

ORDINANCE NO. 2779

AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO ACCEPT ADDITIONAL GRANT FUNDING FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT (MDE) BAY RESTORATION FUND (BRF) AND TO APPROVE A BUDGET AMENDMENT TO THE FY 2023 WATER SEWER FUND BUDGET TO APPROPRIATE SUCH MDE BRF FUNDS FOR CHEMICALS AND EQUIPMENT AT THE WASTE WATER TREATMENT PLANT.

WHEREAS, the City of Salisbury receives Operation and Maintenance (O&M) grant funds from the Maryland Department of the Environment (MDE) through the Bay Restoration Fund (BRF) based on the performance of the Wastewater Treatment Plant; and

WHEREAS, the City's FY23 Budget Ordinance No. 2721, Schedule C listed the MDE BRF O&M Grant for FY23 in the amount of \$450,000.00; and

WHEREAS, due to the exemplary performance of the Wastewater Treatment Plant in calendar year 2022, the City was awarded a total of \$599,776.00 in MDE BRF O&M Grant funds, resulting in an award that is \$149,776.00 more than the anticipated amount of BRF O&M funding set forth in the FY23 Schedule C; and

WHEREAS, the City has received payment in full for the total grant award amount from MDE and desires to utilize those funds to implement operations and maintenance at the Wastewater Treatment Plant; and

WHEREAS, with regard to the additional funds, the Department of Water Works desires to increase funding to the chemical account to continue plant operations and to purchase equipment necessary for plant repairs and removal of large equipment; and

WHEREAS, the chemicals and equipment are part of the operations and maintenance of the Wastewater Treatment Plant and are therefore eligible uses for the BRF O&M grant funds; and

WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury; and

WHEREAS, the appropriations necessary to execute the purpose of the additional \$149,776.00 of BRF O&M funds awarded to the City by MDE for FY23, as provided hereinabove, must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Acting Mayor John R. Heath is hereby authorized to accept, on behalf of the City of Salisbury, the additional Operation and Maintenance grant funds from the Maryland Department of the Environment through the Bay Restoration Fund in the amount of \$149,776.00.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. The City of Salisbury's FY23 Water and Sewer Fund Budget be and hereby is amended as follows:

- (a) Increase MDE Revenue Account No. 60100-425800 by \$599,776.00; and
- (b) Increase Wastewater Treatment Plant Chemical Operating account (Account 86083-546004) by \$495,000.00.
- (c) Increase Wastewater Treatment Plant Equipment Operating account (Account 86083-534302) by \$104,776.00.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. 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 Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

Section 5. 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 5.


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

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 21st day of February, 2023 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 27th day of February, 2023.

ATTEST:

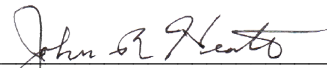


Kimberly R. Nichols, City Clerk



Muir W. Boda, City Council President

Approved by me, this 2nd day of March, 2023.



John R. Heath, Acting Mayor



City of
Salisbury
John "Jack" R. Heath, Mayor

To: Julia Glanz, City Administrator

From: Cori Cameron, Director of Water Works

Date: February 10, 2023

Re: Budget Amendment – MDE Grant for WWTP ENR Operation and Maintenance Activities

The Department of Water Works is requesting consideration for a budget amendment to accept a grant from the Maryland Department of the Environment (MDE) for costs associated with the City of Salisbury Wastewater Treatment Plants Enhanced Nutrient Removal (ENR) operation and maintenance activities. The Wastewater Treatment Plant received the Bay Restoration Fund (BRF) Operations and Maintenance Grant in the amount of \$599,776.00. This is an additional \$149,776 over last years grant of \$450,000.00 Based on 2021 ENR performance, the Salisbury WWTP has achieved performance optimization and consequently qualifies for this grant.

The Grant funds are intended for the operations and maintenance of the Wastewater Treatment Plant. The Department of Water Works would like to designate these funds as follows.

The Wastewater Treatment Plant needs an additional \$495,000.00 added to their FY23 chemical operating budget 86083-546004 to complete the budget year. Chemicals have consistently increased throughout the budget year. We propose to use this amount from the maintenance and operating grant to complete the FY23 plant operations. This will prevent Water Works from needing a budget amendment for chemicals. Chemicals are an important part of the plant operations.

The Wastewater Treatment Plant would like to request the remaining \$104,766.00 be added to their equipment account #86083-534302. This money will be used to purchase equipment for plant maintenance needed to repair and remove large equipment.