

**ORDINANCE NO. 2920**

**AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO APPROPRIATE FUNDS FOR DRINKING WATER STATE REVOLVING FUND PROJECTS INCLUDING THE NAYLOR MILL WATER MAIN EXTENSION PROJECT, A PFAS STUDY AT THE PALEO WATER TREATMENT PLANT AND A LEAD SERVICE LINE REPLACEMENT PROJECT.**

**WHEREAS**, the City of Salisbury is eligible to receive \$6,742,060.00 from the Maryland Water Quality Financing Administration through the Drinking Water State Revolving Fund (DWSRF) Bipartisan Infrastructure Law (BIL) for three projects listed below:

		<b>Naylor Mill Water Main</b>	<b>PFAS Study at Paleo WTP</b>	<b>Lead Service Line Replacement</b>
FFY22 DWSRF BIL Emerging Contaminants	Loan Principal Forgiveness	\$ 2,762,822.00	\$ -	\$ -
FFY23 DWSRF BIL Emerging Contaminants	Loan Principal Forgiveness	\$ 2,112,088.00	\$ -	\$ -
FFY24 DWSRF BIL General Supplement	Loan Principal Forgiveness	\$ -	\$ 100,000.00	\$ -
FFY24 DWSRF BIL Lead Service Line (LSL)	Loan	\$ -	\$ -	\$ 441,787.00
FFY24 DWSRF BIL LSL	Loan Principal Forgiveness	\$ -	\$ -	\$ 1,325,363.00
<b>Total</b>		<b>\$ 4,874,910.00</b>	<b>\$100,000.00</b>	<b>\$ 1,767,150.00</b>

**WHEREAS**, the Naylor Mill Water Main Extension Project is necessary to serve the Naylor Mill Mobile Home Park with municipal water and the project will improve the City's water distribution system hydraulics, redundancy and water quality by extending the water distribution system to loop to the existing water mains in the Westwood Commerce Park; and

**WHEREAS**, the PFAS Study at the Paleo Water Treatment Plant is necessary to evaluate treatment alternatives for per- and polyfluoroalkyl substances (PFAS); and

**WHEREAS**, the Lead Service Line replacement project is necessary to replace water services to approximately 330 properties in the southwest quadrant of the City of Salisbury's water distribution system which is bounded by W Carroll St, Camden Ave, South Blvd, and Waverly Dr; and

**WHEREAS**, design and administration are eligible expenses which are reimbursable by the Water Quality Financing Administration upon acceptance of the construction bids by the Maryland Board of Public Works; and

**WHEREAS**, the PFAS study eligible expenses are reimbursement by the Water Quality Financing Administration upon acceptance of the study bids by the Maryland Board of Public Works; and

**WHEREAS**, the City must forward fund the study, design and administration of the project until study and construction bids are approved by the Maryland Board of Public Works; and

**WHEREAS**, the City must forward fund construction for the time period from payment to construction contractors to reimbursement from the Maryland Department of the Environment; and

**WHEREAS**, the State of Maryland cannot grant approval of the projects until the study bids and construction bids are approved by the Maryland Board of Public Works; and

**WHEREAS**, if approval is not obtained from the Maryland Board of Public Works, then the City hereby acknowledges that the City would need to find another source of funding to continue with the aforementioned project; and

**WHEREAS**, Ordinance No. 2842 allocated \$718,250 for the design and administration of the Naylor Mill Water Main Extension Project; and

**WHEREAS**, the additional forward funding for each project has been estimated as \$250,000 for Naylor Mill Water Main, \$410,000 for Lead Service Lines replacement, and \$50,000 for the PFAS Study; and

**WHEREAS**, funds are available from surplus to be transferred from the Water Sewer Fund as Pay GO to the Water Sewer Capital Project fund for the Project; and

**WHEREAS**, the forward funding provided by the Water Sewer fund will be reimbursed by the Water Sewer Capital Project fund when the anticipated funds from the State of Maryland are received and the corresponding appropriations in the Water Sewer Capital Project funds will be canceled; 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 project study, design, construction and administration 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.** Mayor Randolph J. Taylor is hereby authorized to appropriate funds for the aforementioned projects in the amount of \$710,000.00.

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

**Section 2.** The City of Salisbury's FY25 Water Sewer Fund Budget be and hereby is amended as follows:

<u>Project</u>	<u>Type</u>	<u>Account</u>	<u>Account Description</u>		<u>Amount</u>
Water Sewer Fund	Revenue	60100-469810	Use of Surplus	Increase	710,000
Water Sewer Fund	Revenue	91002-599108	Transfer – Water Sewer Capital Projects	Increase	710,000

**Section 3.** The City of Salisbury's Water Sewer Capital Project Fund Budget be and hereby is amended as follows:

Naylor Mill Water Main	Revenue	97060-469161-50050	FFY22 DWSRF BIL Emerging Contaminants	Increase	250,000
Naylor Mill Water Main	Expense	97060-513026-50050	Construction	Increase	250,000
PFAS Study Paleo WTP	Revenue	97060-469161-TBD	FFY24 DWSRF BIL General Supplement	Increase	50,000
PFAS Study Paleo WTP	Expense	97060-513020-TBD	Engineering	Increase	50,000
Lead Service Line Replacement	Revenue	97060-469161-TBD	FFY24 DWSRF BIL Lead Service Line (LSL) Loan	Increase	410,000
Lead Service Line Replacement	Expense	97060-513026-TBD	Construction	Increase	260,000
Lead Service Line Replacement	Expense	97060-513020-TBD	Engineering	Increase	150,000

**Section 4.** The City of Salisbury's Water Sewer Capital Project Fund Budget be and hereby is amended as follows:

<b>Project</b>	<b>Type</b>	<b>Account</b>	<b>Account Description</b>		<b>Amount</b>
Naylor Mill Water Main	Revenue	97060-469323-50050	FFY22 DWSRF BIL Emerging Contaminants Loan Forgiveness	Increase	2,762,822
Naylor Mill Water Main	Revenue	97060-469324-50050	FFY23 DWSRF BIL Emerging Contaminants Loan Forgiveness	Increase	2,112,088
Naylor Mill Water Main	Expense	97060-513026-50050	Construction	Increase	4,874,910
PFAS Study Paleo WTP	Revenue	97060-469323-TBD	FFY24 DWSRF BIL General Supplement Loan Forgiveness	Increase	100,000
PFAS Study Paleo WTP	Expense	97060-513026-TBD	Construction	Increase	100,000
Lead Service Line Replacement	Revenue	97060-469320-TBD	FFY24 DWSRF BIL Lead Service Line (LSL) Loan	Increase	441,787
Lead Service Line Replacement	Revenue	97060-469323-TBD	FFY24 DWSRF BIL LSL Loan Forgiveness	Increase	1,325,363
Lead Service Line Replacement	Expense	97060-513026-TBD	Construction	Increase	1,767,150

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

**Section 5.** 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.

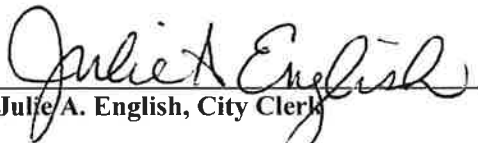
**Section 6.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication 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 7.** 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.

**Section 8.** 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 24 day of February, 2025 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 10 day of March, 2025.

ATTEST:

  
Julie A. English, City Clerk

  
D'Shawn M. Doughty, President  
Salisbury City Council

APPROVED BY ME THIS 18 DAY OF March, 2025:

  
Randolph J. Taylor, Mayor