



## CITY OF SALISBURY CITY COUNCIL AGENDA

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**AUGUST 22, 2022**

**6:00 p.m.**

**Government Office Building, Room 301, Salisbury, Maryland and Zoom Video Conferencing**

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Times shown for agenda items are estimates only.

- 6:00 p.m. CALL TO ORDER
- 6:01 p.m. WELCOME/ANNOUNCEMENTS/PLEDGE
- 6:02 p.m. CITY INVOCATION- J. Anthony Dickerson, Greater Mt. Olive FGBC
- 6:04 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:05 p.m. CONSENT AGENDA- City Clerk Kimberly Nichols
- **Resolution No. 3181**– to re-appoint Marina Feeser to the Sustainability Advisory Committee with term ending August 2025
  - **Resolution No. 3182** – declaring Granger & Magee PA eligible to receive Enterprise Zone benefits for property located at 145 East Carroll Street, Salisbury, MD
  - **Approving the Manufacturing Exemption requests** for Viskon (for years 2019 and 2020)
  - **August 1, 2022** Work Session Minutes
  - **August 1, 2022** Special Meeting Minutes
- 6:10 p.m. RESOLUTION- City Administrator Julia Glanz
- **Resolution No. 3183**– to wind down LOSAP for volunteer members of the Salisbury Fire Department and adopt a Volunteer Member Incentive Policy
- 6:15 p.m. ORDINANCE- City Attorney Ashley Bosche
- **Ordinance No. 2734- 1<sup>st</sup> reading**- to permit townhouse developments in General Commercial districts
- 6:20 p.m. PUBLIC COMMENTS
- 6:25 p.m. ADMINISTRATION and COUNCIL COMMENTS
- 6:30 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](http://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 General Provisions Article § 3-305(b) by vote of the City Council.

**NEXT COUNCIL MEETING – September 12, 2022**

- Invocation- Reverend John Wright- Unitarian Universalist Fellowship
- Proclamation- National Sickle Cell Disease Awareness Month
- Ordinance No. \_ - 2<sup>nd</sup> reading- to permit townhouse developments in general commercial districts
- **Public Hearing- Charter Amendment Resolution 2022-4-** to provide for collective bargaining for certain employees of the City of Salisbury

Join Zoom Meeting  
<https://us02web.zoom.us/j/88186172560>  
Meeting ID: 881 8617 2560  
Phone: 1.301.715.8592



## MEMORANDUM

**To:** Jacob R. Day, Mayor  
**From:** Jessie Turner, Administrative Assistant  
**Subject:** Re-Appointment to Sustainability Advisory Committee (Green Team)  
**Date:** August 4, 2022

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The following has applied for re-appointment to the Sustainability Advisory Committee (Green Team) for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Marina R. Feeser	August 2025

Attached is the information from Ms. Feeser and the resolution necessary for her re-appointment. If this re-appointment is approved, it will be placed on the next City Council agenda for review.

Attachments

OK  
SRD



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**INTER**

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**OFFICE**

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# MEMO

**To:** City Council  
**From:** Laura Soper  
**Subject:** Enterprise Zone Eligibility - Granger & Magee PA  
**Date:** August 17, 2022

Attached is a copy of the application requesting Enterprise Zone designation for Granger & Magee PA that I received from Mark Granger. I have reviewed this application and, to the best of my knowledge, this establishment meets all of the qualifications to be so designated. This property is located within the boundaries of the City's Enterprise Zone, and this company has invested more than \$50,000 in the property and/or has hired (or will hire) two or more NEW full time employees since locating in the Enterprise Zone.

I recommend that the City Council adopt the attached resolution designating Granger & Magee PA located at 145 East Carroll Street, eligible to receive the benefits of the Enterprise Zone.

As a reminder, companies that are declared eligible for enterprise zone benefits are able to receive either a one time Income Tax Credit of \$1,000 per new employee hired or a 10 year Property Tax Credit. The purpose of this program is to encourage industries to locate in areas identified as enterprise zones and to reinvest in such properties.

**Attachments:** Enterprise Zone application from Granger & Magee PA

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**RESOLUTION NO. 3182**

**A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND DECLARING  
Granger & Magee PA ELIGIBLE TO RECEIVE ENTERPRISE ZONE BENEFITS  
FOR PROPERTY LOCATED AT 145 East Carroll Street, 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 Maryland 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, Granger & Magee PA meets the standards set forth in the Maryland Code and in local regulations to be eligible to receive Enterprise Zone benefits; and

WHEREAS, Granger & Magee PA has requested that the company be designated as eligible for Enterprise Zone benefits because of its investment of more than \$50,000 in the property located in the Enterprise Zone at 145 East Carroll Street Salisbury, MD and/or for hiring two or more new full-time employees.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND,** as follows:

**Section 1.** Granger & Magee PA shall be designated as eligible to receive the benefits of the Enterprise Zone effective upon the adoption of this Resolution.

**Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

**Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.

**Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

**THE ABOVE RESOLUTION** was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 22nd day of August, 2022 and is to become effective immediately upon adoption.

**ATTEST:**

\_\_\_\_\_  
**Kimberly R. Nichols, City Clerk**

\_\_\_\_\_  
**John R. Heath, City Council President**

1    Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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**Jacob R. Day, Mayor**

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# 145 E Carroll



8/2/2022, 4:06:11 PM



Override 1



Buildings



Enterprise Zone

1:18,056

0 0.1 0.2 0.4 mi

0 0.17 0.35 0.7 km

Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, City of Salisbury, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METV, NASA, USGS, EPA, NPS, US Census Bureau, USDA

Web AppBuilder for ArcGIS

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, City of Salisbury, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METV, NASA, USGS, EPA, NPS, US Census Bureau, USDA | MD MAP, COMMERCE, DHCD, MDP, MHT,



**From:** [Laura Soper](#)  
**To:** [Kay Lundy](#); [Richard Baldwin](#); [Olga Butar](#); [Beverly Tull](#)  
**Subject:** Magee PA application.pdf  
**Date:** Tuesday, August 2, 2022 4:13:00 PM  
**Attachments:** [Magee PA application.pdf](#)

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Good afternoon,

Attached is an Enterprise Zone application I received from Granger & Magee PA for their location at 145 E Carroll Ave. Please review and let me know if they are in good standing with your department.

Best,

Laura



# City of Salisbury

Jacob R. Day, Mayor

## Memorandum

**To:** Laura Soper, Business Development

**Cc:**

**FROM:** Rick Baldwin, Infrastructure & Development

**Date:** August 3, 2022

**Subject:** Enterprise Zone Qualifications – 145 E. Carroll Ave., Granger & Magee PA

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On August 3, 2022 Department of Infrastructure and Development reviewed 145 E. Carroll Avenue, Salisbury, MD for Enterprise Zone designation at the request of Granger & Magee, PA.

- Granger & Magee, PA located at 145 E. Carroll Avenue is in compliance with the City's sewer use requirements specifically Chapter 13.12 of the City of Salisbury Code of Ordinances.
- Granger & Magee, PA located at 145 E. Carroll Avenue is in compliance with State and local storm water management codes and regulations for the date built.

**From:** [Kay Lundy](#)  
**To:** [Laura Soper](#)  
**Subject:** RE: Magee PA application.pdf  
**Date:** Wednesday, August 3, 2022 11:10:40 AM

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Laura,

Yes, they are due, but not delinquent.

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**From:** Laura Soper <[lsoper@salisbury.md](mailto:lsoper@salisbury.md)>  
**Sent:** Wednesday, August 3, 2022 11:07 AM  
**To:** Kay Lundy <[klundy@salisbury.md](mailto:klundy@salisbury.md)>  
**Subject:** RE: Magee PA application.pdf

Hi Kay,  
They're due, but not late, correct?  
Thank you  
Laura

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**From:** Kay Lundy <[klundy@salisbury.md](mailto:klundy@salisbury.md)>  
**Sent:** Wednesday, August 3, 2022 9:08 AM  
**To:** Laura Soper <[lsoper@salisbury.md](mailto:lsoper@salisbury.md)>  
**Subject:** RE: Magee PA application.pdf

Laura,

The 2022-2023 real estate taxes are due.

Thanks,  
Kay

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**From:** Laura Soper <[lsoper@salisbury.md](mailto:lsoper@salisbury.md)>  
**Sent:** Tuesday, August 2, 2022 4:13 PM  
**To:** Kay Lundy <[klundy@salisbury.md](mailto:klundy@salisbury.md)>; Richard Baldwin <[RBaldwin@salisbury.md](mailto:RBaldwin@salisbury.md)>; Olga Butar <[obutar@salisbury.md](mailto:obutar@salisbury.md)>; Beverly Tull <[btull@salisbury.md](mailto:btull@salisbury.md)>  
**Subject:** Magee PA application.pdf

Good afternoon,  
Attached is an Enterprise Zone application I received from Granger & Magee PA for their location at 145 E Carroll Ave. Please review and let me know if they are in good standing with your department.  
Best,  
Laura



City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator

From: Sandy Green, Assistant Director of Finance *SLG*

Date: 8/4/22

Re: Manufacturing Exemption for equipment purchased 2019 – Viskon

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I am recommending that Viskon be granted an exemption from Personal Property Tax for their equipment purchased in 2019 as requested by the company. Since the request came within 2 years of the purchase of the equipment, they are eligible for up to 5 years' exemptions for 2019 purchases.

Over the next five years, they will benefit from this exemption by a total savings of \$2,691 in personal property tax for 2019 equipment purchases based on the current personal property tax rate. The exemptions will be applied to City Property Tax years as shown in the schedule provided herein.

City of Salisbury  
Internal Services -Finance Department  
Exemption Recommendation to City Council

Company: Viskon  
Address: 410 Winfield Avenue

Requested By: Paul Meyer  
Date of Request: 1/14/2021

Description of Mfg.: Mfg

Equipment Year 2019

New Equipment Amount per Tax Return \$ 32,037

Total \$ 32,037

Exemption Value	City Property <u>Tax Year</u>	State <u>Return</u>	Year of <u>Exemption</u>	Deprec. <u>Value</u>	Amount of <u>Exemption</u>
	2021	2020	1	28,833	\$ 692
	2022	2021	2	25,630	\$ 615
	2023	2022	3	22,426	\$ 538
	2024	2023	4	19,222	\$ 461
	2025	2024	5	16,019	\$ 384
Total Value of Exemption:					<u>\$ 2,691</u>

# City of Salisbury



**KEITH CORDREY**  
DIRECTOR INTERNAL SERVICES

**MARYLAND**

**FINANCE DEPARTMENT**

125 N. Division Street  
Salisbury, MD 21801-4940  
(410) 548-3110  
(410) 860-5154 (Fax)

**SANDRA GREEN**  
ASSISTANT DIRECTOR INTERNAL SERVICES - ACCOUNTING

## Exemption Application For Machinery and Equipment Used for Manufacturing/Research & Development

Business Name: Vision Aive Corporation MD Department ID#: 82-4386017  
Mailing Address: 410 Winfield Ave Salisbury MD 21801  
Contact Name: Paul Meyer Phone No.: 410 543 8802

1. In order to qualify for an exemption you must meet one of the following requirements: Equipment is owned and operated by a facility that (1) locates in Salisbury (2) expands operations in Salisbury, or (3) develops a new product or industrial process in Salisbury. If you meet one of these requirements please explain in detail how you meet these requirements including raw materials used and products produced or R & D activity being conducted. Please include number of employees used in Manufacturing/ R&D and number of administrative employees.
2. Exemption is requested for tools, machinery & equipment used in Manufacturing / Research & Development acquired in calendar year 2019-20.
3. Address of Manufacturing / R & D operation. As Above
4. Date Manufacturing / R & D operation began in Salisbury. 1979
5. Attach a description of each asset claimed under this exemption. The schedule must include a description, original cost, and date of acquisition for each item. General descriptions such as Equipment, Various, or Miscellaneous are not acceptable.
6. Attach a copy of the State of Maryland Personal Property Return for the year of acquisition.

### Additional information and requirements

All exemptions require approval by the City of Salisbury Council and receipt of exemption from Wicomico County does not mean you will automatically be granted an exemption by the City of Salisbury. The exemption that is granted is for a specific year in which equipment was purchased and can be for a term up to a maximum of 5 years. Once an exemption has been granted, a copy of the personal property tax return must be sent in for each year of the exemption. To be eligible to receive the maximum exemption term of 5 years, the application must be received within two (2) years from December 31<sup>st</sup> of the calendar year in which the equipment was purchased. A separate request must be made for each year. The application can be mailed to Finance Department, 125 North Division St., Salisbury, MD 21801-4940 or faxed to (410) 860-5154.

Preparer's Signature [Signature] Date 1/14/21  
Email address cmeyer@rensafiltration.com



**5. Tools, machinery, and/or equipment used for manufacturing or research and development:**

State the original cost of the property by year of acquisition. Include all fully depreciated property and property expensed under IRS rules. If this business is engaged in manufacturing / R&D, and is claiming such an exemption for the first time, a manufacturing / R&D exemption application must be submitted by September 1 or within 6 months after the date of the first assessment notice for the taxable year that includes the manufacturing / R&D property. Visit the website [dat.maryland.gov](http://dat.maryland.gov) for an application and additional information. If the property is located in a taxable jurisdiction, a detailed schedule by depreciation category should be included to take advantage of higher depreciation allowances.

Year Acquired	A	C	D	Year Acquired	A	C	D
2019	32,037			2015			
2018	15,111		16,784	2014			
2017	419		10,639	2013			
2016				2012 & prior			

Describe Property in C &amp; D above:

Total Cost

\$ 0

**6. Vehicles with interchangeable Registration and/or Unregistered vehicles:** (dealer, recycler, finance company, special mobile equipment, and transporter plates) and unregistered vehicles should be reported here. See specific instructions

Year Acquired	Original Cost	Year Acquired	Original Cost
2019		2017	
2018		2016 & prior	

Total Cost

\$ 0

**7. Non-farming livestock:**

Book Value \$	Market Value \$
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**8. Other personal property:**

File separate schedule giving a description of property, original cost and the date of acquisition.

Total Cost

\$

**9. Property owned by others and used or held by the business** or lessee or otherwise:

File separate schedule showing names and addresses of owners, lease number, description of property installation date and separate cost in each case.

Total Cost

\$

**10. Property owned by the business, used by others** as lessee or otherwise:

File separate schedule showing names and addresses of lessees, lease number, description of property, installation date and original cost by year of acquisition for each location. Schedule should group leases by county where the property is located. Manufacturer lessors should submit the retail selling price of the property not the manufacturing cost. **For additional information regarding separate schedules please see Form 1 instructions at <https://dat.maryland.gov>**

Total Cost

\$

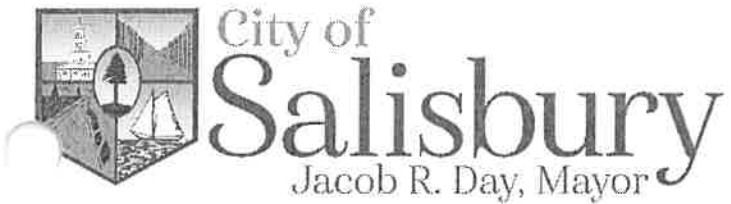
Tax Year 2020				
Description	In Service Date	A	C	D
OFFICE FURNITURE	31-Jan-20	4,051	-	-
OFFICE FURNITURE	30-Nov-20	4,424	-	-
AIR COMPRESSOR	31-Jan-20	-	20,699	-
PLC ROLLFORMER	30-Apr-20	-	21,823	-
PLC ROLLFORMER	31-May-20	-	11,254	-
INDUSTRIAL SHELVING	30-Nov-20	-	6,739	-
INDUSTRIAL SHELVING	31-Dec-20	-	6,164	-
FORKLIFT	31-Dec-20	-	15,750	-
Total 2020		8,476	82,429	-

Tax Year 2019				
Description	In Service Date	A	C	D
OFFICE FURNITURE	19-Jul-19	2,761	-	-
OFFICE FURNITURE	19-Jul-19	2,490	-	-
OFFICE FURNITURE	01-Nov-19	2,258	-	-
WULFTEC MACHINE	31-Aug-19	17,019	-	-
OFFICE FURNITURE	30-Nov-19	7,509	-	-
Total 2019		32,037	-	-

Tax Year 2018				
Description	In Service Date	A	C	D
CANAN COPIER	30-Apr-18	15,111	-	-
COMPUTERS (CARDS)	31-Dec-18	-	-	16,784
Total 2018		15,111	-	16,784

Tax Year 2017				
Description	In Service Date	A	C	D
CABLES FOR COMPUTER	05-Jul-17	419	-	-
VISUAL SOFTWARE	05-Jul-17	-	-	10,639
Total 2017		419	-	10,639

Vision



To: Julia Glanz, City Administrator

From: Sandy Green, Assistant Director of Finance *SG*

Date: 8/4/22

Re: Manufacturing Exemption for equipment purchased 2020 – Viskon

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I am recommending that Viskon be granted an exemption from Personal Property Tax for their equipment purchased in 2020 as requested by the company. Since the request came within 2 years of the purchase of the equipment, they are eligible for up to 5 years' exemptions for 2020 purchases.

Over the next five years, they will benefit from this exemption by a total savings of \$7,636 in personal property tax for 2020 equipment purchases based on the current personal property tax rate. The exemptions will be applied to City Property Tax years as shown in the schedule provided herein.

City of Salisbury  
Internal Services -Finance Department  
Exemption Recommendation to City Council

Company: Viskon  
Address: 410 Winfield Avenue

Requested By: Paul Meyer  
Date of Request: 1/14/2021

Description of Mfg.: Mfg

Equipment Year 2020

New Equipment Amount per Tax Return \$ 90,905

Total

\$ 90,905

Exemption Value	City Property <u>Tax Year</u>	State <u>Return</u>	Year of <u>Exemption</u>	Deprec. <u>Value</u>	Amount of <u>Exemption</u>
	2022	2021	1	81,815	\$ 1,964
	2023	2022	2	72,724	\$ 1,745
	2024	2023	3	63,634	\$ 1,527
	2025	2024	4	54,543	\$ 1,309
	2026	2025	5	45,453	\$ 1,091
	Total Value of Exemption:				<u>\$ 7,636</u>

# City of Salisbury



**KEITH CORDREY**  
DIRECTOR INTERNAL SERVICES

**MARYLAND**

**FINANCE DEPARTMENT**

125 N. Division Street  
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2. Exemption is requested for tools, machinery & equipment used in Manufacturing / Research & Development acquired in calendar year 2019-20.
3. Address of Manufacturing / R & D operation. As Above
4. Date Manufacturing / R & D operation began in Salisbury. 1979
5. Attach a description of each asset claimed under this exemption. The schedule must include a description, original cost, and date of acquisition for each item. General descriptions such as Equipment, Various, or Miscellaneous are not acceptable.
6. Attach a copy of the State of Maryland Personal Property Return for the year of acquisition.

### Additional information and requirements

All exemptions require approval by the City of Salisbury Council and receipt of exemption from Wicomico County does not mean you will automatically be granted an exemption by the City of Salisbury. The exemption that is granted is for a specific year in which equipment was purchased and can be for a term up to a maximum of 5 years. Once an exemption has been granted, a copy of the personal property tax return must be sent in for each year of the exemption. To be eligible to receive the maximum exemption term of 5 years, the application must be received within two (2) years from December 31<sup>st</sup> of the calendar year in which the equipment was purchased. A separate request must be made for each year. The application can be mailed to Finance Department, 125 North Division St., Salisbury, MD 21801-4940 or faxed to (410) 860-5154.

Preparer's Signature [Signature] Date 1/14/21  
Email address cmeyer@rensafiltration.com

**5. Tools, machinery, and/or equipment used for manufacturing or research and development:**

State the original cost of the property by year of acquisition. Include all fully depreciated property and property expensed under IRS rules. If this business is engaged in manufacturing / R&D, and is claiming such an exemption for the first time, a manufacturing / R&D exemption application must be submitted by September 1 or within 6 months after the date of the first assessment notice for the taxable year that includes the manufacturing / R&D property. Visit the website [dat.maryland.gov](http://dat.maryland.gov) for an application and additional information. If the property is located in a taxable jurisdiction, a detailed schedule by depreciation category should be included to take advantage of higher depreciation allowances.

Year Acquired	A	C	D	Year Acquired	A	C	D
2020	8,476	82,429		2016			
2019	32,037			2015			
2018	15,111		16,784	2014			
2017	419		10,639	2013 & prior			

Describe Property in C &amp; D above:

C: M&amp;E D: Computer Equipment

Total Cost

\$ 0

**6. Vehicles with interchangeable Registration and/or Unregistered vehicles:** (dealer, recycler, finance company, special mobile equipment, and transporter plates) and unregistered vehicles should be reported here. See specific instructions

Year Acquired	Original Cost	Year Acquired	Original Cost
2020		2018	
2019		2017 & prior	

Total Cost

\$ 0

**7. Non-farming livestock:**

Book Value \$

Market Value \$

**8. Other personal property: (including Qualified Data Center personal property, see instructions for more information)**

File separate schedule giving a description of property, original cost and the date of acquisition.

Total Cost

\$

**9. Property owned by others and used or held by the business or lessee or otherwise:**

File separate schedule showing names and addresses of owners, lease number, description of property installation date and separate cost in each case.

Total Cost

\$

**10. Property owned by the business, used by others as lessee or otherwise:**

File separate schedule showing names and addresses of lessees, lease number, description of property, installation date and original cost by year of acquisition for each location. Schedule should group leases by county where the property is located. Manufacturer lessors should submit the retail selling price of the property not the manufacturing cost. For additional information regarding separate schedules please see Form 1 instructions at <https://dat.maryland.gov>

Total Cost

\$



Tax Year 2020				
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AIR COMPRESSOR	31-Jan-20	-	20,699	-
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INDUSTRIAL SHELIVING	31-Dec-20	-	6,164	-
FORKLIFT	31-Dec-20	-	15,750	-
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OFFICE FURNITURE	01-Nov-19	2,258	-	-
WULFTEC MACHINE	31-Aug-19	17,019	-	-
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Tax Year 2017				
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CABLES FOR COMPUTER	05-Jul-17	419	-	-
VISUAL SOFTWARE	05-Jul-17	-	-	10,639
Total 2017		419	-	10,639

Viskon

CITY OF SALISBURY  
WORK SESSION  
AUGUST 1, 2022

Public Officials Present

Council President John “Jack” R. Heath (Zoom)    Mayor Jacob R. Day  
Council Vice-President Muir Boda                      Councilwoman Angela M. Blake  
Councilwoman Michele Gregory

Public Officials Absent

Councilwoman April Jackson

In Attendance

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Fire Chief John Tull, Human Resources Director Meg Caton, Business Development Director Laura Soper, Sergeant Brandon Caton, Assistant City Clerk Julie English, Attorney Ashley Bosche, and members of the public.

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On August 1, 2022 the Salisbury City Council convened at 4:30 p.m. in a hybrid Work Session in Council Chambers and on Zoom Conferencing Video.

**Ordinance to approve a budget amendment for position authorizations**

Fire Chief John Tull explained the ordinance would approve a FY23 General Fund budget amendment and authorize the Mayor to amend the Authorized Positions. The SWIFT Program funding was about to expire, and the budget amendment would make the program permanent and create the position the person currently assigned to the grant as full-time and permanent position and support the creation of a Deputy Fire Marshal.

Ms. Blake asked about the wording in the budget ordinance to ensure the expenses would be carried forward year after year. Mayor Day assured her that they would be in the budget moving forward; funds could not be appropriated beyond one fiscal year.

President Heath asked for the latest SWIFT figures at the next Work Session.

Mr. Boda asked if the County would be a partner with SWIFT. Chief Tull said they were working with the Chiefs Association and other departments and almost all departments had signed the MOU to make SWIFT a county-wide service managed by Salisbury. TidalHealth and the Fire Department were pursuing grants to enable them to go out into the County more. Mr. Boda asked if the additional fire departments were willing to financially assist and Chief Tull said they had not gotten to that point. The MOUs were the first big hurdle. Mr. Boda added that if the benefits were shared with the County the burden should not be on the backs of the Salisbury tax payers.

Ms. Blake asked for the average cost of a SWIFT call and Chief Tull said that a non-emergent EMS transport was about \$700. Most of the expenses could not be recouped because they did not have insurance and Medicare only paid a small portion.

Council reached unanimous consensus to advance the legislation to legislative agenda.

#### **Resolution to re-designate the Salisbury-Wicomico Enterprise Zone**

Business Development Director Laura Soper said the Enterprise Zone was re-designated every 10 years to stay competitive with other counties. She had discussed the expansion and re-designation with City and County officials, and several additions were included in the re-designation including The Center At Salisbury, an area near Milford Street, and an area in Westwood Commerce Park which was cleaned up.

Council reached unanimous consensus to advance the legislation to legislative agenda.

#### **Resolution to wind down LOSAP for volunteer members of the Salisbury Fire Department and adopt a Volunteer Member Incentive Policy**

Chief Tull and Deputy Chief Lee Smith joined Council and explained the resolution would freeze the current LOSAP Program with no new members allowed to join. All new members would transition to a volunteer incentive program paid out in five-year increments. When a member reached the five-year mark they would get a financial incentive, which would continue for each five-year milestone they reached.

Ms. Blake asked what was driving the change from the retirement to a 5-year stipend. Chief Tull said it was not for financial reasons but was for volunteerism. They were not seeing people stay as volunteers for 20-25 years and this would incentivize volunteerism.

Mr. Heath asked if there were adjustments in the number of hours required, and Deputy Chief Smith answered the requirement was still 36 hours /month and 180 hours/quarter. .

Mr. Boda asked if the five-year stipends were legal within State law requirements and City Attorney Ashley Bosche said she had worked closely with Chief Tull to classify them as stipends as to not be confused as wages. The stipends had a limit of 25 years.

Council reached unanimous consensus to advance the legislation to legislative agenda.

#### **Administration and Council Comments**

Ms. Glanz thanked everyone for coming out to the River Fest and ribbon cutting for the Riverwalk Park. Tomorrow was National Night Out at the City Park from 5 pm to 8 pm.

Ms. Gregory encouraged everyone to visit the park and to sign up for the Folk Festival.

Ms. Blake requested follow up on requests she had from July 11, 2022 (Dirt Bike Ordinance, Mobile Crisis report, Information on the Fire Department's Personnel Board, and monthly billings for utility bills). Mayor Day said the billings were placed in the bid documents four years ago when the City bid out their new Finance system. The vendor could not deliver, but it remained a focus and priority.

Mr. Heath said he was looking forward to volunteering for the National Folk Festival.

#### Discussion with Leadership of the Volunteer Fire Personnel Board

The following leadership of the Volunteer Fire Personnel Board came forward to answer Ms. Blake's questions as they were in the audience: Fire Chief Tull, Captain Danny Long, President Todd Dudek, and Personnel Board Chairperson Matt Rajala.

Mr. Rajala said all members were held to the same requirements. They had to maintain 36 hours per month with only 18 hours staffed in a Capital Fire piece such as an engine, ambulance or truck. Every member on probation or dismissed received the same letter. If a quarter was missed, the volunteer entered into a probationary period whereby they still had to fulfill the 108 hours, but could not vote on corporate matters. According to the by-laws if the 36 hours per month was not met in two quarters, dismissal of the volunteer would occur. He read the probationary letter and the dismissal letter. The letter was not signed because it was from a group elected by their peers. Everyone was held to the same standards, received the same assessment, letters, and in the same progressive order.

Mr. Boda asked how many volunteers were dismissed this year, and Mr. Rajala said there were 12 dismissed, and 19 probationary letters were sent in addition to the dismissals. Captain Danny Long said they took this matter very serious. They abide by the EOC and were concerned that the City taxpayers were funding their insurance, gear, and training. Their fear was that if they allowed someone to not make their percentage, it de-incentivized everyone else. Mr. Boda was grateful they had the opportunity to join Council and be heard. He thanked them for their service.

Mr. Rajala passed out the attached information which is included as part of the minutes.

Mr. Boda said everyone had a great time at River Fest. He was grateful seeing the Fire Department on the river protecting people. The Park and Garden Bar were in nice areas.

#### Adjournment of Work Session / Convene in Special Meeting

With no further business to discuss, Vice President Boda adjourned the Work Session at 5:02 p.m. and Council immediately convened in the Special Meeting.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council President

**CITY OF SALISBURY, MARYLAND**

**SPECIAL MEETING**

**AUGUST 1, 2022**

**PUBLIC OFFICIALS PRESENT**

Council President John “Jack” R. Heath (Zoom)      Mayor Jacob R. Day  
Council Vice President Muir Boda                      Councilwoman Angela M. Blake  
Councilwoman Michele Gregory

**PUBLIC OFFICIALS ABSENT**

Councilwoman April Jackson

**IN ATTENDANCE**

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Human Resources Director Meg Caton, City Attorney Ashley Bosche, City Clerk Kimberly Nichols

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The City Council convened in a Work Session at 4:30 p.m. At 5:02 p.m. the Work Session adjourned and Council immediately convened in the Special Meeting.

**ADOPTION OF LEGISLATIVE AGENDA**

Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous (4-0 vote) to approve the Special Meeting agenda as presented.

**ORDINANCE-** presented by City Attorney Ashley Bosche

- **Ordinance No. 2733- 1<sup>st</sup> reading-** approving a budget amendment of the FY2023 General Fund Budget and authorizing the Mayor to amend the authorized positions included in the FY23 General Fund Budget

Mr. Heath moved, Ms. Blake seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2733 for first reading.

**ADJOURNMENT**

With no further business to discuss, the Special Meeting adjourned at 5:07 p.m. Council then convened in Closed Session.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council President



City of  
**Salisbury**  
Jacob R. Day, Mayor

## MEMORANDUM

**To:** Julia Glanz, City Administrator  
**From:** John W. Tull, Fire Chief  
**Subject:** LOSAP Resolution and Proposed Changes  
**Date:** July 28, 2022

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In 1991, the City established a Length of Service Awards Program (LOSAP), which is governed by the 1991 Master Plan (“LOSAP Master Plan”) and effectuated through an Adoption Agreement, to provide a benefit to the retired volunteer members of the Fire Department in recognition to their service to the City. This agreement has been amended several times over the years and the volunteer members of the Fire Department have recommended the winding down of LOSAP and the adoption of a Volunteer Member Incentive Policy.

Attached you will find a Resolution, an amended Adoption Agreement and a Volunteer Member Incentive Policy. Thank you in advance for your time and consideration on this request. Unless you or the Mayor have further questions, please forward a copy of this memo and ordinance to the City Council for their consideration.



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**RESOLUTION NO. 3183**

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**A RESOLUTION AUTHORIZING THE WINDING DOWN OF THE LENGTH  
OF SERVICE AWARDS PROGRAM (LOSAP) FOR VOLUNTEER MEMBERS  
OF THE CITY OF SALISBURY FIRE DEPARTMENT AND THE ADOPTION  
OF A VOLUNTEER MEMBER INCENTIVE POLICY.**

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**RECITALS**

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**WHEREAS**, the volunteer members of the City of Salisbury Fire Department provide many hours of public safety services at great personal risk and for no financial remuneration; and

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**WHEREAS**, in 1991, the City established a Length of Service Awards Program (LOSAP), which is governed by the 1991 Master Plan ("LOSAP Master Plan") and effectuated through an Adoption Agreement, to provide a benefit to the retired volunteer members of the Fire Department in recognition to their service to the City; and

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**WHEREAS**, the City reserved the right to make amendments to the LOSAP Master Plan and the Adoption Agreement and to terminate LOSAP at any time in whole or in part; and

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**WHEREAS**, there have been two amendments to the initial Adoption Agreement, one in 2007 ("First Amended Adoption Agreement") and second in 2018 ("Second Amended Adoption Agreement"); and

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**WHEREAS**, the volunteer members of the Fire Department have recommended the winding down of LOSAP and the adoption of a Volunteer Member Incentive Policy, which shall eventually replace the LOSAP Master Plan and eliminate LOSAP; and

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**WHEREAS**, the City of Salisbury has determined that it is in the best interest of the citizens of the City and the volunteer members of the Fire Department to adopt the volunteer members' recommendation and to approve a Third Amended Adoption Agreement, which is attached as **Exhibit 1**, to effectuate the winding down of LOSAP; and

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**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND AS FOLLOWS:**

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**Section 1.** The City approves the Third Amended Adoption Agreement attached as **Exhibit 1**.

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**Section 2.** The City approves the Third Amended Adoption Agreement for the purpose of winding down LOSAP and eventually replacing the LOSAP Master Plan with a Volunteer Member Incentive Policy to be adopted and administered by the City's Fire Department.

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**Section 3.** As of August 8, 2022, all Volunteer Members of the City's Fire Department who are 100% vested in accordance with the Third Amended Adoption Agreement and who are collecting a monthly benefit payment shall continue to collect a monthly benefit payment, as set forth by the Third Amended Adoption Agreement.

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**Section 4.** As of August 8, 2022, all Volunteer Members of the City's Fire Department who are 100% vested in accordance with the Third Amended Adoption Agreement, but who are not collecting a monthly benefit payment shall remain in LOSAP and shall collect benefits, once eligible, as set forth by the Third Amended Adoption Agreement.

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**Section 5.** As of August 8, 2022, any Volunteer Member of the City's Fire Department who is not 100% vested in accordance with the LOSAP Master Plan and Third Amended Adoption Agreement shall not be eligible for the benefits set forth in the LOSAP Master Plan and Third Amended Adoption Agreement, but shall

be eligible for the benefits set forth in the Volunteer Member Incentive Policy, provided he/she is eligible for such benefits under the terms of the Policy.

**Section 6.** Under the City's Volunteer Member Incentive Policy, the City shall pay a stipend to active Volunteer Members in accordance with a stipend schedule as determined by the City and provided the Volunteer Members meet the eligibility requirements set forth in the Policy. The City's obligation to pay the stipend shall be unfunded and unsecured and shall at all times be subject to change.

**Section 7.** Council hereby authorizes the Mayor to sign any documents necessary to effectuate the changes set forth herein.

**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY AS FOLLOWS:**

**Section 8.** It is the intention of the Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

**Section 9.** It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.

**Section 10.** The Recitals set forth hereinabove are incorporated into this section of this Resolution as if such recitals were specifically set forth at length in this Section 10.

**Section 11.** This Resolution shall take effect from and after its final passage.

**THIS RESOLUTION** was introduced, read and passed at the regular meeting of the Council of the City of Salisbury held on August 22, 2022.

\_\_\_\_\_  
Kimberly R. Nichols,  
City Clerk

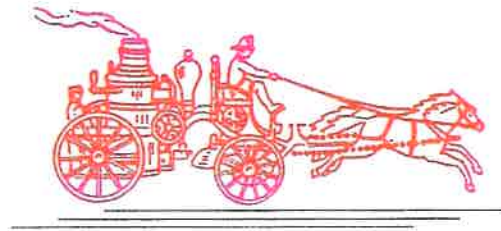
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John R. Heath,  
Council President

APPROVED BY ME this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jacob R. Day,  
Mayor

# Salisbury Fire Department, Inc.

Organized August 25, 1872



325 Cypress Street  
Salisbury, MD 21801  
(410) 548-3120

(Member),

(Date)

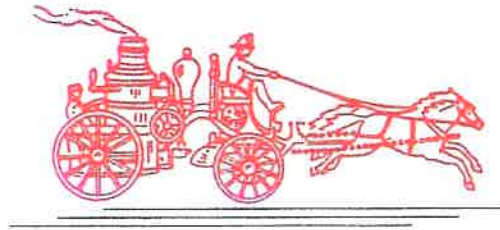
The Personnel Board has reviewed your performance for the previous quarter (Date) and determined that you are hereby placed on probationary status. Pending good performance as well as making the required 108 hours required quarterly this probationary status will end (Date), please remember that during this time you are not eligible to vote in corporate matters. If you have any questions, please reach out to the Personnel Board by email ([sfd16personnelboard@gmail.com](mailto:sfd16personnelboard@gmail.com)) and we will answer any questions or concerns you may have.

Respectfully,

Station 16 Personnel Board  
Salisbury Fire Department, Inc

# Salisbury Fire Department, Inc.

Organized August 25, 1872



325 Cypress Street  
Salisbury, MD 21801  
(410) 548-3120

(Date)

Member,

The Salisbury Fire Department, Inc regrets to inform you that the personnel board has met and determined that you are hereby dismissed from the corporation for failure to meet the minimum performance requirements as defined in Article VI Section II of our bylaws for two or more quarters in the year. This dismissal means that you are no longer authorized to participate in any fireground, EMS, or corporate functions involving the Salisbury Fire Department as of (Date)

You are directed to return any equipment, uniforms, access badges, keys, pagers, and any other paraphernalia that belongs to the Salisbury Fire Department, the Corporation, or the City of Salisbury. Failure to do so promptly may result in either criminal or civil action. Please email the personnel board ([sfd16personnelboard@gmail.com](mailto:sfd16personnelboard@gmail.com)) with any questions or concerns. We wish you the best in your future endeavors.

Respectfully,

Station 16 Personnel Board  
Salisbury Fire Department, Inc

## Salisbury Fire Department, Inc. Performance Guidelines

The performance criteria listed below clarifies Article VI, Section 1 of the Performance Criteria as authorized in Section IV of the Bylaws (as amended January 7, 2015). It defines the performance criteria for duty, sounded alarms, meetings, drills, and training.

Effective 04/06/2022 (supersedes performance criteria dated 5/1/2016)

### A. Duty

1. Duty shall be defined as performing specific functions that benefit the Department or the Corporation, and shall be referred to as Operational and Corporate, respectively.
2. Operational Duty shall include the assignment of a member to a specific position on an SFD vehicle or apparatus, whether or not it is actually deployed, in preparation for providing emergency services; performance of administrative tasks assigned by a Department Officer; standby at remote sites, and community events.
3. Corporate Duty shall include the attendance of committee meetings; training sponsored by MFRI, MIEMSS, or the USFA, etc; and performance of administrative tasks assigned by the Corporation.
4. At least 18 hours per month of a member's required hours must consist of operational duty. No more than eighteen (18) hours for Bell Alarms will be counted for the total of 36 hours per month.
  - a. For example, active members can complete their hours in any of the following manners:
    - i. 36 Hours per month of operational/in-station riding
    - ii. 18 hours of Bell Alarms- 18 hours operational
    - iii. 18 hours riding, 18 hours of Bell Alarm, Admin, Training, or Operational/in station riding
5. Members intending to perform Operational Duty, except administrative tasks, shall sign up or add time request or sign up through the Volunteer Duty Crew process using the online process specified by the Department.
6. No shifts shall be chosen unless the member is willing and able to serve on that day. Once a member signs up for a shift they are committed to fulfill that obligation for the shift. Failure to report for an assignment, or notify the duty officer in a timely manner may result in disciplinary action. If circumstances prevent the member from reporting for duty (e.g., family emergency or illness), the member must communicate that to the duty officer 2 hours prior to the scheduled shift.
7. Volunteer officers are necessary for good order, discipline and operational excellence at the company level. It is recognized that they need to be present for effective leadership and mentorship of the station 16 volunteer membership in an operational capacity. This provision provides the following clarification: Officers must provide 18 hours per month of operational hours at the company level.
8. Volunteer Assistant Chiefs may fulfill their monthly requirement by staffing Assistant Chief 2 and attending operational as well as corporate meetings. With this being understood, the Volunteer Assistant Chiefs should make every attempt to be present and in the station to promote operational excellence.
9. Volunteer Deputy Chiefs may fulfill their monthly requirement by staffing Deputy Chief 16 and attending operational as well as corporate meetings. With this being understood, the Volunteer Deputy Chiefs should make every attempt to be present and in the station to promote operational excellence.
10. Non-scheduled duty will still be allowed, but scheduled members will have preference for apparatus assignments, and cannot be "displaced" by more senior members.

11. Members performing in-station duty shall report to the duty officer upon their arrival at the station, and obtain an assigned riding position. They shall serve as a component of their designated crew for the duration of their duty time, responding to all of its alarms and participating in all of its other activities. Members performing in-station duty shall wear the Department duty uniform.
12. Duty time shall be documented within 72 hours of occurrence using the online process specified by the Department. Members are expected to add duty time on their own through said process or ask an officer to do so. If a member must leave the station at a time other than initially intended, then the member must contact the officer on his or her apparatus and/or the assistant chief to edit the documented duty time.

#### **B. Sounded Bell Alarms**

1. Sounded alarms are defined as alarms being alerted utilizing the Department's "All Call", SPEC OPS, or any of the Volunteer Station Tones.
2. Members will be given credit for a minimum of 3 hours of Duty for attending a sounded alarm if they arrive before Station 16 volunteers return to the station or, in the case of a quickly de-escalated incident (e.g., false alarm), within 15 minutes of the alarm sounding. If a member must remain beyond 3 hours, an additional hour of Duty will be credited for each hour beyond the initial 3, rounded up. When a member is in station for a sounded bell alarm and a second bell alarm is alerted, that member will be credited for one (1) additional hour for the second bell alarm as well and any following bell alarms.
3. ***Members responding to a sounded alarm or functioning in a riding assignment must be willing and able to participate fully in any activities requested. They must remain at the station until they are dismissed by the ranking volunteer officer. Refusal of an assignment will result in, at the least, losing credit for attending the alarm.***
4. The record of attendance at sounded alarms shall be documented using the online process specified by the department. It is the responsibility of the member to ensure their time is added appropriately to reflect attendance at sounded alarms within 72 hours of occurrence.

#### **C. Meetings**

1. Per the bylaws

#### **D. Drills**

1. The line officer in charge of each company drill is responsible for recording the names of members who attended and participated, and supplying that record to the Assistant Secretary.
2. Credit will be given for in-service training with other stations or crews, with each session counting as one drill. It is the responsibility of the member attending such training to obtain written documentation for submission to the Secretary, Assistant Secretary or Training Officer.

#### **E. Training**

1. New members must successfully complete the following minimum training classes within one year of their becoming a member.
  - a. Firefighters: Firefighter 1 (Fire 1) and Hazardous Materials – Operations (HMO).
  - b. EMS Members: EMT-Basic (EMT) and above, Emergency Vehicle Operations Course (EVO), and HMO.
  - c. Members that join as firefighter members but wish to take EMT first, that is acceptable.



2. While a member is completing any of the minimum training classes (Fire 1, EMT/EMR, EVO, HMO), he or she is expected to work towards minimum hour requirements. This member is not excused from meeting and training requirements. These members' performance will be assessed by the personnel committee quarterly as required by the Corporation By-Laws.
3. New members that are already certified or current members that become certified in a discipline shall complete the FTO packet within 6 months of obtaining certification or joining the department with goal of being a qualified and independently functioning and assignable, member of Department Staffing.

Record of Changes	Date of Changes	Status or Comments
Added Clarification of Authority for Personnel Board in <i>beginning of document</i>	25 January 2016	
Changed Section A, Item 4 to 24 hours from one half	25 January 2016	
Changed Section Section A, Item 6 to define the obligation for signing up for a shift, the potential penalties for failure to fulfill the duty and the allowable reasons for not fulfilling the obligation.	25 January 2016	
Added Section A., Item 7 to define Company Officer and hours they may use for duties outside their primary responsibility.	25 January 2016	
Added "the Secretary" to Section B, Item 4.	25 January 2016	
Added "the Secretary to Section D, Item 2.	25 January 2016	
Delete non qualified members from AC2 Duty and comply with FLSA (Section A 6 and A 7) Added time for submission of Duty (Section A 12) Add timeline to complete FTO (Section E 3)	06 April 2022	Approved at Corporate Meeting 06 April 2022

Salisbury Fire Department, Inc. Performance Guidelines

# **Salisbury Fire Department, Incorporated**

## **BYLAWS**

**As amended January 6, 2021**

### **PREAMBLE**

We, the members of the Salisbury Fire Department, Incorporated, having united into said Corporation in order to render assistance to preserve life and property of our fellow citizens from the devastating destructive element of fire, accidents, and sudden illness, do hereby express our belief in the tremendous need for a properly regulated Fire Department; therefore, to ensure cooperation, define duty, establish and maintain discipline, and promote the object for which we are associated, do agree to adopt and abide faithfully by the following Bylaws for the governing of this Corporation, and to the support of which we mutually pledge ourselves.

### **ARTICLE I - Title and Mission**

#### **Section I**

Title - The name by which this Corporation shall be known in law is the "Salisbury Fire Department, Incorporated," hereinafter referred to as the "Corporation".

#### **Section II**

Mission - The mission of the Corporation is to ensure the health, safety and well being of our community by providing prevention and mitigation of fire and life safety hazards in an effective and efficient manner. The Corporation carries out this mission in concert with the City of Salisbury Fire Department, hereinafter referred to as the "Department".

#### **Section III**

Principal Office – The principal office of the Corporation shall be 325 Cypress Street, Salisbury, MD, hereinafter referred to as the "Station".

### **ARTICLE II - Membership**

#### **Section I**

General – The membership of the Corporation may consist of as many Line Officers and Active members as shall from time to time be permissible under the ordinance of the City of Salisbury. There shall be no limits on the number of Life, Honorary, Auxiliary, Cadet, or Inactive members.

#### **Section II**

Eligibility - Any person at least 18 years of age, of good character and habits, having earned a high school diploma or equivalent, and able to demonstrate their willingness and ability to meet the requirements for Active membership, shall be eligible for membership in this Corporation. These Bylaws hereby prohibit discrimination in membership or other activities on the basis of race, sex, religion, or national origin.

#### **Section III**

Active Member - An Active member is one who has satisfactorily completed the probationary period, and who provides at least the minimum of service activities as defined in Article VI - Performance Criteria. Active

members shall have the right and privilege to use the buildings, parking lots, and facilities of the Department; to attend meetings, and to have a voice and opinion and cast a vote on the business of the Corporation; to attend fires, drills, training classes, and social functions of the Department; to share in any incentive, benefit or award program of the Corporation; and the right to display the Department Insignia. All Active members shall also have the right and privilege to hold office in the Corporation.

#### **Section IV**

**Probationary Member** – A Probationary member is one who is awaiting the decision of the Corporation to advance or return to Active membership. Probationary members shall be eligible to participate in all Department and Corporation activities, except that they shall not be eligible to vote or be elected to an office of the Corporation, and may be subject to additional limitations on special programs available to Active members.

#### **Section V**

**Life Member** – Any Active member who has completed twenty years of service, or who has completed ten years of service and reached the age of 60, shall automatically be declared a Life member. The length of time a member is or has been a Probationary member and/or Cadet shall contribute to time of service with the Department. Life members shall have the right and privilege to use the buildings, parking lots, and facilities of the Department; to attend meetings and to have a voice and opinion on the business of the Corporation; to attend social functions of the Department; and the right to display the Department Insignia. Life members who have attended at least 1/3 of regular meetings of the corporation, and participated as assigned members on corporate committees or served as corporate officers, in the preceding year, shall also have the right and privilege to cast a vote and hold office in the Corporation. Life members may not participate in fires, drills, or training classes, unless they also meet the criteria set forth for an Active member. Life membership shall be permanent.

#### **Section VI**

**Inactive Member** – An Inactive member is a former Active member who is not able to meet the Performance Criteria as specified in Article VI – Performance Criteria, and is intending to return to Active membership. Inactive membership is conferred by the Personnel Committee upon request of the member, and return to Active membership requires the assent of the Personnel Committee. Inactive members shall have the same rights and privileges as Life members. During the period of Inactive membership, the member is exempt from meeting the provisions of Article VI – Performance Criteria. The duration of Inactive membership shall not exceed one year, after which the member shall be required to resign, or be automatically dismissed.

#### **Section VII**

**Honorary Members** – An Honorary member shall be a person who has performed an outstanding service for the Department, nominated at a meeting of the Corporation by a member, and affirmed by the majority of votes cast by members present. Honorary membership confers no rights or privileges from the Corporation or Department.

#### **Section VIII**

**Application Process** – Any person desiring to become a member of this Corporation shall file a written application to that effect with the Personnel Committee, which committee shall be charged with determining, to the extent possible, that the applicant can meet all of the requirements as stipulated in Article VI – Performance Criteria. After said review, the Personnel Committee will make a decision to accept or reject said application,

and this decision shall be final. At such time an applicant is accepted he or she shall enter service of the Corporation as a Probationary member.

### **Section IX**

**Probation** - All applicants requesting transfer from another fire company within the City of Salisbury shall serve a minimum six-month probationary period. All others shall serve a minimum twelve-month probationary period. During the probationary period Probationary members shall complete such training and other requirements as set forth in Department Standard Operating Procedures and regulations. The ranking Line Officer member shall assign each Probationary member to an Active member who shall be responsible for monitoring said Probationary member's progress and performance of duties. On a quarterly basis, or upon the recommendation of the ranking Line Officer member, and at the expiration of the probationary period, the Personnel Committee shall review the performance record of each Probationary member. These reviews shall include a report from the Active member assigned to the Probationary member. After any of these reviews, the Personnel Committee may elect to continue the probationary period; extend the duration of the probationary period for up to an additional twelve months; dismiss the Probationary member from the Corporation; or advance the Probationary member to Active membership. Probationary members shall have no right of appeal. A Probationary member who has been dismissed must wait six months before reapplying for membership.

### **Section X**

**Reinstatement** - Any former Active member who was in good standing with the Corporation and shall wish to return to Active membership shall apply to the Corporation in writing. Upon receipt of said letter, the Personnel Committee shall review the request and be responsible for determining the disposition of the matter. The Personnel Committee may return such an applicant to Active membership without the need for a probationary period; reject the applicant; or accept the applicant to another probationary period of up to twelve months in length. The decision of the Personnel Committee regarding reinstatement shall be final.

### **Section XI**

**Charges** - Any Active, Inactive, or Life members who shall be charged by any other member with improper conduct, or a breach of trust reposed in him or her as a member of the Corporation, or a serious violation of any of the bylaws or SOPs of the Corporation or Department; or who shall be convicted of a felony, shall appear before the Personnel Committee for a disciplinary hearing. All charges must be rendered in writing to the Secretary, who upon receipt of such shall forward a copy to the Personnel committee. The Personnel Committee shall set a date for a hearing not more than thirty (30) days from the receipt of the charges, except that this time frame can be modified with the mutual consent of all parties. The Personnel Committee shall send the accused member a copy of the charges against them, as well as information regarding the date, time, place, and procedures for the hearing, by mail postmarked, or by electronic communication, at least seven days prior to the date of the hearing. The member charged shall be allowed to present witnesses and evidence in his or her defense. The Personnel Committee shall render its decision within seven (7) days of the hearing date, and shall communicate the verdict in writing to the accused member and the Secretary.

### **Section XII**

**Penalties** – Active or Inactive members found guilty at a Disciplinary Hearing may be subject to any of the following disciplinary actions, separately or in combination:

- A. Reprimand: A written record of the violation is included in the member's personnel file.

- B. Probation: Active membership is temporarily revoked and Probationary membership is imposed for a period not to exceed six (6) months.
- C. Suspension: The member is barred from any and all Corporation and Department activities for a period not to exceed thirty (30) days. During the period of suspension, the member is exempt from meeting the provisions of Article VI – Performance Criteria.
- D. Expulsion: Expulsion from the Corporation requires a two-thirds (2/3) vote of the Personnel Committee. Members expelled from the Corporation are ineligible for reinstatement.

Life members found guilty at a Disciplinary Hearing may be subject to suspension of any or all of their rights as members for a period to be determined by the Personnel Committee.

### **Section XIII**

Departmental Suspensions – If any member should be suspended by the Department from operational duties, the Personnel Committee shall determine if said member shall also be subject to suspension from Corporation activities for the duration of the Department suspension. No hearing need be required for such a determination, but the Personnel Committee's decision shall be subject to appeal by the member as outlined in Section XIV of this Article.

### **Section XIV**

Appeals – Active, Inactive and Life members may appeal a decision by the Personnel Committee affecting them by writing a letter to the Secretary requesting an appeal hearing. The Appeal Board shall consist of the President, Vice President, Treasurer, Assistant Treasurer, Secretary, Assistant Secretary and the Line Officers, at least five of whom must hear the appeal, with at least two Corporate and at least two Line officers participating. The President shall set a date for the appeal hearing not more than one month from the receipt of the charges, except that this time frame can be modified with the mutual consent of all parties. The Secretary shall send information regarding the date, time, place, and procedures for the hearing to the member requesting the appeal by mail postmarked, or by electronic communication, at least seven days prior to the date of the hearing. The member requesting the appeal shall be allowed to present witnesses or evidence in his or her defense. The Appeal Board shall render its decision within seven (7) days of the hearing date, and shall communicate the verdict in writing to the accused member. The Appeal Board may uphold, strike down, or modify any appealed decision of the Personnel Committee. The decision of the Appeal Board is final.

## **ARTICLE III - Officers**

### **Section I**

Corporate Officers – The elected administrative officers of the Corporation shall consist of a President, Vice President, Treasurer, Assistant Treasurer, Secretary, Assistant Secretary, and four Trustees. These officers shall collectively form the Board of Trustees.

### **Section II**

Line Officers – The Line Officers of the Corporation shall consist of those members appointed by the Fire Chief of the Department to assist the Department in the performance of its functions. They shall have the responsibility and authority to enforce Department SOPs and policies as they apply to all members. The ranking Line Officer shall have the privilege of attending all Board of Trustees meetings or sending an appointed delegate, but shall not have a vote unless he or she is also a Corporate Officer.

### **Section III**

Duties of President – The President shall preside at all Regular, Special, Appeal Board, and Board of Trustees meetings of the Corporation; shall exercise general supervision of the administrative affairs of the Corporation; shall establish all committees and, with just cause, remove committee members; shall be ex-officio member of all Committees; shall see that all Corporation bylaws are carried out; shall countersign all checks of the Corporation. The President may authorize emergency expenditures of the Corporation funds not to exceed two hundred dollars. The President shall have no vote on any question that may come up at Regular, Special, Appeal Board, and Board of Trustees meetings, except when a motion or proposal would pass by only one vote or receives an equal number of votes. The President may call Special meetings when the situation warrants such action, and shall call such meetings upon written request from one quarter of the Active members. To be eligible to serve as President, the candidate must have been an Active member for at least two years.

### **Section IV**

Duties of Vice President – The Vice President shall assume all of the powers and duties of the President in the President's absence; shall act as liaison between the Corporation and the Auxiliary of the Department; shall keep the Corporation's official calendar of events; shall assume any other reasonable duties that may be assigned by the President.

### **Section V**

Duties of Secretary – The Secretary shall keep an accurate record of all proceedings of the Corporation at all Regular, Special, Appeal Board, and Board of Trustees meetings; shall carry on correspondence of the Corporation in its name; shall keep the seal of the Corporation; shall issue summonses and notices; shall perform other duties pertaining to the office as may be required by the Corporation, including organizing and distributing virtual access information to all members for meetings at least 1 hour prior to the meeting start time.

### **Section VI**

Duties of Assistant Secretary - It shall be the duty of the Assistant Secretary to render to the Secretary such assistance as may be required, and to officiate as Secretary in his or her absence. If neither the Secretary nor the Assistant Secretary is present, the Presiding officer shall appoint a Secretary Pro Tem. It shall be the duty of the Assistant Secretary to document and calculate, on at least a quarterly basis, the Department and Corporation activities of each Active and Probationary member of the Corporation to see if the required performance criteria are being achieved, as specified in Article VI – Performance Criteria.

### **Section VII**

Duties of Treasurer – The Treasurer shall receive all monies collected, and issue receipts for same; shall keep a full and accurate account of all monies received and expended; shall announce the receipts, disbursements and balance at each regular meeting; shall assist in preparing the annual budget and maintain a record of the status of same. The Treasurer shall make no disbursements until such bills have been authorized by the membership at a Regular or Special meeting, except for funds set forth in the Corporation annual budget or in the Corporation Bylaws for emergency expenditure. At all times the Treasurer's records shall be available for the Audit committee. It shall further be the duty of the Treasurer to deposit all funds of the Corporation in such depository and/or bank as the Corporation shall approve, under the name of the Corporation, within the insured amount allowed by the FDIC. The Treasurer is to make all disbursements by check or credit card, after the same have been properly presented and approved for payment. All bank transactions will require two signatures, one being the Treasurer or the Assistant Treasurer, and the other the President or Vice President. The

Treasurer shall contract with a certified accountant for the purpose of filing taxes and auditing the books as deemed necessary by the corporate body.

### **Section VIII**

Duties of Assistant Treasurer – The Assistant Treasurer shall assume all of the powers and duties of the Treasurer in the Treasurer's absence, and shall assist the Treasurer by performing other duties as requested.

### **Section IX**

Trustees – The four Trustees shall serve on the Personnel committee.

### **Section X**

Election of Officers - The officers of the Corporation shall be elected by a majority vote, through written ballot of those members present and voting at the Regular meeting in December, in this sequence: President, Vice-President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and four Trustees. The Corporate officers shall take office on the first day of January following the election, and shall continue in office until the following January 1, or until a successor is chosen. A member may not hold both the offices of President or Vice President, and Assistant Chief, at the same time. Vacancies in the Offices of the Corporation shall be filled by the vote of the Active members of the Corporation at its next Regular meeting, or at a Special Meeting called for that purpose, and the persons so elected shall hold office for the remainder of the term of his or her predecessors. Each Corporate Officer shall deliver all monies, bonds, papers, records and other properties belonging to the Corporation to his or her successor in office, or to whom the membership may appoint to receive them, within one week after the last meeting night of his or her term.

### **Section XI**

Execution of Instruments – All bills of exchange, promissory notes and checks issued, made, or drawn by the Corporation, shall be signed by the President and Treasurer. All other contracts or obligations of every nature shall be executed by such officers as the Corporation may direct. Whenever required by law, the seal of the Corporation shall be affixed to instruments and attested by the Secretary.

## **ARTICLE IV- Meetings**

### **Section I**

Regular Meetings – The regular meetings of the Corporation shall be held on the first Wednesday of each month at 1930 hours at the Station, and no notice thereof shall be required; unless the meeting date falls on New Year's Eve, New Year's Day, or the 4<sup>th</sup> of July, in which case there will be no meeting that date, and an alternative date will be chosen by the President and communicated to all members by the Secretary.

### **Section II**

Annual Meeting – A meeting of the Corporation shall be held annually at the Station, at 1930 hours, on the first Wednesday of January, for the purpose of installation of Officers, and to transact any other business authorized or requested to be transacted by the members. The reading of the annual reports shall occur at this meeting.

### **Section III**

Special Meetings – Special meetings may be called by the President, or upon written request of at least one quarter of the members eligible to vote, or in the manner prescribed by the Laws of Maryland. The Secretary will furnish to each member notice of the time and nature of the business to be transacted by letter postmarked,

or by electronic communication, at least seven days prior to the date of the meeting, and shall also post a notice of the meeting at the Station. No other business shall be transacted except that which was described in the announcement of the Special meeting.

#### **Section IV**

Quorum – One third of the members of the corporation eligible to vote present at the Station shall constitute a quorum.

#### **Section V**

Attendance - Members leaving the meeting before the completion of the “Unfinished Business”, or arriving at the meeting after the completion of the officers’ reports, shall be recorded as absent by the Secretary. Members who wish to attend the meeting virtually must connect to the meeting before the start of the officers' reports and must remain connected until the Motion to Adjourn.

#### **Section VI**

Voting - Every member of the Corporation eligible to vote shall have one vote.

#### **Section VII**

Roberts Rules – Except as otherwise provided for in these bylaws, the conduct and business of the meetings of the Corporation, and all of its committees, shall follow Robert’s Rules of Order, current edition.

#### **Section VIII**

Electronic Format - If the Station is unavailable to utilize as a meeting site, or at the discretion of the President, Regular or Special meetings may be broadcast in electronic format, in whole or part; and members participating in such meetings shall be credited with attendance regardless of the format through which they are engaged. The Secretary shall notify all members in a timely manner of the mechanism by which they may participate.

### **ARTICLE V – Committees**

#### **Section I**

Committee Appointments – Members shall be appointed to committees by the President by the first day of February of each year, and shall continue in office until the President dismisses them. A current list of all committees and their respective members shall be posted at the Station at all times.

#### **Section II**

Ad Hoc Committees – The President shall appoint committees for specific purposes as from time to time may be needed, or as directed by the membership.

#### **Section III**

Committee Service – All Active and Inactive members shall serve on committees as assigned by the President, except that no member shall be required to serve on more than three committees at one time. Committee chairs may recruit additional members to a committee, but members may not be released from committee assignment, nor be compelled to assist a particular committee, except by the President.

#### **Section IV**

Appointed Officers – The President shall appoint the following officers, who shall serve at his or her discretion: Parliamentarian, Sergeant at Arms, MSFA Delegates and Alternates, Wicomico County Association Delegates and Alternates



and adjudicating charges brought against a member. At least three members of the Personnel Committee must be present in order to render decisions.

### **Section VI**

**Audit Committee** – The Audit committee shall consist of not less than three members, and shall not include the President, Vice President, Secretary, Assistant Secretary, Treasurer, or Assistant Treasurer. This committee shall examine the records of the Secretary and Treasurer, make an inventory of all Corporation property, and report the same in writing at the Annual meeting of the Corporation.

## **ARTICLE VI – Performance Criteria**

### **Section I**

**Requirements for Active Membership** – In order to remain an Active member, the following performance criteria must be met or exceeded:

- 1) Training and certifications as determined by Department SOP
- 2) Performance of at least 36 hours of duty monthly, as averaged over each quarter year. For the purpose of the Length of Service Award Program (LOSAP), members shall be credited with 1% for every hour of monthly scheduled duty time they serve. If attendance at approved training sessions or illness interferes with a member's performance of duty, and the member reports such to the Secretary within one week of said period, then the period of time for which duty is to be accumulated will be amended in the calculation of that member's performance.
- 3) Attendance of at least one third (1/3) of scheduled Department Training Drills and one third (1/3) of monthly meetings quarterly. If attendance at approved training sessions, employment or illness interferes with a member's attendance at drills and/or meetings, and the member reports such to the Secretary within one week of said event, then those drills and/or meetings will be excused in the calculation of that member's attendance percentage.
- 4) Faithful service on assigned Committees
- 5) Compliance with all Corporation Bylaws and Department SOPs

### **Section II**

**Assessment Procedures** – The Assistant Secretary shall be responsible for maintaining the records of each member's Corporate and Department activities, and the reporting of same to the Personnel committee and each member on a monthly basis. Members who are deficient in their duties shall be called to a hearing by the Personnel Committee to determine the reason for any shortcoming, and to provide assistance with remediation, if possible. If the performance criteria listed in Article VI, Section I are not met for an entire quarter year, the Personnel Committee may return a member to Probationary Membership for a period not to exceed three months. Return to Active membership requires the assent of the Personnel committee. A member who meets the criteria for return to Probationary membership more than twice in one year may be dismissed.

### **Section III**

**Active Duty Military** – Members who are activated for federal or state military duty are exempt from parts 2, 3, and 4 of Section I of this Article VI for the duration of that duty.

## **Section IV**

Guidelines – The Personnel Committee shall be responsible for developing specific guidelines for the crediting of performance, subject to approval of Active Members at a Regular Meeting, or a Special Meeting called for that purpose, with the intent of promoting the efficient utilization of Members in carrying out the mission of the Department.

## **Section V**

Special Duty Members – Recognizing that some members may fill roles in the Department are not covered by these Performance Criteria, members may from time to time be excused from meeting those requirements. The Personnel Committee shall have the responsibility to confer and remove the designation of Special Duty member on Active members whose non-firefighting duties meet the needs of the Department and/or Corporation, subject to approval of Active Members at a Regular Meeting, or a Special Meeting called for that purpose. Special Duty members shall have all of the rights and responsibilities of Life members.

# **ARTICLE VII - Amendments**

## **Section I**

Procedure – Bylaws amendments must be submitted in writing by a member and shall be at once referred to a committee of at least three Active members for examination. This committee shall prepare the changes in proper form. At the Regular meetings in June and December, all changes received in the preceding six months shall be read and said changes shall be voted on at the next Regular meeting, or at a Special meeting called for that purpose. The Secretary will furnish to each member a copy of the proposed amendments by letter postmarked, or by electronic communication, at least seven days prior to the date of the meeting, and shall also post a notice of same at the Station. Proposed changes shall be adopted if they receive the affirmative votes of two-thirds of the members present and voting. It shall be the duty of the Secretary to provide a printed form of adopted bylaws changes to each member.

## **Section II**

Suspension of Bylaws – These bylaws may be suspended for the duration of a Regular Meeting of the Corporation, or a portion thereof, by a motion given an affirmative vote from two thirds of the members present and voting. However, this shall not apply to Article VIII.

# **ARTICLE VIII - Dissolution**

## **Section I**

This Corporation shall not be dissolved except upon the affirmative vote of not less than five-sixths of the Active members hereof cast at a Special meeting called for that express purpose.

# **ARTICLE IX - Auxiliary of the Department**

## **Section I**

Object - The Auxiliary of the Department is established for the benefit of the assistance to the Corporation and the Department.

## **Section II**

Oversight - The Auxiliary of the Department shall operate under the auspices of and be generally responsible to the Board of Trustees of the Corporation. The Auxiliary may adopt and amend its Bylaws, determine its membership, and elect its officers. The Auxiliary shall coordinate all activities closely with Officers and Committees of the Corporation, particularly the Vice President.

## **ARTICLE X – Cadets**

### **Section I**

Object – The Department Cadet Program provides an opportunity for persons aged 15 through 18 years of age to participate in firefighting and emergency services training and limited on-scene activities in preparation for service as an Active member after high school graduation.

### **Section II**

Oversight - The Cadets shall operate under the auspices and supervision of the Department. Cadets assigned to Station 16 shall be entitled to attend corporate meetings and training.

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Upon action of the SFD, Inc, on November 5, 2003, these bylaws became effective January 1, 2004, except ARTICLE III, Section X - Election of Officers, which became effective December 1, 2003.

### **Summary of Amendments**

- January 5, 2005: Amended ARTICLE VI, Section I, Requirement 2, increasing the number of in-station duty hours required of new members from 24 monthly to 36 monthly.
- July 6, 2005: Amended ARTICLE II, Section XIII - Departmental Suspensions with entirely new text; ARTICLE IV- Meetings, deleting Christmas Eve and Day; ARTICLE VI – Performance Criteria, with changes to Sections I and II, combining Duty Hours and Alarm Responses into one criteria for all members, and creating new Section IV giving Personnel Committee responsibility to develop guidelines for measuring performance.
- January 2, 2008: Amended ARTICLE II, Section II – Eligibility, adding requirement for High School diploma or equivalent for applicants; Section IV - Probationary Member, to include members who might be placed in that category; Section VI - Inactive Member, to define that category as solely voluntary; Section VIII – Application Process, to eliminate involvement of Secretary; and Section IX – Probationary Period, renamed to Probation. ARTICLE VI, Section II - Assessment Procedures, amended to allow the Personnel Committee to impose Probation on members who do not meet the performance criteria, and added Section V - Special Duty Members.
- January 7, 2009: Amended ARTICLE I, Section III - Principal Office, to reflect address of new station; ARTICLE VI, Section I - Requirements for Active Membership, Paragraph 3, changing drill and meeting attendance requirement from 35% to one-third (1/3).
- February 2, 2011: Amended Article III, Section X, to remove the restriction on holding the offices of President or Vice President, and the rank of Captain, simultaneously.
- July 20, 2011: Amended Article III, Section VII - Duties of the Treasurer, to require deposits to be within FDIC-insured accounts and limits; allow disbursements by credit card; require signatures of both the Treasurer

or Assistant Treasurer and the President or Vice President on all bank transactions; eliminate the requirement to file a security bond; and require the services of a certified accountant for filing taxes and auditing the books. Section VIII - Duties of the Assistant Treasurer, was amended to eliminate the requirement to file a security bond.

- January 4, 2012: Amended Article II – Membership, Section I - General, to include Auxiliary and Cadet as categories of membership without limitation as to number of participants; and added Article X – Cadets.
- January 2, 2013: Amended Article II – Membership, Section VI – Inactive Member, changing automatic action upon exceeding the one-year limit on that status from “expelled” to “dismissed”; and Section IX – Probation, by replacing the terms “terminate” and “terminated” with “dismiss” and “dismissed”.
- March 5, 2014: Amended Article VI – Performance Criteria, Section I, Criteria 2, eliminating the attendance of a percentage of sounded alarms as a requirement for Active membership, and allowing for duty other than in-station as an option for meeting the performance criteria; and Article VI, Section IV - Guidelines, by rewording them to align with the amended criteria.
- January 7, 2015: Deleted requirement for interview of all applicants, and added option to use “electronic communication” for mandatory, time-sensitive member notifications.
- August 3, 2016: Added 10 years of service and reached age 60 as additional criteria for eligibility for Life Membership; deleted “calendar” in describing service years; set monthly average of duty hours at 36; and specified meeting and drill minimums must be met quarterly.
- January 6, 2021: Added option for holding and attending meetings in electronic format, and added language specifying the mechanism for notifying and crediting members for attendance thereof; changed members needed to call a special meeting or constitute a quorum from "Active" to "eligible to vote"; changed meeting attendance requirement for Life Members in preceding year in order to maintain eligibility to vote and hold office from "35%" to "1/3"; and deleted from role of Vice President the management of meeting room availability.



## City of Salisbury Fire Department Policies and Procedures Manual Standard Operating Guidelines



<b>SOP:</b>	<b>Effective</b> August 8, 2022
<b>Subject:</b> Volunteer Member Incentive Program	<b>Revised:</b>
<b>Section:</b> Personnel	<b>Category:</b> Volunteers
<b>Issued by:</b> John W. Tull, Chief of the Department	

**Purpose:** To provide active Volunteer Members of the City of Salisbury Fire Department with a benefit incentive, provided certain requirements are met.

**Policy:**

- I. An Administrative Board shall be established to oversee this Policy and shall consist of five (5) members to include the:
  - A. Deputy Volunteer Fire Chief; and
  - B. Two (2) Volunteer Members of The Salisbury Fire Department, Incorporated; and
  - C. Two (2) Volunteer Members of Salisbury Fire Company, No. 2, Inc.
- II. The Policy Year shall be the 12-month period beginning on July 1 and ending on June 30 each year.
- III. The Calendar Year shall be the 12-month period beginning on January 1 and ending on December 31 each year.
- IV. To be eligible for Membership benefits under this Policy, a Member must:
  - A. Be an active Volunteer Member of either the Salisbury Fire Department, Incorporated or the Salisbury Fire Company, No. 2, Inc.; and
  - B. Be at least 18 years of age; and

C. Complete a “Year of Benefit Service.” A Member completes a Year of Benefit Service, if he or she completes the following requirements within one (1) Calendar Year:

- i. Is operationally cleared for service and off of probation; and
- ii. Participates in twenty-four (24) hours of verifiable, hands-on company drills/training; and
- iii. Provides a minimum of thirty-six (36) hours of staff time per month:
  - 1. Totaling a minimum of 108 hours per quarter; and
  - 2. Totaling a minimum of 432 hours annually; and
  - 3. Not miss more than one meeting per quarter.
- iv. Members who are injured while in the performance of their duties shall be covered under the Workers Compensation Policy and maintain their eligible service requirements.
- v. Members injured/sick for all other reasons shall maintain eligible service if, and only if, they have met all of the requirements outlined in this Section.

- vi. Members voluntarily requesting a personal leave of absence shall maintain eligible service if, and only if, they have met all of the requirements outlined in this Section.

V. Each Year of Benefit Service shall be calculated utilizing the Fire Department's computer systems:

- 1) Chief Backstage for staff time; and
- 2) Fire House software for training.

VI. Stipend Schedule

A. Volunteer Members who have met the eligibility requirements set forth above and are in good standing according to the City's Master Roster on June 30<sup>th</sup> of each year may receive stipends from the City as a Membership benefit. Stipends shall be calculated based upon "Years of Benefit Service" and distributed upon each 5-year anniversary.

- 1) After 5 Years of Benefit Service, a Member may receive a one-time stipend of up to \$2,500.
- 2) After 10 Years of Benefit Service, a Member may receive a one-time stipend of up to \$3,000.
- 3) After 15 Years of Benefit Service, a Member may receive a one-time stipend of up to \$3,500.
- 4) After 20 Years of Benefit Service, a Member may receive a one-time stipend of up to \$4,000.

- 5) After 25 years of Benefit Service, a Member may receive a one-time stipend of up to \$4,500.
- 6) After 30 years of Benefit Service, a Member may receive a one-time stipend of up to \$5,000.
- B. A Volunteer Member whose service is interrupted by resignation or involuntary termination shall be deemed to have suffered a Break in Service.
- C. If a Volunteer Member suffers a Break in Service before reaching the aforementioned milestones, and subsequently resumes participation, all previous creditable time shall be disregarded in calculating Years of Benefit Service.
- D. For purposes of this Policy, approved leave, such as medical leave, will not be deemed a Break in Service.

## VII. Amendments, Termination, and Other Rights

- A. Amendments. The City of Salisbury reserves the right to make any amendment or amendments to this Policy at any time.
- B. Right to Terminate. The City may terminate this Policy at any time in whole or in part.
- C. No Funding Obligation. The obligation of the City to pay any stipends under this Policy shall be unfunded and unsecured and shall be at all times subject to the City's budgetary rules, restrictions, and applicable ordinances. Any stipends paid under this Policy shall be




made from the general assets of the City, which general assets are subject to the claims of creditors of the City.

D. Disclaimer. Nothing in this Policy constitutes an express or implied contract or warranty of any benefits between the City and any Volunteer Member.

E. Applicable Law. This Program shall be construed and enforced in accordance with the laws of Maryland.



City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator  
From: Richard D. Baldwin, Director of Infrastructure and Development   
Date: August 2, 2022  
Re: Zoning Code Text Amendment Amending Section 17.36.020 and Adding Section 17.224.040

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The text amendment to section 17.36.020 and chapter 17.224 was prepared by the City Attorney and following a public hearing Planning Commission received favorable recommendation on May 19, 2022.

1. Ordinance for a text amendment to Zoning Code in Title 17 Zoning.
  - a. Amending Section 17.36.020 of the Salisbury City Code, entitled "Permitted uses," to add Townhouse development as a permitted use.
  - b. Amending Chapter 17.224 of the Salisbury City Code, entitled "Townhouse Development," to include section 17.224.040 entitled "Requirements in General Commercial District.
  - c. This text amendment will allow for additional housing development options in the General Commercial zoning district adjacent to Residential districts providing a transitional pattern of development.

Unless you or the Mayor has further questions, please forward a copy of this memo and the ordinance to the City Council.

Department of Infrastructure & Development  
125 N. Division St., #202 Salisbury, MD 21801  
410-548-3170 (fax) 410-548-3107  
[www.salisbury.md](http://www.salisbury.md)

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**ORDINANCE NO. 2734**

**AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTIONS 17.36.020 AND 17.224.040 OF THE SALISBURY CITY CODE TO PERMIT TOWNHOUSE DEVELOPMENTS IN GENERAL COMMERCIAL DISTRICTS**

**WHEREAS**, the ongoing application, administration and enforcement of Title 17 (Zoning) of the City Code of the City of Salisbury (the “**Salisbury City Code**”) demonstrates a need for its periodic review, evaluation and amendment, in order to keep the provisions of Title 17 current, comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the “**City**”);

**WHEREAS**, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202 to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City;

**WHEREAS**, the Mayor and Council may amend Title 17 (Zoning) of the Salisbury City Code pursuant to the authority granted by MD Code, Land Use, § 4-102, subject to the provisions set forth in § 17.228.020 of the Salisbury City Code;

**WHEREAS**, the General Commercial district currently permits apartments to provide housing options close to employment, retail, and service centers. The inclusion of townhouse developments would provide an additional housing option near these centers. Townhouse developments with higher density would serve as a transitional land use adjacent to residential districts;

**WHEREAS**, the Mayor and Council find that the health, safety and general welfare of the citizens of the City will be furthered by amending sections 17.36.020 and 17.224.040 of the Salisbury City Code to permit townhouse developments in General Commercial districts;

**WHEREAS**, pursuant to § 17.228.020 of the Salisbury City Code, any amendment to the Salisbury Zoning Code requires the recommendation of the Salisbury Planning and Zoning Commission (the “**Planning Commission**”) prior to the passage of an ordinance amending Chapter 17.04;

**WHEREAS**, a public hearing on the proposed amendment was held by the Planning Commission in accordance with the provisions of § 17.228.020 of the Salisbury City Code on May 19, 2022;

**WHEREAS**, at the conclusion of its May 19, 2022 meeting, the Planning Commission recommended, by a vote of 6-0, that the amendments to Section 17.36.020 and 17.224.040 of the Salisbury City Code set forth herein be approved by the Mayor and Council; and

**WHEREAS**, the Mayor and Council have determined that the amendments to Section 17.36.020 and 17.224.040 of the Salisbury City Code set forth shall be adopted as set forth herein.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, that Title 17 of the Salisbury City Code is hereby amended by adding the bolded and underlined language as follows:

**Section 1.** By amending Section 17.36.020 of the Salisbury City Code, entitled “Method of Regulation” as follows:

17.36.020 Permitted uses.

A. Permitted uses shall be as follows:

1. Apartment units, in accordance with chapter 17.168;
2. Bank;
3. Bakery;
4. Boardinghouse/rooming house;

5. Business center in accordance with the requirements of chapter 17.172, provided that each individual lot shall have a minimum of six thousand (6,000) square feet of land area;
6. Carpenter, sheet metal, sign, blacksmith and welding shop, provided that all activities are confined within a building;
7. Church and other place of worship;
8. Club, lodge and fraternal organization;
9. Cultivation of land;
10. Cultural uses, such as museum, library or art gallery;
11. Dry-cleaning plant;
12. Eating and drinking establishments, including tavern, dance hall, nightclub and restaurants, all types;
13. Firehouse;
14. Equipment sales, rental, service, repair or maintenance facility for industrial, automotive, marine, office, construction, household, business or farm equipment;
15. Greenhouse, florist and nursery;
16. Hotel, motel or motor hotel;
17. Laboratory and establishment for production, sale, fitting or repair of eyeglasses, hearing aids and prosthetic appliances;
18. Light industrial uses, as listed in the light industrial district, completely confined within a building with no outside storage of raw materials or finished products;
19. Lumber and building supplies;
20. Marina;
21. Medical-care facility;
22. Medical and dental office and clinic;
23. Police station or substation;
24. Parking garage, public or private;
25. Mixed use building as defined in section 17.04.120 in this chapter in accordance with a comprehensive site plan, as approved by the planning commission, with a mandatory five-foot-wide landscaping area abutting all property lines and parking lots. Signage shall be the same as required for a shopping center;
26. Neighborhood shopping center not exceeding thirty thousand (30,000) gross square feet of building area in accordance with the requirements of chapter 17.212;
27. Office or office building for more than one office;
28. Radio or television broadcasting station or studio;
29. Retail sales;
30. School of special instruction;
31. Service, rental or repair establishment, such as laundry or laundromat, automobile rental, gasoline and service station, car wash, appliance repair, equipment or instrument repair or rental, dry-cleaning pickup station, hairdresser shop, pet-grooming shop, excluding outdoor runs, upholstery shop, funeral home, tailor and other uses of similar nature;

- 86 32. Taxi and limousine service;
- 87 33. Theater, excluding drive-in theater;
- 88 34. Wholesale business, warehouse, moving, storage and distribution establishment, including
- 89 wholesale sales;
- 90 35. Group domiciliary care facility;

91 **36. Townhouse development, in accordance with chapter 17.224.**

92 **Section 2.** By adding Section 17.224.040 of the Salisbury City Code, entitled "Requirements in General

93 Commercial Districts" as follows:

94 **17.224.040 Requirements in General Commercial District.**

95 **Townhouse developments in the General Commercial District shall comply with all the**

96 **requirements of this chapter and the following;**

97 **A. Contiguity.**

- 98 1. **The parcel on which townhouses are to be built shall have a continuous boundary line**
- 99 **in common, of at least 200', with a parcel(s) in the R-8A or R-10A zoning districts;**
- 100 2. **A road dividing zoning districts cannot be used to establish contiguity.**

101 **B. Density.**

- 102 1. **Townhouse developments shall be at the density requirements for R-5A of this**
- 103 **chapter.**

104 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**

105 **SALISBURY, MARYLAND, as follows:**

106 **Section 3.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this

107 Ordinance shall be deemed independent of all other provisions herein.

108 **Section 4.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section,

109 paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise

110 unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph,

111 subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be

112 deemed valid and enforceable.

113 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such

114 recitals were specifically set forth at length in this Section 5.

115 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.

116

117 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury

118 held on the 22 day of August, 2022 and thereafter, a statement of the substance of the Ordinance having

119 been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the

120 12 day of September, 2022.

121 **ATTEST:**

122

123

124

125 **Kimberly R. Nichols, City Clerk**

126

**John R. Heath, City Council President**

127 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

128

129

130 **Jacob R. Day, Mayor**