

AS AMENDED ON DECEMBER 14, 2009

ORDINANCE NO. 2094

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE FY10 SEWER FUND BUDGET.

WHEREAS, the FY10 Sewer Fund budget was created with certain estimates for environmental legal services, 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 the City's environmental attorneys, Aqualaw LLC, and;

WHEREAS, the City Council desires to update the budget to reflect new estimates;

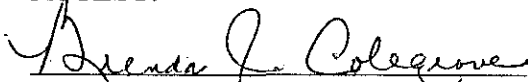
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the City's Fiscal Year 2010 Sewer Fund budget be and is hereby amended as follows:

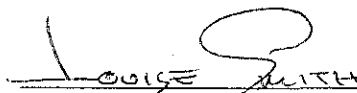
- 1) Increase the current surplus account for the Sewer Fund by ~~\$430,000~~ \$350,000
- 2) Increase the Sewer Fund expenses by ~~\$430,000~~ \$350,000

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 14<sup>th</sup> day of December, 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 21<sup>st</sup> day of December, 2009.

ATTEST:

  
Brenda J. Colegrove, City Clerk

  
Louise Smith, President  
Salisbury City Council

Approved by me this 24<sup>th</sup> day of December, 2009

  
James Preton, Jr., Mayor



Date: October 14, 2009

Memorandum for: City Administrator & City Council

**Subject: Budget Amendment for Sewer Fund FY10 Budget**

**A Team of Teams  
Making a Difference!**

Attached is the Ordinance for a budget amendment for the FY10 Sewer Fund budget. The Waste Water Treatment Plant Upgrade has required the legal services of Aqualaw PLC to help in the resolution of the construction issues. The invoices for these services are averaging about \$26,775 per month and have depleted the FY10 "Other Attorney" account. A Transfer of Funds to cover the July, August, September invoices took funds from the WWTP Equipment account in the amount of \$70,000. These funds will need to be replaced for operation of the Waste Water Treatment Plant during the last half of the Fiscal Year.

Current Avg. \$27,000 per month x 9 mo. =	\$243,000
Owed back to WWTP	+ \$ 70,000
Total Before Litigation	\$313,000

Estimated Additional \$13,000 per mo. X 9mo. =	\$117,000
Total Amount Needed	\$430,000

With the announcement of the lawsuit filed against a City contractor, we anticipate greater monthly invoices from Aqualaw PLC over the remainder of FY10.

We are requesting to do a budget amendment to the Sewer FY10 accounts in the total amount of \$430,000:

Unless you or the Mayor has further questions, please forward this memorandum to the City Council. For any additional questions you may have, I can be reached at (410) 548-3170 or by e-mail at [cmessick@ci.salisbury.md.us](mailto:cmessick@ci.salisbury.md.us).

**NEWELL W. MESSICK III, P.E.  
ACTING DIRECTOR**

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Sincerely,

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

11-10-09

**RECEIVED**  
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