting additional funding for the FY2010 budget with \$10,000 for fuel. Without Fuel at the Marina, it will never be able to break even or make a profit. Please see the attached financial evaluation and historical slip rental data for the past several years. The estimated revenue for FY2011 with fuel sales are based on 16 annual slips rented at an average of \$1500/yr and 20 monthly slips rented at an average of \$150/mo for 12 months. Without Fuel sales, the Marina anticipates less annual slip rentals than the current 12 and a continual decrease in monthly slip rentals.

The total amount needed for the fuel tanks would be \$108,000.

Exterior Stairway

During the rehabilitation of the concrete sidewalks and the laundry room floor, a contractor pointed out that the stairwell didn't look very structurally sound due to the extensive leaning of the outer wall. I contacted Frank Ennis, Technical Services Manager and the Safety Coordinator for Public Works, to come out and look at them. His memo describing the need to replace the stairwell as quickly as possible is attached. The estimated cost of the replacement is approximately \$8,500.

Bulkhead Piling Damage

A Piling that helps to hold the bulkhead near Brew River was damaged by a vehicle some time last year. I have been unable to find any Insurance or Accident Report information on the incident to file a claim for the damages. The estimated cost of repair/rehabilitation is \$1,500. Please see attached photo.

Replace Damaged Decking

Most of the unsafe/deteriorated deck boards or stringers have been replaced on Piers B, C, and the main pier leading to D Pier. The remaining deck boards that need to be replaced have been identified and can be replaced once materials are purchased. I estimate approximately \$1,000 additional funding will be necessary to replace the remaining deck boards.

Other Funds Needed

With all the work that has been performed throughout the 2009 summer it has been difficult to estimate the actually monthly cost of operations of the Marina. With the need to advertise and print brochures, flyers, information packages, etc. for the Spring Boating Season, as well as providing operating costs for the remainder of the Fiscal Year, the Marina requests additional budgetary funding of \$11,000.

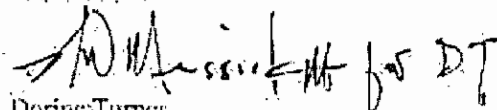
Total Budget Request

The total amount of additional funding needed for the remainder of Fiscal Year 2010 is \$130,000, One Hundred and Thirty Thousand Dollars. Attached please find a budget ordinance reflecting this request.

I would like to extend my gratitude to the Service Center and its entire staff, and the contractors who have provided time and energy over the past several months to bring the Marina back to a wonderful destination port.

Please contact me at the number below or by email at dturner@ci.salisbury.md.us if you have any questions or concerns regarding these matters.

Respectfully,



Dorine Turner,
Resource/Marina Manager



Newell W. Messick III, P.E.
Acting Public Works Director

9/16/09

Attachments:

- 1-Safety Audit Memo
- 2-List of Marina Work Items
- 3-Jones & Frank Estimate
- 4-Historical Financial Info
- 5-Financial Forecast
- 6-Historical Slip rental
- 7-Staircase Safety Memo
- 8-Damaged Piling Photo
- 9-Budget Ordinance

FACILITY / SAFETY AUDIT PORT OF SALISBURY MARINA



*A Team of Teams
Making a Difference!*

Date: July 10, 2009
To: Dorine Turner, SPW Resource Manager
CC: Chip Messick, SPW Acting Director
Auditor: Frank Ennis, SPW Technical Services Manager

Please note that significant improvements have been made since Salisbury Public Works resumed management of this facility.

1. Deteriorated deck boards on each of the docks have been identified and are scheduled to be replaced. Replacement is under way.
2. The ramp from the parking area to the greenway near the boat display to the east of the dock master's house has been identified for replacement. **Completed**
3. Locks have been ordered for all exterior electrical panel boxes. **Completed**
4. Breakers in all electrical panel boxes are being labeled. **Completed**
5. The wood trim and siding on the dock master's house should be painted as soon as funds are available. **Completed**
6. Fire extinguishers throughout the facility must be inspected monthly. The service card attached to each extinguisher is to be signed and dated at each monthly inspection. **Completed**
7. The remaining chemicals & tools in the water heater / electric room will be relocated as indicated during the walk through. **Completed**
8. The sidewalk at the bottom of the steps and by the vending area has settled causing potential trip hazards. **Completed**
9. One of the dock lights is missing a cover leaving electrical components exposed to the elements. **Completed**
10. Verify expiration date of all life rings (2 or 5 years). **Completed**
12. A site specific Safety Manual must be kept on site at all times.
13. MSDS for chemicals not found on site. MSDS paperwork being collected and list being generated.
14. A Hazard Chemical List (MSDS) is to be maintained on site and submitted to the Maryland Department of the Environment.
15. No smoking signs must be posted at each entrance throughout the facility. **Completed**
16. All employees working near water must wear a life vest. The vests have been purchased and are on site.

JAMES S. CALDWELL, P.E.
DIRECTOR

NEWELL W. MESSICK III, P.E.
DEPUTY DIRECTOR

Government Office Building
125 North Division Street
Salisbury, MD 21801-4840

Phone: (410) 548-3170

Fax: (410) 548-3107

www.ci.salisbury.md.us/publicworks/

Please note that item numbers 12, 13, & 14 will be addressed by this office. This was initiated on 7-6-09 by Frank Ennis & Chuck Northam.

Respectfully Submitted,
Frank Ennis
Technical Services Manager

Project Name	Contractor	Price/Cost of Materials	Safety Issue Yes/No	
Remove both Underground Storage tanks MDE soil testing	Jones & Frank	\$10,138.00	yes	
Life Vests for Dockmasters	Port Supply	\$120.32	yes	
Fire Extinguishers Serviced	Fire Protective Services	\$60.00	yes	
Remove Flammable equipment away from bldg. Purchased Shed	Saint's Club	\$793.94	yes	
Repair/Replace Decking	Lowe's/Allied Building Center	\$955.99	yes	**not completed see below
Replace Ramps from Parking lot to sidewalk due to deterioration and non-ADA compliant	Bracco Supply	\$729.54	yes	**not completed
Repair Stlower Floors	Pro Coat LLC	\$2,900.00	yes	
Repair/Replace HVAC to bldg due to recurring tripping of electrical breaker.	Mit-Atlantic Heating & Air	\$2,725.00	yes	
Replace flooring in Dockmaster offices Remove/Replace non-working kitchen unit	In-house	\$1,572.74	yes	
Treat Termites Infestation in Marina Bldg	Orkin Exterminating	\$1,003.00	yes	
Repair Laundry/Bath Floors	Concrete Overlay & Repairs	\$2,997.00	yes	
Repair Concrete from Trip Hazards	Concrete Overlays & Repairs	\$2,382.00	yes	
Exterior Painting of Building	Expert Painting & Coatings	\$4,570.00	yes	
Repair/Replace Exterior Bldg Stairs	Bids Being Solicited	est. \$8,500.00	yes	no \$\$
Repair/Replace Damaged Piling	Bids Being Solicited	est. \$1,500.00	yes	no \$\$
Replace Fuel Tanks for Marina Fuel		est. \$100,000.00	no	no \$\$
Fuel For Spring Boating Season		est. \$10,000.00	no	no \$\$
Repair/Replace remaining damaged decking		est. \$1,000.00	yes	no \$\$
Other Necessary Expenses				
Purchase Weed/Brush Cutter; wet sweeper	Atlantic Tractor	\$719.80	no	City Code Req.
Gonzo Repellent for Grass/Fuel Dock	John Deere Landscapes	\$257.95	no	
Purchase Door for Dockmaster Office	Allied Building Center	\$153.00	no	
Piling Caps for A-Dock to reduce seagull problem	Sea Port Marine	\$340.00	no	
Repair Fencing around Dockmaster Bldg.	Grasso Fence	\$680.00	yes	
Plumbing for old non-working fountain	Cornerstone Plumbing	\$165.00	yes	
Purchase Power Drill to install decking	Lowe's	\$199.00	no	
Replace Marina Fuel Dock Sign	Gardner Sign	\$890.35	no	
Repair Paint walls in Dockmaster offices	In-house	\$249.15	no	
Remove Overgrowth from Rip-Rap	Asplunch Tree Service	est. \$400.00	no	
Remaining Piling Caps for Pier A	avg between \$10 - \$12 each	est. \$400.00	no	no \$\$
Funds for remainder of FY2010 operations		\$8,600.00	no	no \$\$
Total Cost for Repairs:		\$184,939.79		



To: City of Salisbury
 Dept of Public Works
 PO Box 4118
 Salisbury Md. 21803
 Attn: Darla Turner
 Phone: 410.549.3170



Norfolk, VA
 Fredericksburg, VA
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 Charlotte, NC
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Jones & Frank offers Layout, Installation, and Service on all Liquid Handling Projects. Visit us at our Web Site www.jones-frank.com

REFERENCE	Proposal #	Solution #	P.O.B.	RATE
New Tank at Salisbury Marina	110915477	VR	Job Site	716/09

We are pleased to offer the following proposal for your consideration.

TANK EQUIPMENT

- Aboveground Storage Tank, U.L. Listed. Specifications as follows:
 1x Standard 2085 Insulated/Secondary Containment AST/Protected Type
 Capacity: 14,300 GALLONS Construction: Concrete Vaulted Weight: 14,300 lbs.
 Height: 6'6" Diameter: 2'10" Length: 24'7"
 Openings: Standard Product: Diesel and Gas Warranty: 30 Years
 Exterior Finish: Rinsford White Components: 2K/2K
 Built in 7 Gallon Spill Containment.

TANK SUMP EQUIPMENT

- Standard Red Jacket STP's 208 / 230 VAC Single Phase Motors. All U1 STP's Ship With VEEDER-ROOT Ready Check Valve for HLLD
- 16 1/2" Ringhead Pump Motors for the following STP's. 36" tank bury depth, STP in a sump.
 - Red Jacket RTD P76U1R31 3/4 HP (12" - 102" eye bolt to inlet) UP TO 6, R tank 410140-001 580-14001
 - Red Jacket FX1V Mechanical Leak Detector - Gasoline 580-08000
 - Red Jacket FX1DV Mechanical Leak Detector Kero / Diesel 580-08000
 - Red Jacket Control Box 115VAC Coil 1/3, 3/4, 1-1/2 & 2HP 630-041-5 580-02155
 - 2" BRONZE Full Port Ball Valve R00ping WOC 211FV-0200U1 OPW (689-00095)
 - 2" Holenold Valve, Brz Body, Viton Seals, 120 VAC coil, N.C. MORRISON % 710 0200 1V
 - 2" Locking Steel Gate Valve w/ Pressure Relief MORRISON % 635BID-0300AV
 (req'd w/ first fitting out of STP, per code)
 - 2" M x 2" MS x 24" flex connectors at submerged pump. HOSEMASTER (480-00060)
 - Pipe Transition Sump PEL-3630 PISCES (586-PSL35)
 - Urethane Sealant (one tube per sump) SL-1100 PISCES (661-1100)
 - 30" round manhole 6110-3010, POMECC (735-12110)
 - 42" round top round manhole 6110-42WT POMECC % 811042WT

SPILL CONTAINMENT, OVERFILL PROTECTION, STAGE I VAPOR RECOVERY & VENTS

- 4" x 12' Straight, aluminum drop tube 419-0400 1T MORRISON (870-41419)
- 4" Bronze, top seal fill adapter 633T-8976 OPW (689-02062)
- 4" (gray) Top Seal Fill Cap 634TT-7685-EVR OPW (889-02120)
- Midgrade, Fill Pipe Product ID marker (030-04390)
- Diesel, Fill Pipe Product ID marker (030-04340)
- 2" vent cap 23-0033 OPW (689-00106)
- AST Mechanical Liquid Gauge (up to 18") U.L. Listed 200TC-ENG OPW % 200TC-ENG
- AST Buttery overflow Alarm works with OPW 200 ENG tank gal. 444TA-0100 OPW
- 4" Tank Bung for installation of tank gauge and alarm TGTA-0400 OPW
- 1/2" Expansion Relief Valve 40 psi setting 76DI-0200 AV MORRISON (670-76005)
- 36" Float Sub-Assy. For Alarm 44TA-LLFS OPW

ISLAND EQUIPMENT

- 4' W x 10' L x 13" high, Straight Island Form with 6" radius ends. POMECC % 6013-SFR6W4L10
- 1-1/2" Double Poppet Female Top Emergency Valve 10BFA-5726 OPW (689-00027)
- Dispenser Sump - Wayne 350, 357, 358, 360, 370 Series DSW-1123F PISCES 666-DS-12
- Urethane Sealant (one tube per FRP sump) PISCES (636-SL1100)
- Stabilizer Bar Kits - DS-1123F/1123F pumps. SBK-1100J PISCES (896-SBK11)
- 1-1/2" MS x 1-1/2" M x 18" flexible connector in pump or dispenser. (480-00018)
- 1" M x 1" MS x 12" Vapor Recovery Flex at dispenser - FLEX-ING W/UL10X12HAXM348
- 4' x 49' x 51" "U" bumper guards 44153-840 FOGLEMAN

SCOPE OF WORK BY JONES & FRANK TO INCLUDE:

- Provide the Customer with a detailed Construction schedule.
- Hold an office Pre Con meeting prior to ordering the equipment to verify quantities and sizes
- Furnish and install Site Gauge with Alarm for overflow protection
- Furnish and install one (1) Fireguard Cylindrical Design tank spill 2K/2K

Proposal Quote Number

- Tank to include ladder with platform painted.
- Furnish and install OPW EMS 200 Site Gauge with Alarm for each product.
- Provide 7 1/2 gal. aluminum overflow bowl for fills. Emergency vents included.
- Off load and test tank(s) in accordance with the Manufacturer's Installation Instructions.
- Form and pour concrete pad for tank with 4000 PSI mix. Furnish and install curb pool on four corners.
- Fence around tank to be furnished and installed by owner.
- Above ground tank to be secured to tank pad.
- Install drop tubes.
- Install dispenser pumps.
- Install submersible pumps with 1/4 turn and solenoid valves.
- Water test the sumps.
- Run piping as specified below to the existing Island area:
 - 1 1/2" Plastic Retractable Primary Pipe in a Corrosion-Resistant Access Pipe
- Install 2" vent line on the diesel and the Gas tank with proper vent caps.
- Perform the following test:
 - Pressurize product lines to 60 PSI and perform road test.
 - Pressurize secondary piping to 6 PSI and perform leak test.
- Remove existing dispensing equipment.
- Install the following equipment:

1	Island forms
4	U-Bumper guards (bollards)
2	Dispensers / Suction Pump(s) supplied by the customer
2	SIP relay(s) and dispenser hook isolation box(es)
2	Submersible Pump(s)
2	Mechanical Line Leak Detection
- Pour island forms with 4" 3000 PSI air entrained concrete.
- Pour concrete pad under tanks in the following spec:

Length:	7'5"	Width:	8'	Thickness:	6"	4000 PSI air entrained
						Rebar/rod: #4 @ 12" on center both ways
- Install electrical conduit as follows:

2	Submersible Pump(s)
2	Tank gauges with alarms
- Pull wire and make final connections for the following:

2	Submersible Pump(s)
2	Tank gauges with alarms
- Paint the following items to customer's specifications:

Island Forms	Bumper Guards
--------------	---------------
- Clean our debris from the job site.
- Calibrate dispenser meters and seal.
- Test all equipment supplied by Jones & Frank for proper operation.
- Instruct Customer's personnel in the proper operation of the equipment supplied by Jones & Frank.
- Perform precision line test and mechanical leak detector test (if applicable) on discharge piping.

GENERAL CONDITIONS:

The above equipment pricing is based on the installation being performed by Jones & Frank. Additional freight / shipping charges may apply if the customer chooses another installation contractor. Jones & Frank will not be responsible for another contractor's errors or omissions that may be discovered during equipment start up. The customer will be notified of any errors found and informed of the proper course of action. Repair and / or adjustments as required will be performed and billed at normal Jones & Frank rates. Costs for additional mobilization, service, work, etc. will be due and payable by customer. Jones & Frank will not bill a third party.

The above prices are quoted F.O.B. destination and are subject to sales tax or use tax.

Jones & Frank requires that a pre-job conference be held prior to construction. All parties involved in this project are requested to attend as a means of ensuring job quality and timely completion.

Jones & Frank carries third party legal liability pollution insurance coverage for our work both during construction and after completion of our contract (up to \$2,000,000.00).

Except as otherwise specified, all equipment supplied by Jones & Frank will be guaranteed to the fullest extent of the manufacturer's written warranty. All installation work will be guaranteed against defects in workmanship for one year from the date of start-up, not to exceed fifteen months from the date of substantial completion.

Proposal Quote Number

If any underground obstructions or conditions are encountered requiring dewatering, rock removal, shoring, additional excavation time, removal of sub surface concrete, removal of subsurface structures, relocation of utilities, excessive cave-in, etc., there will be additional charges to the customer.

Jones & Frank will exercise reasonable care in performing our work, but we can not be responsible for damage done to your existing lot that is in poor condition or "disturbed".

If contaminated soil or free product is encountered Jones & Frank will stop work and discuss a plan of action with the customer. Customer should be present during excavation.

Contaminated soil will be disposed of thru additional clean fill material supplied as an extra to the contract, on a cost plus basis and only at the direction of the owner. Disposal can not begin until additional job and authorization are received.

Necessary building permits and inspections will be obtained and paid for by owner. Necessary site plans, required engineering drawings, planning department approvals, use permits, engineering, variances or zoning changes are the responsibility of the customer.

A documented routine and regular inspection (per local, state and federal requirements) of all sloping ramps (STP's, transition and dispensers) by a knowledgeable person should be part of an equipment maintenance plan for all fueling systems, to help ensure the integrity of the system. JONES & FRANK assumes no responsibility for environmental contamination situations or product losses if the above is not performed or if there is not a properly maintained and operational automatic sump removal system in place.

Security Interest - For Value Received, the undersigned grants to Jones & Frank Corp a security interest in the property described as a part of this proposal and contract. The undersigned further consents, without further notice, to Jones & Frank Corp filing or recording of any documents necessary to perfect, continue, amend, or terminate its security interest.

OUR INSTALLATION PRICE IS CONTINGENT ON THE FOLLOWING:

The installation price quoted does not include disposal of contaminated soil. If encountered there will be an additional charge that will be invoiced in addition to the quoted price.

The existing equipment is presumed to be fully functional and in proper working order. Any repairs to or replacement of the existing equipment will be performed on a Time & Material basis as an Add-On to the contract.

Existing conduit is to be clean, usable and meeting the current electrical codes. Any repairs or replacement of the existing conduit will be performed on a "time and material" basis at our normal rates and will be an additional cost to the customer.

Finished grades are to be established and verified by the customer.

THIS PROPOSAL DOES NOT INCLUDE THE FOLLOWING:

- Providing the Fuel for the new Tank(s).
- Environmental profiling / testing of any soils or water.
- Disposal of any petroleum impinged soils.
- Electrical work other than that specifically described above.
- Repairs to the existing dispensers.

Asphalt work.

Decoupling of pumps or dispensers.

Upgrades, repairs or modifications to the existing panels, control systems or POS equipment.

The removal of any existing piping.

Due to the volatility in fuel prices and in the steel market and the uncertainty of pricing from many of our suppliers, we may not be able to honor all of the prices shown here for more than 15 days from the date of this proposal.

THE TOTAL PRICE IS AS FOLLOWS:

EQUIPMENT -	\$35,240.05
8.00% Sales/Use Tax (Equipment)	\$2,114.40
Less: Equipment & Material in stock on hand	\$91,269.00
TOTAL PRICE	\$98,504.45

Accepted _____

STANDARD PAYMENT TERMS:

1. Prior to ordering equipment or obtaining permits, the Buyer's credit must be approved by Jones & Frank Corp.
2. Jones & Frank "Terms & Conditions" page must be signed by the Buyer.
3. Payment Terms (calendar days)
 - a) Net (10) ten days - All Dispenser and POS equipment will be invoiced when shipped from manufacturer.
 - b) Net (30) thirty days - Remainder of project invoices.

4. A minimum Deposit of 25% is required for this project. \$24,851

The minimum deposit required for this project is:

5. Credit Card payments greater than \$3,000. will have the processing fee added.

6. The Buyer's Account must be "current" prior to start-up and training.

7. Invoice all Gilbarco Dispensers and POS Upon Receipt
All Gilbarco equipment will be invoiced upon receipt of invoice (within 1 day).
These invoices are due - NET 10 days. Gilbarco invoices will not be a part of the normal progress billing unless they happen to be received the same day.

I acknowledge and accept these terms: _____

We appreciate the opportunity of offering this proposal and



MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

August 6, 2009

Ms. Dorine Turner
Resource Manager
Salisbury Department of Public Works
125 N. Division St., Room 202

Re: Fiscal Year 2011 Grant Request for Fuel Tanks at the Port of Salisbury

Penning
Dear Ms. Turner:

Thanks for sending your grant request for Fiscal Year 2011 and other pertinent information concerning the replacement of the fuel tanks at the Port of Salisbury. After our meeting and site visit the City of Salisbury contracted and removed the existing fuel tanks. This was completed because the Maryland Department of the Environment instructed the City to test the fuel tanks and found water was detected and the tanks failed the testing process. The fuel tanks were removed due to the environmental possibility of fuel contamination of surrounding soil and the Wicomico River.

This project does qualify for funding from the Waterway Improvement Fund and is reimbursable however no funding is currently available for this project. This will be included in the Fiscal Year 2011 Waterway Improvement Fund list for funding. Partial or full funding may be available based on fiscal availability for projects for FY 2011.

If approved full or partial funding becomes available July 1, 2010. If you have any questions, please give me a call at 410-260-8440.

Sincerely,

Michael G. Ewing
Regional Program Administrator

cc: Robert Gaudette, Director Boating Services
Pamela Lunsford, Director, Boating Implementation

Towers State Office Building • 580 Taylor Avenue • Annapolis, Maryland 21401
410.260.8DNR or toll free in Maryland 877.620.8DNR • www.dnr.maryland.gov • TTY users call via Maryland Relay

Thursday, August 08, 2009, max

	FY:2007		FY:2008*		FY:2009		Total FY09
	Coastal	City	Coastal	City	Coastal Prop. Inr. Feb 09	City	
Revenues							
Slip Fee	\$60,973.82		\$65,153.12		\$38,477.33		\$35,477.33
Fuel Sales	\$25,170.86		\$21,603.50		\$1,955.27		\$1,955.27
Other Income	\$16,937.92		\$12,613.71		\$6,745.58		\$6,745.58
TOTAL Marina Revenue	\$86,144.70		\$86,766.92		\$44,178.18		\$44,178.18
Expenses							
47000 501002 Sal-NonCl	\$30,957.38		\$28,200.00		\$18,400.00		\$18,400.00
47000 501006 Sal-PT	\$9,033.63		\$6,205.86		\$4,012.00	\$3,976.61	\$7,988.61
47000 501007 Sal-Unifor							\$0.00
47000 501021 OT-NonCl							\$0.00
47000 502010 FICA	\$3,440.24		\$2,849.93		\$1,992.06	\$304.22	\$2,296.28
47000 502020 H. Ins	\$863.24		\$5,278.45		\$4,278.71		\$4,278.71
47000 502030 Life Ins						\$4.00	\$4.00
47000 502040 Ret-Emp							\$0.00
47000 502070 Work Comp	\$1,284.61		\$1,776.12		\$994.16		\$994.16
47000 502052 Unif Clean							\$0.00
47000 502053 Unif Pur							\$0.00
47000 513010 Auditing						\$0.00	\$0.00
47000 513050 Bank Fees							\$0.00
47000 513054 Mgrnt Fees		\$40,700.00				\$5,867.18	\$5,867.18
47000 513414 Oper, Defic				\$42,600.00		\$38,000.00	\$38,000.00
47000 534301 Bldgs	\$225.00		\$136.00			\$2,117.96	\$2,117.96
47000 534302 Equip	\$775.00	\$8,586.90		\$7,040.14	\$1,195.00	\$10,660.00	\$11,855.00
47000 534308 Vehicles							\$0.00
47000 546001 Office	\$771.23		\$929.66		\$601.58		\$901.58
47000 546002 Janitorial	\$831.49		\$811.87		\$877.54		\$877.54
47000 546006 Operating	\$1,641.81		\$1,713.77		\$1,648.90	\$4,171.26	\$5,818.16
47000 546008 Postage	\$337.06		\$152.31		\$239.49		\$339.49
47000 546009 Sm Tools						\$0.00	\$0.00
47000 546012 Equip Main	\$543.04	\$207.24	\$2,195.17	\$300.00	\$954.40	\$6,736.57	\$7,690.97
47000 555010 Liab Ins		\$6,346.67		\$7,793.98		\$2,139.00	\$3,139.00
47000 555020 Bldg/Cont						\$0.00	\$0.00
47000 555401 Telephone	\$1,004.42	\$332.55	\$1,274.39	\$389.21	\$635.29	\$227.12	\$862.41
47000 555501 Advertisin	\$7,691.60		\$8,199.64		\$5,186.51		\$5,186.51
47000 555502 Printing	\$1,399.21		\$1,518.92		\$1,413.62		\$1,413.62
47000 555503 Travel						\$35.20	\$35.20
47000 555504 Training							\$0.00
47000 556201 Electric	\$20,032.47		\$21,633.96		\$15,193.20	\$8,171.51	\$23,364.71
47000 556204 Gasoline	\$21,569.19		\$17,309.57		\$2,165.69		\$2,165.69
47000 Misc/Fermits	\$30.00		\$30.00		\$153.16	\$307.93	\$461.11
TOTAL Marina Expenses	\$102,378.67	\$54,173.36	\$98,245.94	\$56,764.91	\$60,339.31	\$83,718.58	\$144,057.89
Profit/(Loss)	(\$16,233.97)	(\$54,173.36)	(\$11,459.02)	(\$56,764.91)	(\$16,161.13)	(\$83,718.58)	(\$99,879.71)

	FY 2010	Revised	Expended	Needed	Total FY2010	FY11 W/O Fuel	FY11 W/ Fuel
Revenues:							
Slip Fee	\$36,000.00				\$36,000.00	\$45,000.00	\$60,000.00
Fuel Sales	\$5,662.00				\$5,662.00	\$0.00	\$20,000.00
Other Income	\$14,000.00				\$14,000.00	\$6,750.00	\$12,000.00
TOTAL Marina Revenue	\$54,662.00				\$54,662.00	\$51,750.00	\$92,000.00
Expenses							
47000 501002 Sal-NonCl							
47000 501006 Sal-PT	\$27,040.00	\$27,040.00	\$5,084.39		\$27,040.00	\$27,040.00	\$33,800.00
47000 501007 Sal-Unifor							
47000 501021 OT-NonCl							
47000 502010 FICA	\$2,068.56	\$2,068.00	\$368.95		\$2,068.00	\$2,070.00	\$2,586.00
47000 502020 H. Ins.							
47000 502030 Life Ins							
47000 502040 Ret-Emp	\$2,363.30	\$0.00					
47000 502070 Work Comp	\$1,216.80	\$1,217.00	\$190.30		\$1,217.00	\$1,217.00	\$1,521.00
47000 502082 Unif Clean							
47000 502083 Unif Pur	\$200.00	\$0.00				\$250.00	\$250.00
47000 513010 Auditing							
47000 513050 Bank Fees	\$800.00	\$0.00					
47000 513064 Mgmt Fees							
47000 513414 Oper Defic							
47000 534301 Bldgs	\$6,000.00	\$15,392.00	\$14,452.08	\$10,000.00	\$25,392.00	\$2,000.00	\$2,000.00
47000 534302 Equip	\$6,500.00	\$11,726.00	\$22,428.61	\$100,000.00	\$111,726.00	\$500.00	\$500.00
47000 534308 Vehicles							
47000 546001 Office	\$73.00	\$0.00					
47000 546002 Janitorial	\$2,000.00	\$1,618.00	\$818.48		\$1,618.00	\$1,000.00	\$1,000.00
47000 546006 Operating	\$6,252.00	\$7,652.30	\$5,117.03	\$5,000.00	\$12,652.30	\$1,944.00	\$1,944.00
47000 546008 Postage	\$150.00	\$0.00				\$150.00	\$150.00
47000 546009 Sm Tools						\$500.00	\$500.00
47000 546012 Equip Main	\$1,200.00	\$0.00				\$750.00	\$750.00
47000 555010 Lab Ins	\$3,548.00	\$3,548.00	\$415.00		\$3,548.00	\$3,549.00	\$3,549.00
47000 555020 Bldg/Cont							
47000 555401 Telephone	\$600.00	\$200.00	\$100.45		\$600.00	\$900.00	\$900.00
47000 555501 Advertisin	\$3,500.00	\$62.40	\$62.40	\$3,000.00	\$3,062.40	\$500.00	\$500.00
47000 555502 Printing	\$2,000.00	\$0.00		\$2,000.00	\$2,000.00	\$250.00	\$250.00
47000 555503 Travel	\$0.00	\$2,363.30	\$89.66		\$2,363.30	\$500.00	\$500.00
47000 555504 Training							
47000 556201 Electricit	\$24,000.00	\$24,000.00	\$1,380.53		\$24,000.00	\$24,000.00	\$24,000.00
47000 556204 Gasoline	\$8,600.00	\$314.00		\$10,000.00	\$10,314.00		\$17,300.00
47000 Misc/Permits	\$50.34	\$0.00					
TOTAL Marina Expenses	\$97,662.00	\$97,662.00	\$50,327.87	\$130,000.00	\$227,662.00	\$67,120.00	\$92,000.00
Profit/(Loss)	(\$43,000.00)				(\$173,000.00)	(\$15,370.00)	\$0.00

Revenues	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY11 Est	Avg = 190mo Avg = \$1700/yr
Slip Fee	\$19,820.00	\$60,963.19	\$65,133.12	\$30,477.33	\$30,000.00	\$20,820.00	
Fuel Sales	\$27,597.84	\$25,182.34	\$21,809.30	\$1,265.27	\$5,662.00	\$0.00	
Other Income	\$13,506.14	\$16,042.72	\$12,518.71	\$6,745.53	\$14,000.00	\$13,000.00	
TOTAL Marina Revenue	\$37,932.64	\$102,995.07	\$99,706.53	\$44,478.16	\$49,662.00	\$33,820.00	

Slips Rented	Jan-05	Feb-05	Mar-05	Apr-05	May-05	Jun-05	Jul-05	Aug-05	Sep-05	Oct-05	Nov-05	Dec-05
Annual					7	19	13	22	22	18	18	17
Monthly					35	33	42	27	27	26	18	8
Transient					5	5	13	20	25	3	2	0
Slips Rented	Jan-06	Feb-06	Mar-06	Apr-06	May-06	Jun-06	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06
Annual	23	20	21	22	22	22	23	24	22	22	21	21
Monthly	5	9	8	13	21	23	24	22	28	29	8	15
Transient	0	0	0	1	1	10	3	9	11	0	1	1
Slips Rented	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07
Annual	18	19	19	20	19	19	21	20	21	22	22	23
Monthly	13	14	14	12	22	31	39	38	34	33	20	15
Transient	0	0	0	0	22	22	22	22	22	22	0	0
Slips Rented	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08
Annual	22	19	19	18	20	18	18	18	18	16	14	14
Monthly	11	13	12	12	18	25	24	26	25	26	21	19
Transient	0	0	0	0	22	22	22	22	22	22	22	22
Slips Rented	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09
Annual	22	12	12	12	12	12	12	12	12	12	12	12
Monthly	22	22	22	17	17	17	18	18	18	18	18	18
Transient	22	0	0	0	1	2	2	1	1	1	1	1

SAFETY AUDIT / INCIDENT INVESTIGATION



*A Team of Teams
Making a Difference!*

Date: August 7, 2009
Facility: Marina
Facility Rep.: Dorine Turner
Inspector: Frank Ennis

Findings:

An inspection was performed on the stairway leading from the ground level to the Dock Masters office on today's date:

A substantial portion of the stringers, runners, risers, treads and upright supports were found to be deteriorated beyond reasonable repair. Several previous repairs were visible.

The stairway has separated from the building approx. $\frac{3}{4}$ " to 1" resulting in the adjacent handrail wall to lean away from the building.

The landing at the top of the stairs is enclosed on all sides; therefore an inspection of this area was not performed at this time.

Recommendations / Corrections:

This office's recommendation would be to have the entire stairway removed and replaced at the earliest possible time.

Respectfully Submitted,

Frank Ennis
Technical Services Manager

Cc: Chip Messick, Acting Director

Attachments: Pictures of field conditions

JAMES S. CALDWELL, P.E.
DIRECTOR

NEWELL W. MESSICK III, P.E.
DEPUTY DIRECTOR

Government Office Building
125 North Division Street
Salisbury, MD 21801-4840

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www.ci.salisbury.md.us/publicworks/

