



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael Scott Cohen
City Clerk Allison K. Layton

AGENDA

M&CC Regular Public Meeting
57 N. Liberty Street

DATE: October 01, 2024

OPEN SESSION – 6:15 PM

Pledge of Allegiance

Roll Call

Statement of Closed Meeting

Presentations

1. Presentation of awards given in recognition of employee career milestone anniversaries

Director's Reports

(A) Engineering

1. Engineering Division Monthly Report for September 2024

Approval of Minutes

1. Approving the Closed Work Session Minutes from August 5, 2024 and the Open Work and Regular Session Minutes from September 17, 2024

Public Hearings

1. Public Hearing to receive comment on the Consolidated Annual Performance Evaluation Report (CAPER) for the 2023 FY, Presented by Lee Borrer, Senior Community Development Specialist

Public Comments – FOR AGENDA ITEMS ONLY

All public comments are limited to 5 minutes per person

Unfinished Business

(A) Ordinances

- [1.](#) Ordinance 3993 (*2nd and 3rd readings*) - providing for the closure of (1) a portion of Cat Alley located between but not abutting Maryland Avenue on the Northeast Side and Park Alley on the Southeast Side and (2) a portion of an unnamed alley abutting the South Side of Cat Alley, and running Southeast to Cecelia Street, with both portions being located in the City of Cumberland, Allegany County, Maryland
- [2.](#) Ordinance 3994 (*2nd and 3rd readings*) - to enact Section 15-56 of the Cumberland City Code prohibiting food and beverages at the Riverside Parklet

New Business

(A) Ordinances

- [1.](#) Ordinance 3995 (*1st reading*) - authorizing the transfer of 336 Baltimore Avenue, 340 Baltimore Avenue, 342 Baltimore Avenue and 447-449 Waverly Terrace to TAC Investments LLC for the purchase price of \$400

(B) Orders (Consent Agenda)

- [1.](#) Order 27,572 - authorizing the Chief of Police to accept the FY25 State Aid for Police Protection Fund grant in the amount of \$539,642 to be used exclusively to provide adequate police protection in the qualifying municipality of Cumberland, Maryland
- [2.](#) Order 27,573 - authorizing the Chief of Police to accept the FY25 Police Accountability, Community and Transparency (PACT) Grant entitled 2025 CPD BWC Project in the amount of \$40,000 to assist with the annual body camera hardware/software costs
- [3.](#) Order 27,574 - declaring certain equipment to be surplus property and authorizing it for sale, trade in, scrap or disposal
- [4.](#) Order 27,575 - approving the reappointment of Garland Kearney to the Cumberland Housing Authority Board of Commissioners for the five-year term expiring October 31, 2029
- [5.](#) Order 27,576 - approving the sole source proposal from Cargill, Inc. to provide road salt for an amount not to exceed \$200,000 for the term September 1, 2024 - August 31, 2025, with pricing obtained through the statewide contract
- [6.](#) Order 27,577 - accepting the bid from Belt Paving, Inc. to provide full depth asphalt repair as well as some milling and overlaying on a portion of Kelly Road (City Project 2024-04-TRFC) in the amount not to exceed \$153,334
- [7.](#) Order 27,578 - declaring certain City-owned property to be surplus and authorizing it for sale
- [8.](#) Order 27,579 - authorizing a Special Taxing District residential exemption for 55 Baltimore Street in the amount of \$1,051.08
- [9.](#) Order 27,580 - authorizing the execution of an Outdoor Dining Lease Agreement with Frank and Stein's Beverage (DBA Downtown D'Atri Pasta & Subs) for the use of

the public right of way immediately in front of and adjacent to the property for outside cafe dining for a term effective October 1, 2024 through October 31, 2025

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

. Engineering Division Monthly Report for September 2024

Capital Projects							September 30, 2024	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2008		05-08-S	Evitts Creek CSO Upgrades Phase III (gravity sewer under railroad)	Replacement of CSO line connecting Evitts Creek Pump Station effluent with gravity line that parallels the Canal Towpath. Said gravity line is being replaced under project 17-03-S(1).	Design	UPDATE - Continuing to requesting access to the railyard with CSX. In a holding pattern until CSX can provide timeframe to perform CCTV work on the sewer mains and locate buried manholes.	RLS	9/25/2024
2008		06-08-S	Interceptor Sewer to Evitts Creek Pump Station Phase IV	This is the sewer along Evitts Creek upstream of the Pump Station. Project is to evaluate existing line and determine if repair or replacement is best option.	Final Engineering	UPDATE - Received engineering report from Gwin Dobson & Foreman on 1/18/22. Received remaining funding for construction from Governor's Grant in 3/24. Final Engineering began on 6/13/24. Gwin Dobson is has completed surveying the site and are working on the final design for rehabilitation of approximately 6,500 feet of pipe	MDI	9/20/2024
2013		6-13-RE	Cumberland Skate Park	The Cumberland Skate Park project will see the completion of a new skate park at the Gene Mason Sports Complex.	Construction Bidding	UPDATE - Project site work was put out to bid with bids due on 10/3/2024. The subcontractor, Rampage Skateshop, was hired to design and construct the skate park with SPECS Engineering contracted for the engineering plans.	ANM	9/20/2024
2014		04-14-WWTP	Sludge Screening Study/Design	Study to select the best alternative to keep rags out of the recently cleaned and modified digester because the modifications will make it impossible to retrieve rags in the future.	Design	NO CHANGE Need/Benefit of the project is being reevaluated, and for now the project is on hold. Design is complete and the project will remain on this report for the time being.	RLS	4/2/2018
2014		19-14-M	Greene Street Complete Street Plan	Planning Study for Greene Street	Planning	NO CHANGE - The Design Report from Alta Planning + Design was submitted and presented to the Mayor and City Council. The plan to start work on Construction Funding Applications has been delayed because of the Baltimore Street Project, which would have been competing for the same funds. This project still needs to be done and should be a priority in the future.	RLS	6/1/2017
2015		18-15-S	CSO Water Quality Analysis	Base line data collection for analysis of future CSO needs after CSO Storage is on line.	Planning	NO CHANGE Project continues. Staff are taking regular scheduled stream samples for e-Coli analysis at this time. Rainy days (once a month) are the target for sampling at this time.	RJK	6/11/2024
2016		12-16-M	Baltimore Street Access Improvement - Final Design	The purpose of the New Baltimore Street Town Center project is to reopen and improve Baltimore Street, which is currently configured as a pedestrian mall, to vehicular traffic while maintaining elements of the mall.	Construction	UPDATE - The project has been award to Triton Constrution of Saint Albans, WV for \$14,638,500. Construction began on 4/3/2023. To date, contractor has invoiced for \$11.9m. Underground work was completed in the winter. Current phase consists primarily of paver installation and installation of furnishings. Triton has submitted a request to extend the contract and additional 6 weeks, which will update the substantial completion date to November 15, 2024.	MDI	9/20/2024
2016		18-16-BR	John J. McMullen, Bridge No. A-C-01 Repairs	Bridge Repair	Complete	COMPLETE - Project is using State in lieu of Federal Aid funding. Construction phase was awarded to Harbel for a price of \$500,577. Project consists of various concrete repairs, mostly to pedestrian walkway. Harbel/Carl Belt completed this work in July of 2024.	MDI	9/20/2024
2016		19-16-S	78" Parallel Pipeline from Mill Race to CSO	78" Pipeline to CSO tank in accordance with Consent Decree	Design	NO CHANGE - The City continues to coordinate restarting this work with the USACE in light of the Canal Rewatering Work. The design agreement is signed and now waiting for internal processes for USACE to finalize before resuming design work on the pipeline.	RLS	6/13/2024

2017		2-17-FPM	Flood Control Encroachment removal Project	The City as the Local Sponsor of the Flood Control Project is expected to maintain the easements along the Flood Control Project, however the area along Wills Creek and other areas were never given any comments until the Corps of Engineers standards changed. Completion of this project is necessary to allow the City to get a Satisfactory rating on its annual Flood Control Inspections.	Planning	NO CHANGE - This project has been delayed because of other work, but must be done. A tree removal project has been bid out and a contractor selected to do the work of removing trees in the encroachment area.	RLS	7/11/2018
2017		18-17-M	Maryland Avenue Development	This is not an Engineering Project, but included here to cover future department work with the development.	Design	NO CHANGE - Phases 1 & 2 of the Cumberland Gateway project has moved into construction. The Department will support future phases for stormwater management reviews and traffic design support.	RLS	3/26/2021
2018		08-18-BR	Cumberland Street Bridge Replacement	This project will replace the bridge structure.	Design	UPDATE - Working to complete the final design documents. Planning to submit PS&E package in October	RLS	9/25/2024
2018		09-18-BR	Baltimore Street Bridge Replacement	This project will replace the bridge structure.	Construction	UPDATE - The project is nearly complete. The bridge is open to traffic and only items remaining involve repairs to the flood wall. Construction is expected to be complete in October.	RLS	9/25/2024
2018		22-18-M	Solid Waste and Recycling Collection	Contract documents for the FY20 garbage and recycling collection bid process	Planning	UPDATE Last year of contract (was extended one year).	RJK	9/20/2024
2018		26-18-M	Ridgeley Levee System Certification					
2018		31-18-WFP	Pine Ridge Water & PUC Rate Issues	Project involves determining a path forward regarding the supplying of PA residents with water	N/A	NO CHANGE - City staff continues to work through issues with PA regulators about water issues	RLS	1/28/2020
2018		44-18-BR	Washington Street Bridge Replacement	This project will replace the bridge structure.	Planning	NO CHANGE - Studies have been returned and subject to CSX negotiations.	RLS	8/5/2019
2020		2-20-M	Frederick St Parking Garage Repairs	Repairing a spalled section of slab on grade in Frederick St parking garage, as well as looking into sealing all concrete driving surfaces	Planning	NO CHANGE - Researching proper repair systems for spalled concrete in parking garages. Working with Street Dept. to determine if city forces can make repairs.	MDI	1/24/2020
2020		6-20-S	Sanitary Sewer Lining Assessment	Performing a cost assessment on relining (CIPP) all sanitary sewer lines within city.	Planning	NO CHANGE - Based on list of "high risk" lines provided by sewer dept, have developed a preliminary cost estimate. Bobby is now working with sewer department to develop an RFP for a yearly service contract for sewer line relining throughout City.	MDI	11/29/2023
2020		9-20-M	Constitution Park Fill Disposal	Assessing potential clean fill dump sites for Public Works	Construction	UPDATE - Public works dept. has finished dumping in site #1 behind Long Field. They have placed topsoil and will hydroseed this area in October. Site #2 (behind pool house) was filled in Spring of 2024 and will remain gravel at the surface for future vehicular use. The slopes will also be hydroseeded in October. These sites will be completely closed with MDE in the Spring of 2025.	MDI	9/20/2024
2020		14-20-M	Carver Building Repairs	Project to repair damage to the Carver Building	Planning	NO CHANGE - The building power should be restored in the near future to allow for the lights/HVAC equipment to be tested. Still no word on the plans for the building from the Board	RLS	1/25/2023

2020		17-20-WWTP	CSO Long-Term Control Plan Projects/Schedule Review	Correspondences with MDE regarding the LTCP Projects and the Consent Decree (CO) end date: October 1, 2023.	N/A	UPDATE Coalition received a draft Modified Consent Decree from MDE late April. Staff have reviewed the document, met with other coalition members, and met with MDE in Frostburg on August 23, 2024 to discuss the challenges in the Modified Consent Decree. Next steps are to mark up the Modified Consent Decree (MCD) as a coalition and forward back to MDE for further comments and discussion. Legal counsel is required for MCD negotiation discussions.	RJK	9/20/2024
2020		29-20-S	Locust Grove Force Main & LaVale Water Main Replacement	Joint project between Allegany County Public Works & LaVale Sanitary Commission to replace the force main from the new Locust Grove Pump Station and replace water main to LaVale.				
2020		30-20-SWM	Grow West Facility Expansion	SWM Review for proposed expansion of Grow West MD Facility @ the industrial park.	Construction	COMPLETE City only monitoring SWM at this facility with any future developments. Initial contract is complete.	MDI	9/20/2024
2021		4-21-W	Route 220 20" Water Main Replacement	Project to replace the 20" water main in Route 220. The water line from I-68 to the State Prison is currently owned by the City. Discussion are being held between the City and County to partner on the project or transfer the asset to the County.	Planning	NO CHANGE - This project is in the planning stages in conjunction with Allegany County.	RLS	4/21/2021
2021		6-21-RE	Constitution Park Wading Pool Filter Renovation	Replace the cracked filter and other improvements to the mechanical building equipment for the wading pool.		NEW -		
2021		10-21-M	Undocumented Rights-of-Way	Decide how undocumented rights-of-way should be dedicated and what form of dedication is need to prevent the rights-of-ways from accidentally being sold.	Study	NO CHANGE - Evaluating using GIS to track City owned property, easements, parcels used for rights-of-way, etc. May need to request a legal opinion on several issues. As part of the evaluation, multiple issues have been found in the parcel data from Maryland SDAT (city owned parcel shown in the wrong location). The City will need to review City owned parcels and report errors to SDAT.	JRD	8/30/2023
2021		12-21-WWTP	Industrial Pretreatment USPI CWT Organics Permit Application	An application to discharge industrial wastewater as a Centralized Waste Treatment facility (Categorical Permit request by existing Significant Industrial User USPI)	Planning	COMPLETE - Permit issued to USPI, effective date was November 22, 2021. USPI trade name is now RRCWT and operating completely as a CWT. This permit is monitored under the WRF Pretreatment Program.	RJK	6/11/2024
2021		16-21-M	Downtown ADA Improvements	This project includes the replacement of the curb ramps for compliance with the latest ADA requirements at the following locations: Baltimore/Mechanic intersection on the southwest and northwest corners, Liberty/Dexter intersection at the southeast and southwest corners, Centre/Dexter intersection at the southeast and southwest corners, and Centre/Fredrick intersection on the northeastern side.	Planning	NO CHANGE - Project is scheduled to receive CDBG funding in FY25 for \$330,000 (Baltimore St Redesign Ph5 areas). Final design and RFP development to begin in May 2024.	MDI	4/29/2024

2021		20-21-M	Engineering Database Migration	This project will implement the migration of data from the Engineering Department's drawing database and project database to the Laserfiche document management system including the transfer of the scanned images of the Department's drawings from the file server into Laserfiche and the collection of additional metadata for each image.	Planning	UPDATE - Issues with trying to Laserfiche continue to happen, most recently everyone in Engineering was deleted from the groupe that had permission to use Laserfiche forms (IT has corrected this issue), and currently the Froms process to submit new project is not work (IT has been notified).	JRD	9/26/2024
2021		21-21-WFP	Water Allocation Permit Renewal PA DEP	The Water Allocation Permit is required to be renewed every 25 years. The City will use Gwin, Dobson and Foreman to work through the permit and establish how much flow we can pull from the reservoirs.	Permitting	NO CHANGES - Application submitted in March.	RJK	6/11/2024
2021		30-21-M	Sustainable Communities Program Renewal	Sustainable Communities Program Renewal documentation. The program allows the City to access grant sources and is required to be updated every 5 years.	Planning	COMPLETE - Plan updates sent to Community Development by Dec 7th.	RJK	3/9/2022
2021		31-21-RE	Constitution Park Amphitheater Upgrades	Project to upgrade the Constitution Park Amphitheater.	Construction	NO CHANGES - Contracted portion of project is complete (new benches, sidewalks, asphalt parking area, gutter). City forces to install new pole-mounted lights behind amphitheater this year after concert season.	MDI	7/26/2023
NOTE: Beginning in 2022, the Engineering Department will be migrating to a new project number format. The new number format places the 4-digit year first, a 2-digit yearly sequence second, and a 3 or 4-character project type code third.								
2022	2022-02-WTR	2-22-W	South Cumberland Water Main Replacement Project	This project includes the replacement of undersized water mains in Humbird, Walsh, and Cumberland Park areas of Cumberland; plus the replacement a a 12" portion of the water main along the southern side of Industrial Blvd. (Route MD-51).	Design	UPDATE - Project was bid and was awarded to Excavating Associates. Construction has begun starting at Industrial Boulevard and will be a 9 month project. Industrial Boulevard work is complete along with other mains. Focus has now shifted to installing service lines starting on Bowen Street and Virginia Avenue. Lining under CSX is on hold.	ANM	9/20/2024
2022	2022-09-SHLD	09-22-M	Cumberland Street ADA Improvements	ADA improvements at the intersection of Johnson, Cumberland, and Market Streets	Design	NO CHANGE - This project is currently in preliminary design. The scope of work includes work that was not able to be completed under projects 24-18-M and 14-11-M. This project is currently on hold due to focusing on other priority projects.	JAT	7/19/2022
2022	2022-10-SWM	10-22-SWM	Messick Road Development	SWM Review and Utility Easement Review	Review	NO CHANGE - Waiting for support to be requested of the Engineering Department for this project.	RLS	2/2/2023
2022	2022-11-PBLD	11-22-PBLD	City Hall/Public Safety Building HVAC Improvements	American Rescue Plan Act (ARPA) Funded Project to improve the HVAC systems of these buildings to improve air quality capabilities and system energy efficiency.	Construction	UPDATE - The cooling system is complete and in operation. Currently working on the hot water system. Planning to perform a power outage on 10/11-10/14 to tie in the new main distribution panel. Project completion date is set for November 24.	RLS	9/25/2024
2022	2022-12-PBLD	12-22-PBLD	Prisoner Processing Improvements	American Rescue Plan Art (ARPA) funded project to remodel the prisoner processing areas of the Cumberland Police Department in the Public Safety Building	Planning	NO CHANGE - Due to insufficient ARPA funds being allocated, this project will not proceed in FY25 and be planned for a future year. This will provide time to find an additional funding source.	RLS	1/29/2024
2022	2022-14-MISC	14-22-M	Residential Grass Mowing	Contract for mowing the residential properties within the City Limits which include blighted properties and recent demos.	Construction	NO CHANGE - Contract underway.	DTG	9/25/2024

2022	2022-15-MISC	15-22-M	Non Residential Grass Mowing	Contract for mowing the Commercial and Public Owned Properties within the City Limits. To include water tanks, City Hall, Public Safety and several others.	Construction	NO CHANGE - Contract underway.	DTG	9/25/2024
2022	2022-16-SHLD	2022-16-SHLD	Waverly Terrace Retaining Wall Replacement	Project to include replacement of retaining wall below road between 16 and 24 Waverly Terrace. Will include installation of storm sewer.	Planning	NO CHANGE - Currently developing preliminary cost estimate to install an inlet along Waverly to catch stormwater runoff and direct to nearby sewerline, as well as multiple repairs to retaining wall. Project on hold.	MDI	7/22/2022
2022	2022-23-SWM	2022-23-SWM	Queen City Armory SWM Review	SWM Redevelopment Review for two new structures on S. Wineow St. for Queen City Armory	Complete	COMPLETE - Project is complete. City will perform annual inspections of SWM pond in back of this facility.	MDI	9/20/2024
2022	2022-24-BR	2022-24-BR	Fayette Street Over CSX Rail Bridge Replacement A-C-08	Design and construction of the Fayette Street Bridge (A-C-08)		NO CHANGE - The project cannot proceed until granted authorization from MDOT and FHWA. No timetable has been provided for when this can begin.	RLS	6/13/2024
2022	2022-26-SHLD	2022-26-SHLD	Massachusetts Ave and New Hampshire Ave ADA Improvements	CDBG funded project to install ADA improvements and new sidewalk on Massachusetts Ave and New Hampshire Ave between Oldtown Road and Kentucky Ave	Design	UPDATE - The overall preliminary design and cost estimate of this project have been finalized. The paving portion of this project was delegated to the projected FY25 paving scope. Engineering will finalize the remaining scope of the bid package as time allows so it is ready to bid when funding is available. The Sewer Department is scheduled to begin repairing the existing inlets with the project area. Much of the sewer work that was in the original project scope has since been delegated to the Sewer Department to complete in-house.	JAT	6/11/2024
2022	2022-28-WFP		UCMR5	Quotes for water plant sampling of UCMR5	N/A	NO CHANGE - Public notification required as results are posted. A note was applied to the water bills - where space allowed. Information is updated as results are received on the City's website under Engineering, Drinking Water.	RJK	6/11/2024
2022	2022-29-M		Bellevue Street Brownfields Site MDE Project Review	EPATBA Program Phase I and Phase II as required to explore contaminants upon the Old Sacred Heart Hospital Site (remaining undeveloped properties)	Study	UPDATE - EPA TBA program. Upon the completion of the Phase II MDE issued a letter on June 17, 2024; Project Closure - no further investigation and/or remediation requirements for the property.	RJK	9/20/2024
2022	2022-32-RECR		Constitution Park Trails	CDBG funded project to install mountain biking and walking recreational trails within Constitution Park	Design	UPDATE - GASS has completed and finalized any necessary documentation, permits, etc. to begin mobilizing for the construction portion of this design/build contract. Engineering and Community Development have received and approved design plans from GASS for the new trail system. We are currently waiting on confirmation that the environmental review has successfully gone through the HUD approval process - construction is still expected to occur in Summer 2024.	JAT	6/11/2024
2022	2022-35-FPM		Ridgeley Bituminous Sill Repairs	Project to include repairs to the existing bituminous sill that caps the sheet piling in the Ridgeley railyard. Part of Cumberland's Flood Control System	Planning	UPDATE - This project is on hold until next year due to higher than anticipated pricing from Rhinehart Railroad Co for supplemental rail and crosstie rehab work (required vendor for WMSR work). Working with WV Hazard Mitigation to obtain 2025 funding.	MDI	9/20/2024
2022	2022-36-PBLD		AST Compliance at MSC	Permit compliance for the fuel tanks at the MSC	N/A	COMPLETE - Permit compliance is met with the fuel tank replacement project 2023-14-PBLD	RJK	6/11/2024
2022	2022-39-FPM		River walk and Potomac Industrial Dam Removal	Remove the industrial dam for the purposes of creating a river park with walking trails, moderate kayak course, docks for kayaks/canoes and a viewing area	Design	NO CHANGE - The draft PER has been submitted. Additional work will need to be completed once the USACE provides the HEC-RAS analysis for the project area. Canal Place has retained a project engineer for the project so future updates will come from their office.	RLS	6/13/2024

2022	2022-42-SHLD		Fletcher Alley Road Repairs	Repair section of Fletcher Alley behind 820 Greene, where old railroad ties used to support road have started to fail.	Planning	NO CHANGE - Planning for possible repairs is underway. Still need to confirm if garage at 820 Greene was permitted prior to determining final remediation plans.	MDI	4/12/2023
2023	2023-07-PVG		General City Paving FY24	Paving projects for FY24	Planning	UPDATE - Engineering is currently working out scope of work for costshare agreements with Columbia Gas for the paving of Browning St and Greene St	JAT	11/16/2023
2023	2023-10-M		Solid Waste and Recycling Collection RFP FY25	Curbside solid waste and recycling collection, bulk pick-up, landfill tipping fee, and dumpsters	N/A	UPDATE - RFP being drafted planned for FY26 solid waste services.	RJK	9/20/2024
2023	2023-12-BRDG		Marion Street Bridge Repairs	Repair spalled concrete under the bridge deck	Design	NO CHANGE - The project design is complete. Engineering is holding off on bidding the project until work load is more manageable.	RLS	1/29/2024
2023	2023-13-M		2023 ECWC Watershed Timber Sale	Annual Timber Sale @ ECWC	Construction	NO CHANGE - Work is ongoing.	DTG	9/25/2024
2023	2023-14-PBLD		MSC Fuel Tank Replacement	Municipal Service Center Tank Replacement	Construction	UPDATE - Project awarded to Triad Engineering 11/21/2023. Start of construction on 4/15/24, As of June, demo is completed, fuel tank is placed and canopy is under construction. Expected to be complete mid-July. Project completed pending completion of 2 remaining punch out list items, which was delayed due to the supply chain and MDE inspections.	ANM	9/20/2024
2023	2023-17-RECR		Park and Public Facilities Signage Project	New Park Signage Design and Implementation	Construction	NO CHANGE - Implementation of this project is being handled internally by Parks and Recreation, Engineering has provided assistance and support as needed.	JAT	8/24/2023
2023	2023-18-WRF		WRF Plant Optimization Study	The project scope has been changed to focus on the Biosolids operation, anerobic digester and the CSO screen. This project will be renamed and a future study will be required to look at the process in light of the CSO Tank during wet weather events	Study	UPDATE - This RFP was awarded WRA and work is under way.	RLS	9/25/2024
2023	2023-20-WFP		WFP Membrane Filtration Building	Design new membrane filtration building for the WFP	Design	UPDATE - The PER has been submitted. Engineering staff will begin reaching out to funding agents to determine a path towards funding the project.	RLS	9/25/2024
2023	2023-22-SHLD		Market Street Sidewalk Improvements		Design	NEW - This is a new project for ADA improvements at Market and Centre/Mechanic	JAT	11/16/2023
2024	2024-01-UTIL		MDE PreApplications FFY24 FY26	Applications for state funding for Water & Sewer projects WQSRF, BRP, etc...	N/A	COMPLETE - Five applications prepared for submission 1/31/2024: Three CSO program projects; 78" Pipeline from Mill Race, ECPS Phases III & IV. One drinking water application; WFP Membrane Filter Building.	RJK	6/11/2024
2024	2024-02-WTR		24 Inch Crosstown Water Main Replacement	Water main replacement from Polk St to Piedmont Ave	Planning			
2024	2024-03-FPM		Dry Run Dam Overtopping		Study	NO CHANGE - Requesting funding from MDE for engineering	MDI	4/29/2024
2024	2024-04-TRFC		Kelly Road Pedestrian Improvements	Upgrade of mid-block crosswalk on Kelly Road at YMCA	Construction Bidding	UPDATE - Proposed improvement plans including Rectangular Rapid Flashing Beacons, additional signage, and additional pavement marking have been developed will be installed by Central Services after this section of road is paved. Belt Paving was low bidder to pave approximately 0.5 mile in front of the Y. Paving will occur this Fall.	MDI	9/20/2024
2024	2024-05-M		2024 ECWC Watershed Timber Sale					
2024	2024-06-PVG		Mechanic & Harrison Streets Intersection Improvements					

2024	2024-07-PRKG		Constitution Park Parking Lot Paving	Paving improvements for various parking areas in Constitution Park	Design	UPDATE - Design for the parking lot adjacent to the pool and bathrooms is underway. Working on finalizing a preliminary plan for that lot to be paved in house, also working on funding requests for other parking lots within the park for both paving and accessibility improvements.	JAT	6/11/2024
2024	2024-08-RECR		Constitution Park Pedestrian Improvements	Pedestrian improvements in Constitution Park by the pool, parking lot, and craft house	Planning	UPDATE - In preliminary design and is being planned alongside some of the other related parking improvements in Constitution Park	JAT	6/11/2024
2024	2024-10-SWM		Dunkin Donuts Spring Street SWM Review	SWM Review for Dunkin Donuts project at corner of Spring Street and Park Avenue	N/A	COMPLETE - SWM review completed for new Dunkin Donuts. City will be responsible for yearly inspections of facilities.	MDI	4/29/2024
2024	2024-11-PVG		General City Paving FY25					
2024	2024-12-PBLD		MDE BEPS Public Safety Building	Maryland's Energy Performance Standares for buildings over 35,000 SF	N/A	NO CHANGE Owners of covered buildings are required to report energy data to MDE through the Environmental Protection Agency (EPA) ENERGY STAR Portfolio Manager tool. This process, called benchmarking, will begin in 2025. Starting in 2030, buildings must meet interim direct greenhouse gas emissions and site energy use intensity (EUI) standards on the way to the 2040 final targets. Covered building owners may need to make improvements to their buildings to meet the net direct greenhouse gas emissions and/or site EUI standards.	RJK	9/20/2024
2024	2024-13-SWM		Grow West Dispensary Beall Street	SWM Review for new Grow West Dispensary at the corner of Beall Street and S Lee Street	N/A	UPDATE - SWM Review is in the site development phase.	MDI	9/20/2024
2024	2024-14-SWM		Western Maryland Outdoor Power	SWM Review for a storage building at Western Maryland Outdoor Power (Garden View Dr)	N/A			
2024	2024-15-WFP		Koon Dam Emergency Manhole Repairs	Repairs to two manholes in response to notification by PennDOT after last bridge inspection	Complete	UPDATE - Project is complete	RLS	9/25/2024
2024	2024-16-MISC		Clock Tower for Hendershot Park	Proposed clock tower and other improvements for Hendershot Park that is to be funded through LBC.				
2024	2024-17-RECR		Fairmont Ave Playground Improvements					
2024	2024-18-WFP		PA Dam Inspection Contract	Development of contract for Dam Engineering consultant to inspect Koon and Gordon Dams annually	Inspection	NEW - This is for a 3-year inspection contract. Bids were received on 8/28, with Gwin Dobson and Foreman as the low bidder. They will do their first inspection this October.	MDI	9/20/2024
2024	2024-19-RECR		2024 Constitution Park Playground Equipment Replacement	Replacement of playground equipment across from Pavillion 1 & 2	Construction Bidding	NEW - Bids were received on 9/18. They are currently being evaluated and will be placed on the 10/15 Agenda	DTG	9/19/2024
2024	2024-20-WRF		Bundled Energy Solutions			NEW - Centrica Business Solutions has been selected to proceed to the project development stage where the scope of the project will be finalized.	RLS	9/25/2024

File Attachments for Item:

1. Approving the Closed Work Session Minutes from August 5, 2024 and the Open Work and Regular Session Minutes from September 17, 2024



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room
57 N. Liberty Street
Cumberland, MD 21502

Tuesday, September 17, 2024; 5:15 pm

PRESENT: Mayor Raymond M. Morriss; Council Members: Richard Cioni, Eugene Frazier, James Furstenberg, Laurie Marchini.

ALSO PRESENT: Jeffrey F. Silka, City Administrator; Allison Layton, City Clerk; Michael Cohen; City Solicitor; Bobby Smith, City Engineer; Shannon Adams, Fire Chief; Melinda Kelleher, Director of the DDC

Media: Teresa McMinn, Cumberland Times-News, Kathy Cornwell, WCBC and Hannah Fout, WCBC

Sandra Roeder, Public

I. DISCUSSION ON THE CHURCH/BUTLER ALLEY PARKING ISSUE

Mr. Silka addressed all in attendance regarding the Church/Butler Alley Parking issues that were previously discussed and before handing the discussion over to Melinda Kelleher and Bobby Smith, he added that the City is looking for clear direction for staff on how to proceed with addressing the parking issues.

Mr. Smith updated that handicapped parking spots have been removed and Church Alley and has been striped with parking spots. The loading/unloading signs have also been removed and Rose's has installed chains to prevent parking. The City is not providing private parking spots or lots anywhere downtown with the exception of the Cumberland Arms, which is a private lot.

Mr. Smith's question to the Mayor and City Council was if they prefer enforcement of the right of way because at this time parking is taking place in the fire lanes. Councilman Cioni clarified if the signs would be on the right-hand side coming off of Frederick Street, and Mr. Smith confirmed, and added that the issue is not lack of parking but instead understanding and people parking wherever they choose, which leaves the issue of how the Police Department enforces parking without any signage.

Mayor Morriss responded to Mr. Smith that the right of way has to be enforced even if that means no parking on the right-hand side. In the event of an emergency that would prohibit emergency personnel from passing, the City would not be enforcing the law.

Councilwoman Marchini clarified with Mr. Smith the amount of parking spots with meters, and he responded there are five or six off of Frederick Street on to Church/ Butler Alley and at the end of Butler Alley there are four parking spots that will be converted to ParkMobile. Ms. Marchini asked about whether parking spaces could be used to lease monthly to individuals who live in the buildings that back up to Church/Butler Alley, who have resided for long periods of time and do not have close parking available to them. Mr. Silka responded that the City could lease all of the spaces and mentioned the issue of allocation of spaces vs. residents would need to be addressed and mentioned charging a residential rate.

Melinda Kelleher spoke about merchants who work at some of the businesses and when they leave at night, they have issues of being blocked in from cars. She indicated that Mr. Smith, the Fire Marshal and herself walked the area and the Fire Marshal confirmed that there would be an issue with EMS passing through in the event of an emergency with parking in place as it was on that particular day. The issue is believed to be that people have been parking there for so long without being told otherwise and merchants are calling regularly to voice their complaints about this issue. Merchants are also parking in unmarked spaces and blocking entrances.

Mayor Morriss about the idea of leasing parking spaces for residential use and said that a plan for execution needs to be determined. Once that plan is in place, no parking signs would be posted and enforcement of the right of way the entire length of the alley would be implemented. Mr. Silka added that an Ordinance would be crafted regarding leased spaces and criteria to lease the parking space would need to be met, meaning a person would need to be a resident of a building and the offer for the leased spaces could be made to those already residing there. Ms. Marchini suggested taking metered parking spaces and allowing residents who have lived in the building over an extended period of time, to have first choice of the spots they prefer. Mr. Silka added that getting rid of the meters and leasing parking spaces generates revenue for the City. Ms. Kelleher added that it also allows a building owner to offer paid parking to a buyer, should they sell the building.

Mayor Morriss offered that the whole left side could be used as leased parking spaces and the parking spaces are premium parking spaces directly behind the resident's building. Mr. Silka indicated that he would work on getting a policy in place for review at a later meeting. Mr.

Smith also mentioned that he and Mr. Cohen need to address the issue with the encroachments with the dumpsters. Mr. Adams added that the current parking situation creates an issue with access to sprinklers in the event of an emergency.

II. DISCUSSION ABOUT THE CITY'S MISSION STATEMENT

Mr. Silka addressed the Mayor and City Council about the City's Mission Statement that was discussed last October during the Council Retreat. He wants to define how to write a mission statement and shared a PowerPoint presentation stating that a Mission Statement is a brief, concise statement about general values to guide City goals. The Mission Statement should explain why we exist and what we are doing right now. Mr. Silka said there are four important questions to think about when writing the statement; Who are we, what do we do, why do we do it and who do we do it for. A few things to keep in mind when writing: is it too long, too general, not clear but vague and boring, unbelievable and unachievable. Mr. Silka advised against using buzz words and recommended keeping it simple when drafting the statement:

- Is it clear and concise
- Is it distinctive or memorable
- Does it clearly state the purpose of the City
- Does it indicate the primary function or activities of the City

Mr. Silka asked members of Council to draft their key points and then we will continue the discussion, hopefully creating a statement that can be approved.

III. REVIEW OF THE PUBLIC MEETING AGENDA OF SEPTEMBER 17, 2024

Mr. Silka deferred to Mr. Smith to explain Order # 9 on the agenda. Mr. Smith shared that the City has bid on an energy savings service and explained how Centrica would help reduce energy costs related to the project. Although the same bills would continue to be paid, the remaining funds would be allocated to the energy company and an escrow account would be held for the period of time agreed upon for a return. There are some projects that will be taking place at the Wastewater Treatment Plant (WWTP) stemming from 2020 when the City had to shut down an Anaerobic Digester due to a leak on the Methane tank and the cost to process biosolids has increased excessively. The contract with the current vendor expires next year so the question of who will process the biosolids moving forward needs to be addressed. Mr. Smith continued that there is an immediate return in addressing the issue with the methane tank and putting Anaerobic Digestion back into the operation. Currently the bills are a fixed component and the variable rate is based on the amount of tonnage. They are receiving poor quality sludge to process right now and if we could send them higher quality sludge, it would reduce the dry tonnage, which would reduce our cost. Centrica is looking to do three projects for the City, getting the Anaerobic Digester back on, a solar component to put panels down at Donahue Field and switch gears. The Solar panels would be used to knock the peak energy

demand down. The switch gears were installed in 1978 and have reached life capacity, and are a component in the solar panels. At this time, there would likely be a 6–7-year performance period until savings area realized.

Councilman Furstenberg asked Mr. Smith how long the contract is and how long replacement is needed. He responded that the approval from Mayor and City Council would be to approve the contract, if the City does not agree with the amount proposed the contract states that company can recoup their costs. Mr. Silka explained that this has been vetted to make the needed improvements and is financially in the best interest of the City. Mr. Smith added that Centrica would bring in their own labor for the project, so the City would only be spending money already being used. Once the contract is available, it will be presented to the Mayor and Council to see what the performance period would look like and if it ended up being successful, could be extended to other projects.

Mr. Silka also brought up Order # 11 regarding free parking at City lots and meters in the downtown area on Thursday, November 14 through Saturday, November 16, 2024 for the Ribbon Cutting ceremony and events to follow.

IV. MAYOR AND CITY COUNCIL UPDATES

Councilman Frazier mentioned Heritage Days was the best he has attended in years. He spoke with several vendors and they shared how well they did and that they are looking forward to returning next year.

Councilman Furstenberg met several visitors from out of town who to take yard signs showing support of downtown businesses. Mayor Morriss added that he had spoken with residents that are new to the area and they mentioned how much they like the area and also asked for signs to display in their yards in support of downtown businesses. Councilman Cioni added that he had spoken with some people that grew up in Cumberland but have relocated to CA and CO and mentioned that they would do anything to come to a city like Cumberland.

Councilman Cioni shared that the Parks and Recreation Board met last week, and with Halloween approaching to keep an eye out for the parade date. He also mentioned that Friends of the Park and Ryan Mackey are going to be putting together a program and they might be asking for donations.

Council members asked for an update for the Skatepark and Mr. Silka responded that it is being reviewed by the State and there is hope for construction in the Spring. Mr. Smith added that the Engineering Department is currently bidding on the project for construction.

Councilman Cioni mentioned that Let's Beautify Cumberland (LBC) met as well and close to \$800 was raised for the clock at Heritage Days. LBC is hoping to have the clock in place for New Years Eve.

Councilwoman Marchini updated that the Downtown Development Commission (DDC) and Baltimore Street Redesign still continue to meet to plan for the Ribbon Cutting ceremony November 14, 2024 and that 18 new businesses will be open by that day. They are providing assistance to any building owners for window displays for that particular day and mentioned that the Wills Hotel will have renderings in their windows as well. She also mentioned that while she was working the booth at Heritage Days she spoke with several people who were considering moving to the area and were inquiring about housing prices and how helpful it was to have Ruth Davis-Rogers and Melinda Kelleher, who have just recently purchased homes, to give some perspective on the topic.

Ms. Marchini spoke about the grand opening weekend and mentioned the scavenger hunt on Saturday, November 16, 2024 with a theme of "Rediscovering Your Downtown". There will be walking tours available after the luncheon, music on Saturday from 2:00-9:00. Also, a meeting with MERJE design for Wayfinding was attended. Ms. Marchini shared that the Whiskey Rebellion was well attended and that she participated in the 3M Bike Challenge. Meetings are still being held for the Winter Festival and mentioned that sponsors for Friday after Five or Farmers Market for next year are still needed. She also spoke about Captain Burt and the heartfelt and knowledgeable presentation he gave to the South Cumberland Business Association.

M. Marchini continued that Brook Lierman, the Maryland Comptroller, visited Cumberland and will be attending the grand opening ceremony. The Dragonboat race is this Saturday and reminded everyone that 100% of the donations go to the YMCA. Mr. Cioni spoke to the YMCA, saying how many elderly and children they serve, and Ms. Marchini added that it is much more than a gym and really is a non-profit organization.

Mayor Morriss updated all that he attended a Maryland Avenue meeting and mentioned the importance of Wayfinding for new visitors coming to Cumberland and connecting them to points of interest downtown. Heritage Days was a great success and he appreciates that it is becoming more related to the history of Cumberland with the George Washington review and the representation from 1755 when he was here for the Virginia Militia and then from 1794 when he came for the Whiskey Rebellion. The history of the event along with vendors with food, crafts and entertainment, made it a great weekend.

V. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:08 p.m.
Respectfully Submitted,

Allison K. Layton
City Clerk

Minutes approved on _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael Scott Cohen
City Clerk Allison K. Layton

MINUTES

M&CC Regular Public Meeting
57 N. Liberty Street, Cumberland, MD 21502

DATE: September 17, 2024

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Council Member Richard J. "Rock" Cioni
Council Member Eugene T. Frazier
Council Member James L. Furstenberg, III
Council Member Laurie P. Marchini
President Raymond M. Morriss, President

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk;
Shannon Adams, Fire Chief; James Burt, Police Captain; Michael Cohen, City
Solicitor

IV. Proclamation

Proclaiming September 20, 2024 as POW/MIA day in Cumberland.
Brian Lepley and David Biser accepted the award and a photo was taken with the Mayor
and City Council members.

V. Director's Reports

Motion to approve the reports was made by Council Member Furstenberg, seconded by Council Member Cioni, and was passed on a vote of 5-0.

(A) Administrative Services

1. Administrative Services Monthly Report for August 2024

(B) Public Works

2. Maintenance Division Monthly Report for August 2024

(C) Police

3. Police Department Activity Monthly Report for August 2024

(D) Utilities- Flood, Water, Sewer

4. Utilities Division Water/Sewer/Flood Monthly Report for August 2024

VI. Approval of Minutes

Motion to approve the minutes was made by Council Member Fraizer, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

1. Approval of the Closed and Open Work Sessions and Regular Public Minutes from September 3, 2024

Public Comments

All public comments are limited to 5 minutes per person, no comments were made.

VII. New Business

(A) Ordinances

1. Ordinance 3993 (*1st reading*) - providing for the closure of (1) a portion of Cat Alley located between but not abutting Maryland Avenue on the Northeast Side and Park Alley on the Southeast Side and (2) a portion of an unnamed alley abutting the South Side of Cat Alley, and running Southeast to Cecelia Street, with both portions being located in the City of Cumberland, Allegany County, Maryland

FIRST READING: The ordinance was submitted in title only for its first reading. **Motion** to approve the first reading and table until next meeting was made by Council Member Fraizer, seconded by Council Member Marchini, and was passed on a vote of 5-0.

2. Ordinance 3994 (*1st reading*) - to enact Section 15-56 of the Cumberland City Code prohibiting food and beverages at the Riverside Parklet

FIRST READING: The ordinance was submitted in title only for its first reading. **Motion** to approve the first reading and table until next meeting was made by Council Member Furstenberg, seconded by Council Member Cioni, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda and Mayor Morriss called for questions or comments. **Motion** to approve each item was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 5-0.

1. Order 27,561 - authorizing Special Taxing District residential exemptions for 107 S. Centre Street (\$714.04); 33 N. Centre Street (\$636.63); 45 N. Centre Street (\$749.44); 50-52 N. Centre Street (\$307.04); 43-45 N. Liberty Street (\$213.49); and 27 N. Centre Street (\$345.42)
2. Order 27,562 - authorizing the execution of an Outdoor Dining Lease Agreement with Daniel Malamis (DBA Cafe Mark) for the use of the public right of way immediately in front of and adjacent to the property for outside cafe dining for a term effective September 17, 2024 through October 31, 2025
3. Order 27,563 - authorizing the Chief of Police to accept the FY25 SRO/Adequate Coverage Grant made available through the Maryland Center for School Safety, in the amount of \$49,000 to cover overtime salaries for School Resource Officers (SROs) to provide adequate coverage in and around the assigned schools within the jurisdiction of the Cumberland Police Department, for the period July 1, 2024 – June 30, 2025
4. Order 27,564 - declaring vehicles and equipment to be surplus and authorizing them for sale, trade in or scrap

5. Order 27,565 - authorizing the appointment of Gilbert Cochrum to the Arts Commission
6. Order 27,566 - approving the purchase from CDWG of the Palo Alto yearly firewall software subscription/maintenance to provide main firewall and backup firewall protection as well as maintenance due to any hardware failures in the amount not to exceed \$48,878.64
7. Order 27,567 - authorizing a change order for Longview Network AD Migration services adding 55 days to the project schedule with a new completion date of 9/30/2024, at an increased cost of \$1,442, bringing the total cost not to exceed \$60,968
8. Order 27,568 - authorizing the Fire Chief to accept the FY23 Staffing for Adequate Fire and Emergency Response Program (FY23 SAFER) grant in the amount of \$2,510,976.24, awarded by DHS and FEMA, with the award (EMW-2023-FF-01220) being used to hire nine new fire fighters for the department
9. Order 27,569 - authorizing the City Administrator to enter into a Project Development Agreement with Centrica Business Solutions for the proposed development of a bundled energy solutions project at the Water Reclamation Facility to potentially provide turn-key solutions for energy related projects to include solar panels, recommissioning the anerobic digester, replacement of the main switchgears and other components that may be related
10. Order 27,570 - declaring computer equipment as surplus property and authorizing it to be scrapped or e-cycled
11. Order 27,571 - authorizing the City Administrator to offer free parking at all City lots, City parking garages and metered downtown spaces (excluding any parking spaces on Baltimore Street) from Thursday, November 14, 2024 through Saturday, November 16, 2024 for the Baltimore Street Grand Opening festivities.

IX. Public Comments

All public comments are limited to 5 minutes per person

Ed Taylor, President of the Cemetery Organization addressed the Mayor and City Council on behalf of the Organization saying they have been involved in Heritage Days since 1983 and are asking for Peggy Keane to be a member of the committee. He went on to say that the CO has asked this from Mr. Dave Williams in a letter dated May 14, 2024 to the Heritage Days committee, with a copy sent to the Mayor and City Council members as well as the City Commissioners. Ed says that the request seems to fall on deaf ears year after year and that several years prior when Councilwoman Marchini and Councilman Fraizer were a part of the committee things ran more efficiently. The CO reaches out months in

advance but no communication is received back to them (May-September). Ed stated that it is his understanding that it is Heritage Days festival and not the Allegany County Historical Society (ACHS) and he feels that any organization that has been a part of Heritage Days for an extended period of time, should have a seat at the table as a committee member. It should be a community effort because it is a community festival held on public property utilizing public money and use of City payroll. Ed also went on to say that he and Dave Williams do not get along and he no longer wants to be on the committee and would like the Mayor and City Council to approve Peggy Keane to be on the committee and he feels that every group should also have a seat at the table as a committee member.

Mayor Morriss saying that the Councilmembers would have a discussion with the ACHS who are a separate 501C3, and advised that suggestions can be made but we cannot advise them how their Bylaws work. Laurie asked if there were things the CO wanted to happen that did not.

Ed responded requests have been made for the name of the tours to be the Cumberland Historic Cemetery Organization Guided Tours. He has been non-profit for 41 years and says that promotion is worth more than cash, so that name change is of importance. And again, he stressed that communication is needed in order to move forward. He also feels that a Councilmember and a City Commissioner should have a seat at the table as a member of the committee.

Robert Parks addressed the Mayor and City Council members about the metal planters that were installed downtown and saying that he felt they were ugly and stated that they need to be clear coated because if brushed against they leave a rust residue. He then went on to mention the dog park at Constitution Park and the trash that does not get emptied enough as well as the water being turned off to provide water for dogs. He says there is money for a bike trail around the pond that no longer has ducks in and no fence which is a danger as he observed a child slide down the hill in to the pond, so he would like to see the dog park taken care of. He went on to say that he cleans up after other animals and he would like to see a sign stating the State of MD requires you to clean up after your dog or a fine is issued.

Mayor Morriss agrees that there is some work that needs to be done and the dog park is on the list of issues the City is addressing in the Park and signage would be addressed right away so we can provide a better area for residents to bring their dogs to exercise. Robert also added that having gates that latch would also be helpful.

Ed Mullaney addressed the Mayor and City Council that there are so many positive things going on with Let's Beautify Cumberland (LBC) that started with a Mayor and City

Council initiative back in 1996 with Ed Athey and Butch Hendershot. He went on to introduce members of the Cumberland Clock committee; Greg Hendershot; chair, Wanda and Margie Hartman, Maryanne Coil, Paul and Charlotte Lapp, Jan Wanderlick, Liason and Chris Meyers and Fiona. There were great contributions received at Heritage Days matched by the Getty family to help reach the goal amount needed. Ed went on to speak about the Cas Taylor bridge and how beautiful it has turned out and mentioned a letter that was written to show appreciation to the Mayor and City Council, City staff and building and construction companies involved in the bridge project saying the bridge went from "bland to grand" transforming the railroad crossing in to an attraction to reenergize the historic center. A beautiful tribute to Cas Taylor who treasured his community. The bridge is a pathway connecting West Side to Walnut bottom, the Gap trail, downtown Cumberland at the convergence of four major thoroughfares for not only vehicle traffic but bicycle and pedestrian traffic admiring the beauty of the City. To protect that flowing over the bridge, LBC petitions the Mayor and City Council to maintain the open beauty highlighted by the absence of parked cars. Without parking it feels expansive and inviting, the openness enhances the aesthetics of the views down Baltimore Street, over to the Train station, up to Hendershot Park, the Cumberland Clock and the Emanuel Episcopal Church.

Paul and Charlotte Lapp spoke of LBC and informed the Mayor and City Council that they have been apart of LBC for many years and pointing out there are only 12-15 members. He takes care of all of the flags around Cumberland. He says that he is very happy to work with Ed Mullaney and proud to call the members his friends.

Chris Meyers addressed the Mayor and City Council as a business owner in downtown Cumberland and a member of LBC, and wanted to discuss the visual quality of the Cas Taylor bridge and supporting the effort of no parking on the bridge and to bring to the Mayor and City Council's attention to the Kensington and Cumberland Arms and to consider a 15-minute loading/unloading zone in front of both facilities and possibly an EMS/Bus area. Chris mentioned that the Fire Department responds to several calls to the Cumberland Arms, The Kensington and the Eagle Living and having that reserved area would keep traffic flowing. With its current design it does not allow for those reserved areas.

Dana Tinnen addressed the Mayor and City Council about the 3rd annual Christmas Smiles Project and that he is looking for support from the City to serve 200 youths this year. He prepared a packet that was distributed to all Councilmembers, explaining the Christmas Smiles Project. Dana also mentioned that he is running for City Council and wanted to propose that the City establish an annual Youth fund of \$150,000 to support any program servicing the Cumberland Youth, with \$70,000 being set aside for a recruiting coordinator

for the two area High Schools. He feels that it is embarrassing that our local students do not receive the same opportunities as those in other areas. We need to invest in our youth and foster development. He would like the City Council to vote on this proposal.

Margie Hartman addressed the Mayor and City Council that while she was visiting the downtown mall area last week before Heritage Days, she observed feces on the sidewalk in front of the Rosembaum building and asking who should be contacted when things of this nature are observed and if the security cameras are installed and working. Mayor Morriss confirmed that the cameras are working and directed Margie to contact the Police Department to address the situation moving forward,

Max Green updated that last month would mark the 1-year anniversary of the West Side Neighborhood Association and highlighted the point that Cumberland has an aging population and the need for new blood and he views the neighborhood associations as a feeder program. He said that he hears the question of how people can get involved and he mentioned the number of first-time volunteers for the Heritage Days event for the West Side area and the Historical Society allowed the association to host a Holiday party and Pot Luck at the Gordon Roberts House the 2nd Wednesday in December and all are invited. Next Max addressed the Councilmembers concerning the letter he sent to them regarding Public Safety issues on the West Side and added how much the association appreciates Lt. Tichnell for attending the meetings and saying how it raises trust in the community. The first issues he mentioned was the illegal drug activity on Patterson Avenue that is owned by a local business Dotson's Contracting LLC, this is an ongoing issue that is being investigated. The next issue of concern is of traffic safety at the Moose Curve that was due to traffic at the Apothecary, the City is actively working to resolve the issue and to improve safety. Next Max mentioned the property at the Lee Street/ Beall Street intersection that has been purchased by Grow West and while the association is very supportive of the new business, the concern is with safety issues due to the proximity of the entrance to I68. Mayor Morriss advised the City is aware and addressing the issue. Last Max asked the Councilmembers about the new traffic devices and if the County or City installed them, Mayor Morriss advised the City installed the devices and thanked Max and the association for the efforts they make to the City and assured him that the City is aware of the issues he presented and are actively working on resolving them. He mentioned that he has spoken with Grow West and they have provided assurance that their drive thru design would be more effective than their competition. Mayor Morriss encourages West Side residents to install Ring doorbells and cameras as they can be of assistance in the event of an investigation.

X. Adjournment

With no further business at hand, the meeting adjourned at 7:05 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____

Mayor and City Council of Cumberland

Closed Session Minutes

City Hall, 57 N. Liberty Street, Cumberland, MD 21502

2nd Floor Conference Room

Tuesday, August 5, 2024; 5:00 p.m.

On August 5, 2024, the Mayor and City Council met in closed session at 4:00 p.m. in the Council Chambers in City Hall to receive legal advice regarding the project at 19 Frederick Street and to consult with staff regarding the City's lawsuit against CSX as well as to receive the advice of the City Solicitor regarding that matter. Authority to close the session is provided by Section 3-305(b)(7) and (8) of the General Provisions Article of the Annotated Code of Maryland.

MOTION: Motion to enter into Closed Session was made by Council Member Furstenberg seconded by Council Member Cioni, and was passed on a vote of 5-0.

PRESENT: Raymond M. Morriss, President; Council Members Richard Cioni, Eugene Frazier, Jimmy Furstenberg, and Laurie Marchini

ALSO PRESENT: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; , City Solicitor Michael Cohen, Assistant to the City Clerk, Shannon Berry, Director of Engineering and Utilities, Robert Smith, Code Compliance Manager, Kevin Thacker

File Attachments for Item:

1. Ordinance 3993 (*2nd and 3rd readings*) - providing for the closure of (1) a portion of Cat Alley located between but not abutting Maryland Avenue on the Northeast Side and Park Alley on the Southeast Side and (2) a portion of an unnamed alley abutting the South Side of Cat Alley, and running Southeast to Cecelia Street, with both portions being located in the City of Cumberland, Allegany County, Maryland

ORDINANCE NO. 3993

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED “AN ORDINANCE TO PROVIDE FOR THE CLOSURE OF (1) A PORTION OF CAT ALLEY LOCATED BETWEEN BUT NOT ABUTTING MARYLAND AVENUE ON THE NORTHEAST SIDE AND PARK ALLEY ON THE SOUTHEAST SIDE, AND (2) A PORTION OF AN UNNAMED ALLEY ABUTTING THE SOUTH SIDE OF CAT ALLEY, RUNNING SOUTHEAST TO THE NORTHERN RIGHT-OF-WAY LINE OF CECELIA STREET, THE PORTIONS OF SAID ALLEYS BEING CLOSED BEING LOCATED IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND.

WHEREAS, the Mayor and City Council of Cumberland received a petition from Cumberland Gateway Real Estate, LLC (“CGRE”), requesting the closure of the portions of Cat Alley and the unnamed alley (the unnamed alley hereinafter being referred to as the “Unnamed Alley” and both the Unnamed Alley and the portion of Cat Alley being closed in accordance with the terms of this Ordinance hereinafter being collectively referred to as the “Alleys”) generally described in the titling of this Ordinance and shown on the plat attached hereto and incorporated by reference herein as **Exhibit A**, the said plat hereinafter being referred to as the “Plat”.

WHEREAS, portions of the Alleys abut properties owned by CGRE, Alter/Scott Acquisitions, LLC (“ASA”) and RF Cumberland RE, LLC (“RFC”), and, in accordance with Section 127A of the City Charter requiring the Alleys be split between abutting property owners in equal proportions according to their length or breadth.

WHEREAS, the metes and bounds description for the portion of the Alleys that will be conveyed to CGRE, ASA and RFC are attached hereto and incorporated by reference herein as **Exhibits B, C and D**, respectively,

WHEREAS, the City Clerk served a personal notice in writing upon each property owner to be affected by the passage of the proposed Ordinance more than ten (10) days before _____; and

WHEREAS, in the opinion of the Mayor and City Council of Cumberland, the public welfare and convenience require that the aforesaid portions of the Alleys be closed.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND AS FOLLOWS:

SECTION 1: The portions of the Alleys being closed, as shown on the Plat, shall be closed. The table below shows the parcels on the Plat that will be conveyed to CGRE, ASA and RFC.

GRANTEE	PARCELS ON PLAT BEING CONVEYED TO EACH GRANTEE	EXHIBIT
CGRE	Cat Alley and Unnamed Alley Closure Area Part #1 Cat Alley Closure Area Part #4	Exhibit B
ASA	Cat Alley Closure Area Part #2 Cat Alley Closure Area Part #3	Exhibit C
RFC	Cat Alley Closure Area Part #5	Exhibit D

These conveyances shall be subject to the easements, reservations and restrictions set forth in the **Exhibit E** attached hereto, which easements, reservations and restrictions shall be incorporated into the deed effecting the conveyances described in this Section.

SECTION 2: The said Mayor and City Council of Cumberland shall ascertain whether any and what amount in value of damage shall be caused by the aforesaid closure for which the owners or possessors of any property located along Cat Alley and the Unnamed Alley, or portions thereof, should be compensated, and shall assess and levy generally on the property of the persons benefitted by the closure of the street the whole or any part of the expense which shall be incurred in closing the same.

SECTION 3: The City Administrator or his designee shall submit a report to the City Clerk setting forth his findings regarding what amount of damages, if any, shall have been caused by the aforesaid closure of the portion of the road/alley described herein, and the names of the owners or possessors of such property along which said streets now pass, and the amount of damages for which they shall be compensated or benefits for which they shall be assessed, and whether said damages arising from the closure shall be assessed generally on the whole assessable property within the City of Cumberland or specially on the property of the person benefitted by the closure; and, in the event of any of said damages being assessed and levied in whole or in part on any property of the persons benefitted, the names of the owners of the property specially benefitted, with a description of said property by reference to the Land Records of Allegany County, and the amount so levied and assessed. The Mayor and City Council shall consider the matter of the City Administrator's report and make determinations regarding the subject matter of the report at a meeting held no sooner than fifteen (15) days after the date of the passage of this Ordinance.

SECTION 4: Any person feeling aggrieved or injured by the decision of said Mayor and City Council of Cumberland regarding the subject matter of the City Administrator's report shall have the right of an appeal to the Circuit Court at a trial by jury, as provided in Section 128 of the Charter of the City of Cumberland (1991 Edition), upon filing a written notice of appeal with the City Clerk within thirty (30) days after the Mayor and City Council of Cumberland shall have made their return.

SECTION 5: The benefits assessed by said Mayor and City Council of Cumberland shall be liens upon the property of the persons benefitted to the extent of such assessment and shall be payable within sixty (60) days after the date of the meeting at which the Mayor and City Council of Cumberland makes its determinations regarding the subject matter set forth in the City Administrator's report, and the collection of the same shall be enforced by *scire facias* in the same manner as paving liens are collected by the Mayor and City Council; and a written record of the said Mayor and City Council's determinations shall be filed for record and reported in the Mechanics' Lien Record in the Clerk's Office in the Circuit Court for Allegany County, and the assessment therein shall be liens upon the properties respectively assessed from the time of such recording, such recording to be effected no sooner than the expiration of the aforesaid sixty (60) day period.

SECTION 6: Upon the collection of all benefits assessed and the payment of the damages ascertained, or the waiver of this provision by the parties interested, if applicable, the said portions of Cat Alley and the Unnamed Alley particularly described in Section 1 hereof shall be closed, and the Mayor shall be empowered to execute the deeds effecting the conveyances which are described in Section 1 hereof.

SECTION 7: This Ordinance shall take effect from the date of its passage.

Passed the ____ day of _____, 2024.

Raymond M. Morriss, Mayor

ATTEST:

Allison Layton, City Clerk

EXHIBIT A

Plat

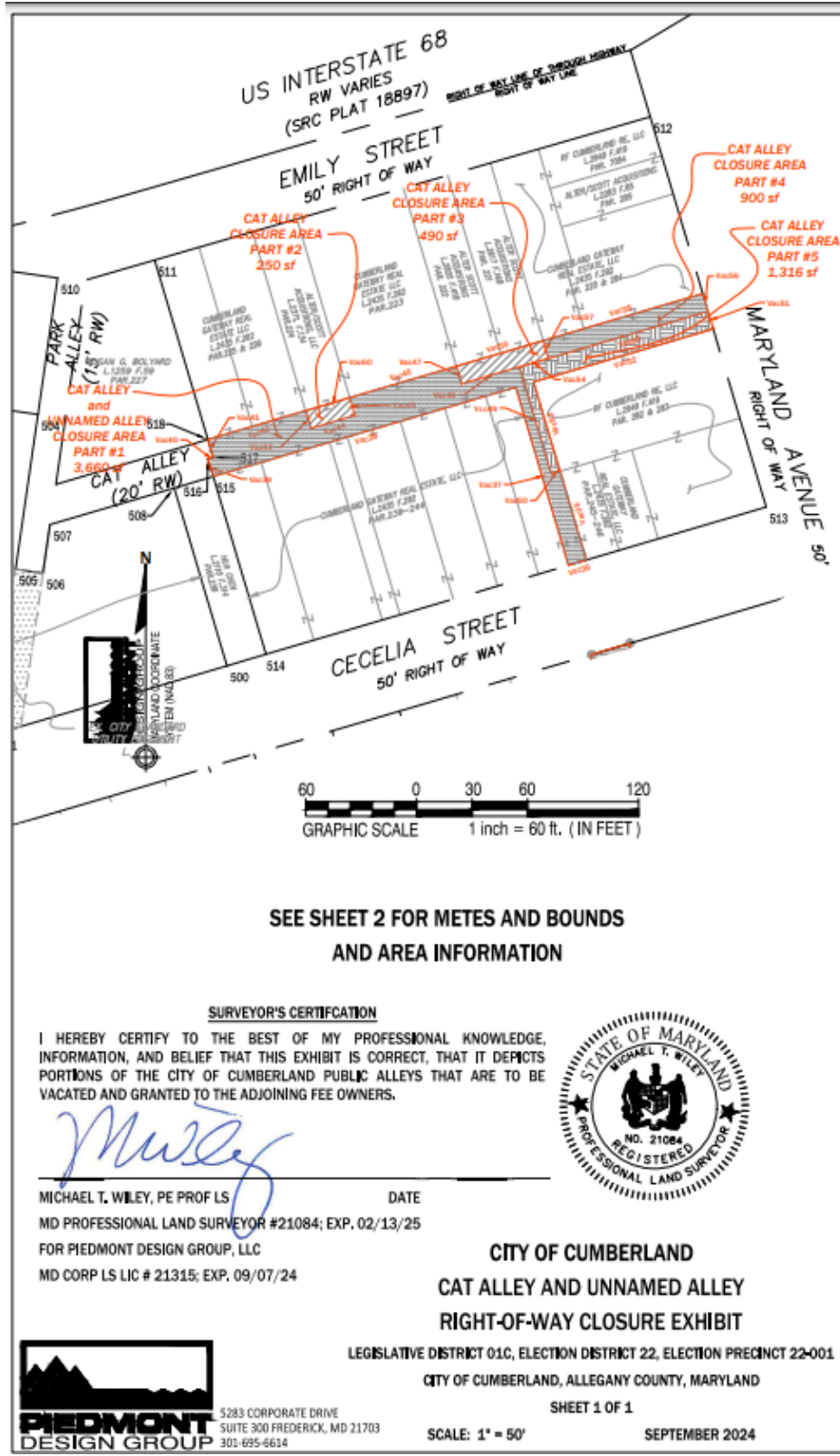


EXHIBIT B

Parcels being Conveyed to Cumberland Gateway Real Estate, LLC

Parcel No. 1 — Cat Alley and Unnamed Alley Closure Area Part #1

Being portions of Cat Alley, a 20'-wide public right-of-way (RW) and a 10' wide Unnamed Alley, both owned by and within the City of Cumberland, Maryland; said portions being located south of Emily Street, north of Cecelia Street, and west of Maryland Avenue;

Said portions of Cat Alley and the Unnamed Alley as now surveyed by Piedmont Design Group, LLC (PDG) with a basis of bearings referenced to the Maryland Coordinate System North Zone (NAD83/11) per a railroad spike found (PDG survey control point #1445) at the northwest corner of Spring Street (50' RW) and Locust Alley at the end of the "S 65° 43' 11" E 97.62'" line on a plat entitled "*FINAL PLAT OF SUBDIVISION CUMBERLAND SHOPPING CENTER*" recorded in the Plat Records of the Circuit Court for Allegany County, Maryland as Plat 1438, said control point #1445 being coordinate North 725,976.0385 East 817,637.3732, and said portion being more particularly described as follows:

Beginning at point #508 (a to-be set #4 rebar and cap #21084) per a final plat entitled "*LOT LINE ADJUSTMENT PLAT CUMBERLAND GATEWAY PHASE 1 LOTS 235 & 236*" and also "*COMBINATION PLAT CUMBERLAND GATEWAY PHASE 1 LOTS 235 & 236*" recorded among the Plat Records of Allegany County, Maryland as Plats #2498 and #2536; thence:

1. N 73° 31' 09" E 22.00' to the True Point of Beginning, being point #515 (a to-be set #4 rebar and cap #21084) at the intersection of the southern RW of Cat Alley and the northwest corner and the beginning of the fourth (4th) or "*South 14 degrees 30 minutes East 100 feet*" deed line of a parcel located at 216 Cecelia Street as shown on Allegany County Tax Map 105, Grid 21, Parcel 238, Tax Account #22-003348, said parcel conveyed from Kristie Johnson (n/k/a Kristie Koehler) to Hua Chen by deed dated January 21, 2015, recorded among the Land Records of Allegany County, Maryland in Book 2110 at Page 314, thence crossing Cat Alley and to its centerline:
2. S 16° 28' 51" E 10.00' to point #516 (a to-be set PK nail) in the centerline of Cat Alley; thence with the centerline:
3. S 73° 31' 09" W 2.94' to point #517(a to-be set PK nail); thence leaving the centerline and crossing Cat Alley:
4. S 16° 28' 51" E 10.00' to point #518 (a to-be set #4 rebar and cap #21084) on the northern RW line of Cat Alley at its intersection with the southeast corner of 211 Emily Street as shown on Allegany County Tax Map 105, Grid

21, Parcel 226, Tax Account # 22-013327, said parcel conveyed from the Cumberland Economic Development Corporation to Cumberland Gateway Real Estate, LLC by deed dated December 20, 2018, recorded among the Land Records of Allegany County, Maryland in Book 2435 at Page 262; said point at the beginning of the fourth (4th) or “*North 15½ degrees West 100 feet*” deed line, thence with the western RW line of Cat Alley:

5. S 73° 31' 09" E 55.00' to a point; thence crossing Cat Alley and to its centerline:
6. S 16° 28' 51" E 10.00' to a point; thence with the centerline of Cat Alley:
7. S 73° 31' 09" E 25.00' to a point; thence crossing Cat Alley and to its northern RW line:
8. S 16° 28' 51" E 10.00' to a point; thence on the northern RW line of Cat Alley; thence with the northern RW line:
9. S 73° 31' 09" E 60.00' to a point; thence crossing Cat Alley and to its centerline:
10. S 16° 28' 51" E 10.00' to a point; thence with the centerline of Cat Alley:
11. S 73° 31' 09" E 32.66' to a point at the intersection of the centerlines of Cat Alley and an Unnamed Alley (10' RW); thence with the centerline of the Unnamed Alley:
12. S 16° 28' 51" E 60.50' to a point; thence crossing the Unnamed Alley and to its eastern RW line:
13. S 73° 31' 09" E 5.00' to a point on the eastern RW line of the Unnamed Alley; thence with the eastern RW line:
14. S 16° 28' 51" E 50.14' to a point on the northern RW line of Cecelia Street (50' RW); thence with the northern RW line of Cecelia Street
15. S 73° 33' 00" W 10.00' to a point at the intersection of Cecelia Street and the Unnamed Alley RW line; thence leaving Cecelia Street and with the western RW line of the Unnamed Alley:
16. S 16° 28' 51" E 100.63' to a point at the southwest corner of the intersection of the Unnamed Alley and Cat Alley; thence with the southern RW line of Cat Alley:
17. S 73° 31' 09" W 170.60' to the True Point of Beginning.

Containing 3,660 square feet of land, more or less, subject to all easements, rights of way, outconveyances, and other matters of record.

Parcel No. Two — Cat Alley Closure Area Part #4

Being a portion of Cat Alley, a 20'-wide public right-of-way (RW), owned by and within the City of Cumberland, Maryland; said portion being located south of Emily Street, north of Cecelia Street, and west of Maryland Avenue;

Said portion of Cat Alley as now surveyed by Piedmont Design Group, LLC (PDG) with a basis of bearings referenced to the Maryland Coordinate System North Zone (NAD83/11) per a railroad spike found (PDG survey control point #1445) at the northwest corner of Spring Street (50' RW) and Locust Alley at the end of the "S 65° 43' 11" E 97.62'" line on a plat entitled "FINAL PLAT OF SUBDIVISION CUMBERLAND SHOPPING CENTER" recorded in the Plat Records of the Circuit Court for Allegany County, Maryland as Plat 1438, said control point #1445 being coordinate North 725,976.0385 East 817,637.3732, and said portion being more particularly described as follows:

Beginning at a point at the end of the first (1st) or N 73° 31' 09" E 49.00' line of Cat Alley Closure Area Part #3 described above; thence with the northern RW line of Cat Alley:

1. N 73° 31' 09" E 90.00' to a point on the western RW line of Maryland Avenue (50' RW); thence leaving the northern RW line and with the western RW of Maryland Avenue and crossing Cat Alley to its centerline:
2. S 16° 28' 51" E 10.00' to a point at the centerline of Cat Alley; thence with the centerline:
3. S 73° 31' 09" W 90.00' to a point at the centerline of Cat alley, thence leaving the centerline and crossing Cat Alley to its northern RW line:
4. N 16° 28' 51" W 10.00' to the Point of Beginning.

Containing 900 square feet of land, more or less, subject to all easements or rights-of-way.

EXHIBIT C

Parcels being Conveyed to Alter/Scott Acquisitions, LLC

Parcel One – Cat Alley Closure Area, Part #2

Being a portion of Cat Alley, a 20'-wide public right-of-way (RW), owned by and within the City of Cumberland, Maryland; said portion being located south of Emily Street, north of Cecelia Street, and west of Maryland Avenue;

Said portion of Cat Alley as now surveyed by Piedmont Design Group, LLC (PDG) with a basis of bearings referenced to the Maryland Coordinate System North Zone (NAD83/11) per a railroad spike found (PDG survey control point #1445) at the northwest corner of Spring Street (50' RW) and Locust Alley at the end of the "S 65° 43' 11" E 97.62'" line on a plat entitled "*FINAL PLAT OF SUBDIVISION CUMBERLAND SHOPPING CENTER*" recorded in the Plat Records of the Circuit Court for Allegany County, Maryland as Plat 1438, said control point #1445 being coordinate North 725,976.0385 East 817,637.3732, and said portion being more particularly described as follows:

Beginning at a point at the end of the fifth (5th) or S 73° 31' 09" E 55.00' line of Cat Alley and Unnamed Alley Closure Area Part #1 described above; thence, thence with the northern RW line of Cat Alley:

1. N 73° 31' 09" E 25.00' to a point; thence leaving the northern RW line and crossing Cat Alley to its centerline;
2. S 16° 28' 51" E 10.00' to a point at the centerline of Cat Alley; thence with the centerline;
3. S 73° 31' 09" W 25.00' to a point; thence leaving the northern RW line and crossing Cat Alley to its centerline;
4. N 16° 28' 51" W 10.00' to the Point of Beginning.

Containing 250 square feet of land, more or less, subject to all easements or rights-of-way.

Parcel Two – Cat Alley Closure Area Part #3

Being a portion of Cat Alley, a 20'-wide public right-of-way (RW), owned by and within the City of Cumberland, Maryland; said portion being located south of Emily Street, north of Cecelia Street, and west of Maryland Avenue;

Said portion of Cat Alley as now surveyed by Piedmont Design Group, LLC (PDG) with a basis of bearings referenced to the Maryland Coordinate System North Zone (NAD83/11) per a railroad spike found (PDG survey control point #1445) at the northwest corner of Spring Street (50' RW) and Locust Alley at the end of the "S 65° 43' 11" E 97.62'" line on a plat entitled "FINAL PLAT OF SUBDIVISION CUMBERLAND SHOPPING CENTER" recorded in the Plat Records of the Circuit Court for Allegany County, Maryland as Plat 1438, said control point #1445 being coordinate North 725,976.0385 East 817,637.3732, and said portion being more particularly described as follows:

Beginning at a point at the end of the eighth (8th) or S 73° 31' 09" E 60.00' line of Cat Alley and Unnamed Alley Closure Area Part #1 described above; thence with the northern RW line of Cat Alley:

1. N 73° 31' 09" E 49.00' to a point; thence leaving the northern RW line and crossing Cat Alley to its centerline:
2. S 16° 28' 51" E 10.00' to a point at the centerline of Cat Alley; thence with the centerline:
3. S 73° 31' 09" W 16.34' to a point; thence
4. S 73° 31' 09" W 32.66' to a point; thence leaving the centerline and crossing Cat Alley to its northern RW line:
5. N 16° 28' 51" W 10.00' to the Point of Beginning.

Containing 490 square feet of land, more or less, subject to all easements or rights-of-way.

EXHIBIT D

Parcel being Conveyed to RF Cumberland RE, LLC

Being portions of Cat Alley, a 20'-wide public right-of-way (RW) and a 10' wide Unnamed Alley, both owned by and within the City of Cumberland, Maryland; said portions being located south of Emily Street, north of Cecelia Street, and west of Maryland Avenue and shown on the plat attached hereto as Cat Alley Closure Area Part #5;

Said portions of Cat Alley and the Unnamed Alley as now surveyed by Piedmont Design Group, LLC (PDG) with a basis of bearings referenced to the Maryland Coordinate System North Zone (NAD83/11) per a railroad spike found (PDG survey control point #1445) at the northwest corner of Spring Street (50' RW) and Locust Alley at the end of the "S 65° 43' 11" E 97.62'" line on a plat entitled "*FINAL PLAT OF SUBDIVISION CUMBERLAND SHOPPING CENTER*" recorded in the Plat Records of the Circuit Court for Allegany County, Maryland as Plat 1438, said control point #1445 being coordinate North 725,976.0385 East 817,637.3732, and said portion being more particularly described as follows:

Beginning at a point at the end of the second (2nd) or S 16° 28' 51" E 10.00' line of Cat Alley Closure Area Part #4 described above; said point also on the centerline of Cat Alley at its intersection with the western RW line of Maryland Avenue (50' RW); thence with the western RW line of Maryland Avenue and crossing Cat Alley:

1. S 16° 28' 51" E 10.00' to a point at the southern RW line of Cat Alley; thence with the southern RW line of Cat Alley:
2. S 73° 31' 09" W 101.34' to a point at the intersection with a 10'-wide Unnamed Alley; thence leaving the southern RW line of Cat Alley and with the eastern RW line of the Unnamed Alley:
3. S 16° 28' 51" W 50.50' to a Point; thence leaving eastern RW line of the unnamed alley and crossing to its center:
4. S 73° 31' 09" W 5.00' to a point at the centerline of the Unnamed Alley; thence with its centerline:
5. N 16° 28' 51" E 60.50' to the Point of Beginning.

Containing 1,316 square feet of land, more or less, subject to all easements or rights-of-way.

EXHIBIT E

SUBJECT, HOWEVER, to an easement in favor of the City and public and private utilities, including, but not limited to, gas, electric and telephone service providers, for the full length and width of the right-of-way being closed, for any existing utility lines, for stormwater and surface drainage, and for the installation, inspection, operation, maintenance, repair, replacement and/or relocation of any utility lines and stormwater management and sediment and erosion control devices and improvements.

FURTHERMORE, it is a condition of the conveyance effected by this deed that the Grantee(s), his/her/their/its personal representatives, heirs, successors, and assigns, or other(s) to whom this and the other portions of this right-of-way being closed shall be conveyed, shall be allowed to use the surface of the land hereby conveyed; however, he/she/they/it shall not be permitted to place or erect structures or enclosures thereon or permanently affix any equipment, vehicles or anything else thereto without the written consent of the City, which consent may be granted or denied for any reason or no reason at all. The Grantee's/Grantees' use of the land conveyed by this deed shall not interfere with the ingress, egress or other actions of the City and public and private utilities, as are necessary or expedient regarding the installation, inspection, operation, maintenance, repair, replacement and/or relocation of the aforesaid utilities and appurtenances and improvements related thereto. Furthermore, no such structures or enclosures shall be located or constructed upon the land conveyed by this deed until plans therefor have been submitted to and approved by the City's Engineering Division. No work in the construction of such structures or enclosures or in the use of the surface shall injure or disturb the aforesaid utilities and appurtenances and improvements related thereto or in any way interfere with or adversely impact their operation or maintenance.

FURTHERMORE, the Grantee(s) shall not be permitted to grade the land conveyed under the terms of this deed and shall not be permitted to alter its surface, aside from filling potholes, except upon the written consent of the City, said consent not to be unreasonably withheld.

FURTHERMORE, if the Grantee(s) alter(s) the surface of the land hereby conveyed or its subsurface and the alterations result in the need to relocate public or private

utilities' lines and/or other appurtenances and improvements related thereto, the Grantee(s) shall be liable for all costs thereof.

FURTHERMORE, the City, and public and private utilities, shall also have the right to enter upon the property hereby conveyed from time to time to remove and/or trim such trees and other growths as may be required or expedient with respect to the exercise of the rights hereby reserved.

IT IS UNDERSTOOD AND AGREED, that the foregoing easements, covenants and restrictions shall be deemed to touch and concern the land, shall run with the land, shall inure to the benefit of the City and the other parties hereby benefited, and shall be binding upon the Grantee(s) and all future owners or possessors of all or any of the land hereby conveyed as well as their personal representatives, heirs, successors and assigns, and any persons and entities claiming through them.

IT BEING FURTHER UNDERSTOOD AND AGREED that, if the Grantee relocates the public and private utility lines lying underneath the property hereby conveyed, the City shall execute an instrument effecting the removal of the of the easements and reservations set forth in this exhibit.

File Attachments for Item:

2. Ordinance 3994 (*2nd and 3rd readings*) - to enact Section 15-56 of the Cumberland City Code prohibiting food and beverages at the Riverside Parklet

ORDINANCE NO. 3994

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO ENACT SECTION 15-56 OF THE CUMBERLAND CITY CODE PROHIBITING FOOD AND BEVERAGES AT THE RIVERSIDE PARKLET."

WHEREAS, the Headquarters of George Washington (the "GW HQ") is a historic log cabin located in the Riverside Parklet at 38 Greene Street in the City;

WHEREAS, the historical significance of the site is undeniable;¹

WHEREAS, the GW HQ attracts tourists and supports the City's and Allegany County's initiatives to enhance tourism;

WHEREAS, the GW HQ was constructed more than 250 years ago;

WHEREAS, maintaining cleanliness at the site is challenging due to waste left behind by individuals consuming food and beverages;

WHEREAS, the accumulation of waste is an eyesore, detracting from the aesthetics of the site and its attractiveness as a draw for tourists and visitors;

WHEREAS, City maintenance staff frequently find discarded food and beverage containers (oftentimes alcoholic beverage bottles and cans), and other litter throughout Riverside Parklet, including, but not limited to, the GW HQ;

WHEREAS, the waste, especially food and beverage remnants, is a draw for vermin;

WHEREAS, the purpose of this Ordinance is to prohibit food and alcohol at the Riverside Parklet and to establish penalties for the violation of its terms; and

WHEREAS, this Ordinance is essential for the health and general welfare of the City and the public at large.

NOW, THEREFORE:

¹ As stated in the Allegany County Mountainside of Maryland web site (<https://www.mdmountainside.com/listing/george-washingtons-headquarters/2042/>),

The cabin was originally built by General Edward Braddock's men, between 1755 and 1758, for then Colonel George Washington's use during his service in the French and Indian War. He later returned and used it briefly during 1794, then as the Commander in Chief, in order to review the troops gathered to put down the Whiskey Rebellion. This site is notable, as it signifies Washington's first military command. The original site lies on a hill that overlooks Wills Creek and the Potomac River. It was once the location of Fort Cumberland (Maryland) and today, The Emmanuel Episcopal Church (Cumberland, Maryland). The headquarters was part of Fort Cumberland during the French and Indian War, and it is the only building to survive from the original Fort. Though 'closed' to the public, the cabin has windows visitors can peer into and see historical displays and artifacts of what the cabin may have looked like including a bed, desk, and fireplace as well as a life-size wax replica of Washington.

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that Section 15-56 of the City Code is enacted, to read as follows.

Sec. 15-56. – Riverside Parklet food and beverage ban.

- (a) *Food & beverage ban.* Food and beverages are prohibited from being brought into or consumed at the Riverside Parklet at any time.
- (b) *Penalties.* The violation of this section is a municipal infraction, punishable in accordance with Section 15-55. Any person found to be in possession of food and beverages at Riverside Parklet shall be required to remove their food and beverages from the Riverside Parklet or to remove them or dispose of them in a trash receptacle. Any person who violates this section a second time shall be banned from Riverside Parklet for two (2) months. Any person who violates this section three (3) or more times shall be banned for one (1) year per violation. An organization whose members are onsite distributing food and beverages, shall be penalized in the same manner as individual violators except that it shall be banned from sending representatives to the site for any purpose for one (1) year per violation.
- (c) *Severability.* The phrases, clauses and sentences of this section are severable. If any part of this section is declared unconstitutional or otherwise invalid for any reason by a court of competent jurisdiction, the remaining parts shall remain in effect.

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its passage.

Passed this ____ day of _____, 2024.

ATTEST:

Raymond M. Morriss, Mayor

Allison Layton, City Clerk

File Attachments for Item:

. Ordinance 3995 (*1st reading*) - authorizing the transfer of 336 Baltimore Avenue, 340 Baltimore Avenue, 342 Baltimore Avenue and 447-449 Waverly Terrace to TAC Investments LLC for the purchase price of \$400

ORDINANCE NO. 3995

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED "AN ORDINANCE TO ACCEPT THE BID OF TAC INVESTMENTS LLC FOR THE PURCHASE OF THE PARCELS OF REAL PROPERTY IN THE CITY OF CUMBERLAND KNOWN AS 336 BALTIMORE AVENUE, 340 BALTIMORE AVENUE, 342 BALTIMORE AVENUE AND 447-449 WAVERLY TERRACE, CUMBERLAND, MD 21502 AND, SUBJECT TO THE TERMS SET FORTH HEREINAFTER, TO AUTHORIZE THE EXECUTION OF A DEED TO EFFECT THAT CONVEYANCE."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of certain parcels of real property located at 336 Baltimore Avenue, 340 Baltimore Avenue, 342 Baltimore Avenue and 447-449 Waverly Terrace, Cumberland, MD 21502 (the "Properties");

WHEREAS, the Properties were declared surplus under the terms of Order No. 26,757, passed by the Mayor and City Council on February 16, 2021;

WHEREAS, the Properties were included in the solicitation for bids known as either the "Request for Bids Surplus Properties Round II" or the "Request for Bids Surplus Properties Round IV" but were not bid upon

WHEREAS, the City has since received a bid for the purchase of the Properties from TAC Investments LLC (the "Purchaser") for the sum of Four Hundred Dollars (\$400.00), and staff is recommending that the Mayor and City Council accept the bid; and

WHEREAS, subject to the hereinafter set forth terms, the Mayor and City Council deem the acceptance of this bid to be in the City's best interests.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council shall accept the bid of the Purchaser for the purchase of the Properties for

the sum of Four Hundred Dollars (\$400.00) subject to the following terms and conditions:

- A. The Properties will be conveyed to the Purchaser by means of a quitclaim deed containing no warranties or representations of any kind, the form of which is set forth in the Exhibit A attached hereto;
- B. The Purchaser shall pay all of the recordation and transfer taxes that are required to record the said deed;
- C. The Purchaser will pay the City and County real estate taxes due from the date of the deed through the remainder of the current tax year and will assume responsibility for the payment of those taxes thereafter.
- D. The Purchaser shall remit the payments set forth below to the City Clerk at City Hall, 57 N. Liberty Street, Cumberland, MD 21502 by personal check, cashier's check or money order. A total of three (3) personal checks/cashier's checks/money orders must be presented to the City Clerk.
 - i. \$60.00 deed recordation fee made payable to "Circuit Court for Allegany County".
 - ii. The purchase price, pro-rated City real estate taxes and \$100.00 deed recordation service fee made payable "City of Cumberland".
 - iii. The pro-rated County real estate taxes and deed recordation and transfer taxes made payable to "Allegany County".
- E. Cash will not be accepted. Improperly remitted payments will be returned.
- F. Failure to remit the aforesaid payments to the City Clerk within sixty (60) days from the date of the

passage of this Ordinance shall result in the rejection of the Purchaser's bid unless said deadline is extended by the City Administrator or City Solicitor for good cause shown.

- G. The deed will be released for recordation upon the Purchaser's compliance with the foregoing provisions.

SECTION 2: AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute and deliver deeds effecting the aforesaid conveyances subject to the aforesaid terms and conditions;

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this _____ day of _____, 2024.

Raymond M. Morriss, Mayor

ATTEST:

Allison Layton, City Clerk

EXHIBIT A

THIS QUITCLAIM DEED is made this ____ day of October, 2024, by and between the **Mayor and City Council of Cumberland** (the “City”), a Maryland municipal corporation, and **TAC Investments LLC, a Maryland limited liability company** (the “Grantee”).

WITNESSETH:

That for and in consideration of the sum of One Hundred Dollars (\$100.00) for each of the Parcels listed below for a total of Four Hundred Dollars (\$400.00) and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the City does hereby quitclaim to the Grantee, its successors and assigns, all of the City’s right, title, interest and estate in and to the following-described pieces or parcels of real estate lying and being in the City of Cumberland, Allegany County, Maryland, to wit:

Parcel 1 – 447-449 N. Waverly Terrace (Tax ID No. 22 – 003992)

ALL that lot, piece or parcel of ground situate, lying and being on the Southerly side of Waverly Terrace (formerly Braddock Way) in the City of Cumberland, Allegany County, Maryland, known and designated as Part of Lot No. 64 in Cumberland Improvements and Investments Company’s Eastern Addition to Cumberland, the improvements on which are known as Nos. 447-449 Waverly Terrace, and which part of said Lot is more particularly described as follows:

BEGINNING at a stake on the Southerly side of Waverly Terrace at the end of the first line of Lot No. 1163 in said Addition, and running thence with said Waverly Terrace, North 78 degrees East 50 feet; thence at right angles to said Waverly Terrace South 12 degrees East 150 feet to the end of the second line of Lot No. 164; thence South 78 degrees West 50 feet, more or less to the end of the second line of a certain deed from David A. Robb, et al, to Samuel Swartz, et al, dated December 17, 1923, and recorded in Liber 145, page 331, Allegany County Land Records; and with it reversed North 20 degrees 52 minutes West 151.82 feet to the place of **BEGINNING**.

EXCEPTING THEREFROM, however, the rear 50 feet of the above-described parcel as was previously conveyed unto Joseph E. Talley and Sharon M. Talley, husband and wife, by deed dated March 31, 1994, and recorded among the Land Records of Allegany County, Maryland in Deed Book 616, page 284, reference to which deed is hereby made for a more complete description of said exception.

IT BEING the same property described in the deed from Jerry L. Frantz, Director of Finance for Allegany County, Maryland to Mayor and City Council of Cumberland dated

September 18, 2009 and recorded among the Land Records of Allegany County, Maryland in Book 1630, Page 115.

Parcel 2 – 336 Baltimore Avenue, Cumberland, MD 21502 (Tax ID No. 23-009285)

ALL that lot or parcel of ground lying and being on Baltimore Avenue in the City of Cumberland, Allegany County, State of Maryland, and described as follows, to-wit:

BEGINNING for the same at a stone planted on the Western edge of the turnpike road leading from Cumberland to Baltimore City and at the beginning of a piece of land heretofore conveyed by James P. Carleton and Mary Carleton, his wife to James Smity and running thence with the division line and fence between the lands formerly owned by the said Carleton and the lands of the said Smity, North 41 degrees West 200 feet to a stake near the top of the hill; thence South 66 degrees West 50 feet to a stake; then South 41 degrees East 200 feet to the turnpike road; and North 66 degrees East 50 feet to the beginning.

IT BEING the same property described in the deed from Marvin B. Lutz and Deborah L. Lutz, husband and wife, to Mayor and City Council of Cumberland dated May 2, 2014 and recorded among the Land Records of Allegany County, Maryland in Book 2050, Page 77.

Parcel 3 – 340 Baltimore Avenue, Cumberland, MD 21502 (Tax ID No. 23-013517)

ALL that parcel of ground lying and situate in the City of Cumberland, Allegany County, and the State of Maryland, fronting the Westerly side of Baltimore Avenue, in Cumberland District No. 23, Allegany County, Maryland which said parcel is more particularly described as follows, to wit:

BEGINNING for the same on the westerly side of Baltimore Avenue where the dividing line between the within conveyed property and the Anna B. Bohrer property recorded in Liber 495, folio 889, Allegany County Land Records, intersects Baltimore Avenue and running then with Baltimore Avenue, North 66 degrees East 45 feet, more or less, to the dividing line between the within conveyed property and the Lindner property recorded in Liber 473, folio 325, Allegany County Land Records, then with said dividing line, North 41 degrees West 200 feet to the easterly side of an unnamed street, then with said street to the aforesaid Stegmaier-Bohrer dividing line, and then with said dividing line, South 41 degrees East 200 feet to the place of **BEGINNING**.

Parcel 4 - 342 Baltimore Avenue, Cumberland, MD 21502 (Tax ID No. 23-006595)

ALL that lot or parcel of ground with the improvements thereon, formerly known as 90 Baltimore Avenue, now known as 342 Baltimore Avenue in the City of Cumberland, Allegany County, Maryland, and being more particularly described in a deed from Mary Armbruster and William Armbruster, husband and wife, to Sebastian Hammersmith dated May 1, 1917 and recorded in Deed Book 121, page 705 among the Land Records of Allegany County, Maryland.

THE SAID PARCELS 3 AND 4 BEING the same property described in the deed from Falcon Development of Allegany County Maryland, LLC a/k/a Falcon Development of Alleghany County to Mayor and City Council of Cumberland by deed dated February 6, 2014 and recorded among the Land Records of Allegany County, Maryland in Book 2036, Page 154.

SUBJECT TO all outconveyances, use and occupancy restrictions, privately or governmentally imposed and generally application to properties in the immediate neighborhood of the property conveyed hereby, reservations, agreements, rights of way, easements and other matters of record, and to easements or other matters which can be observed by a careful inspection of the property.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto the Grantee, its successors and assigns in fee simple forever.

IN WITNESS WHEREOF, the City has caused these presents to be executed in its name and duly attested on the day and date first above written.

WITNESS/ATTEST:

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Allison Layton, City Clerk

By: _____(SEAL)
Raymond M. Morriss, Mayor

**STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:**

I HEREBY CERTIFY, that on this _____ day of _____, 2024, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Raymond M. Morriss**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$400.00; and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident of the State of Maryland.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

ATTORNEY CERTIFICATION

I hereby certify that the foregoing instrument was prepared by the undersigned attorney license to practice law in the State of Maryland. The undersigned attorney did not perform a title search in connection with the preparation of this deed.

Michael Scott Cohen

After recording, return to:

Michael Scott Cohen, Esq.
213 Washington Street
Cumberland, MD 21502

... City of Cumberland/Surplus Properties RFPs/ 443-45 Waverly & 336, 340 & 342 Baltimore Ave - Deed

File Attachments for Item:

. Order 27,572 - authorizing the Chief of Police to accept the FY25 State Aid for Police Protection Fund grant in the amount of \$539,642 to be used exclusively to provide adequate police protection in the qualifying municipality of Cumberland, Maryland

- Order -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,572

DATE: October 1, 2024

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT the Chief of Police be and is hereby authorized to accept a FY25 State Aid for Police Protection Fund Grant in the amount of Five Hundred Thirty Nine Thousand Six Hundred Forty Two Dollars and No Cents (\$539,642.00) which will be utilized to provide adequate police protection in the qualifying municipality of Cumberland, Maryland.

Raymond M. Morriss, Mayor

Grant: SAPP-2025-0009

Council Agenda Summary

Meeting Date: October 2, 2024

Key Staff Contact: Chief Chuck Ternent

Item Title: FY25 State Aid for Police Protection

Summary of project/issue/purchase/contract, etc for Council:

Authorize Chief Chuck Ternent to accept the FY25 State Aid for Police Protection Fund grant in the amount of \$539,642.00 to be used exclusively to provide adequate police protection in the qualifying municipality of Cumberland, Maryland.

Amount of Award: \$539,642.00

Budget number:

Grant, bond, etc. reference: Grant

WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor



DOROTHY LENNIG
Executive Director

September 16, 2024

Chief Chuck Ternent
Chief of Police
Cumberland Police Department
20 Bedford Street
Cumberland, MD 21502

SAPP-2025-0009

Dear Chief Ternent:

Please be advised that, pursuant to the FY 2025 State budget, the Cumberland Police Department will receive \$539,642.00 from the FY 2025 State Aid for Police Protection Fund. The State Aid for Police Protection Fund is an annual formula grant to be used exclusively to provide adequate police protection in the subdivisions and qualifying municipalities of Maryland.

Your estimated allocation for FY 2025 is derived from the information provided on Forms No. 2 and 3. The actual amount of aid will be recalculated based on the actual FY 2024 expenditures for police protection that you will provide on Form No. 1 and the applicable CAFR Reconciliation Form which will be due on January 25, 2025. Payments will be made on the last day of each quarter.

To participate in the FY 2026 State Aid for Police Protection Fund program, an online grant application submission is required. Additionally, the original signed hard copies of Form No. 2 (Estimated Expenditures for FY 2026) and Form No. 3 (Municipal Sworn Officer Allocation as of June 30, 2024) must be uploaded into the online system under the documents tab of the application. Instructions will be provided as we get closer to the due date. It is important that we receive all forms in a timely manner so that the formula may be calculated correctly.

The State Aid for Police Protection Fund Notice of Funding Availability, the required forms, and instructions for FY 2026 will be tentatively available on our website in October 2024, and will be available to download through our website at <http://goccp.maryland.gov/grants/programs/sapp/>. You will be notified one month prior to the submission due dates by email. If the applicant or implementing agency authorized official has changed, please do not delay submitting a request to make the necessary changes now by using the instructions provided online at <http://goccp.maryland.gov/grants/changing-authorized-official/>.

WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor



DOROTHY LENNIG
Executive Director

I hope our office becomes a more valuable resource for your organization as we strive to deliver our services in a customer-friendly fashion. If you need any assistance, please contact Paula Fitzpatrick, SAPP Program Manager, by email at paula.fitzpatrick1@maryland.gov or phone at (410) 697-9247.

Sincerely,

A handwritten signature in black ink that reads "Dorothy Lennig". The signature is written in a cursive style with a large, stylized "D" and a long, sweeping underline.

Dorothy Lennig, Esq.
Executive Director

Cc: Lieutenant Eric Bonner
Mr. Mark Gandolfi



Governor's Office of Crime Prevention and Policy

Regional Monitor:
Fiscal Specialist:

Fitzpatrick, Paula
Fitzpatrick, Paula

Budget Notice

Grant Award Number:	SAPP-2025-0009	
Sub-recipient:	Cumberland Police Department	
Project Title:	State Aid for Police Protection	
Implementing Agency:	Cumberland Police Department	
Award Period:	07/01/2024 - 06/30/2025	CFDA: State General Fund

Funding Summary	Grant Funds	100.0 %	\$539,642.00
	Cash Match	0.0 %	\$0.00
	In-Kind Match	0.0 %	\$0.00
	Total Project Funds		\$539,642.00

Other

Description	Funding	Quantity	Unit Cost	Total Budget
Fund Allocation	Grant Funds	1	\$0.00	\$539,642.00
Other Total:				\$539,642.00

Approved:

Governor's Office of Crime Prevention and Policy Authorized Representative

Effective Date: 8/28/2024

File Attachments for Item:

. Order 27,573 - authorizing the Chief of Police to accept the FY25 Police Accountability, Community and Transparency (PACT) Grant entitled 2025 CPD BWC Project in the amount of \$40,000 to assist with the annual body camera hardware/software costs

- Order -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,573

DATE: October 1, 2024

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the Chief of Police be and is hereby authorized to accept the FY25 Police Accountability, Community and Transparency (PACT) Grant entitled "Body Worn Camera Program" in the amount of Forty Thousand Dollars and No Cents (\$40,000.00) to assist with annual Body Worn Camera hardware/software costs.

Raymond M. Morriss, Mayor

Grant: PACT-2025-0024

Council Agenda Summary

Meeting Date: October 1, 2024

Key Staff Contact: Chief Chuck Ternent/Lt. Alex Menges

Item Title: FY25 PACT BWC Grant

Summary of project/issue/purchase/contract, etc for Council:

Authorize the Chief of Police to accept the FY25 Police Accountability, Community and Transparency (PACT) Grant entitled 2025 CPD BWC Project in the amount of \$40,000 to assist with the annual body camera hardware/software costs.

Amount of Award: \$40,000

Budget number:

Grant, bond, etc. reference: Grant

WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor



DOROTHY LENNIG
Executive Director

August 30, 2024

Chief Chuck Ternent
Chief of Police
Cumberland Police Department
20 Bedford Street
Cumberland, MD 21502

RE: PACT-2025-0024

Dear Chief Ternent:

I am pleased to inform you that your grant application submitted by **Cumberland Police Department**, entitled "**2025 CPD BWC PROJECT**," in the amount of **\$40,000.00** has received approval under the Police Accountability, Community and Transparency Grant program. Enclosed is the grant award packet containing information and forms necessary to initiate the project.

The grant will fund the program described below:

The Cumberland Police Department Body Worn Camera (BWC) program will assist in fostering a culture of transparency for our community of those we serve. Having our officers outfitted with BWC's will continue to demonstrate our commitment to our community in showing accountability and transparency that we have not been able to show in the past. Having officers outfitted with body worn cameras assists crime victims, enforcement, prosecution, adjudication and law enforcement officers. This program would assist our department in becoming compliant with the new Maryland standards. The grant funding would aid us with the current high cost of the overall program fee that we need to successfully implement a BWC program.

Please pay particular attention to the instructions included on the grant award. It is important that you **carefully review all Special Conditions** attached to this award. Additionally, the General Conditions for all grant awards issued by our office are also located online, at www.goccp.maryland.gov. The chief elected official, or another legally authorized official of the jurisdiction, state agency, or 501(c)(3) receiving the grant award, must sign the original Grant Award & Acceptance Form, initial each page of the Special Conditions document, and upload them in the Grants Management System within **twenty-one (21) calendar days**. Should the acceptance form not be received, requests for reimbursement will not be honored.

A copy of the grant award, Notification of Project Commencement, and individual project reports has also been sent to the project director. The project director is responsible for completing these and other required forms now and at the end of each reporting period. If the project director changes, we must be notified immediately to avoid potential reporting problems.

Projects may commence as soon as the grant award is signed and you have reviewed and accepted all of the General and Special Conditions. No funds may be encumbered or expended prior to this time without the specific written approval of the Governor's Office of Crime Prevention and Policy.

If you have any questions or need any clarification regarding this grant award, please contact **Paula Fitzpatrick**, your program manager, or **Dana Maddox**, fiscal specialist. We look forward to working with you on this project and anticipate its success in helping to address criminal justice problems in our state.

Sincerely,

A handwritten signature in black ink, appearing to read "Dorothy Lennig". The signature is fluid and cursive, with a large initial "D" and a stylized "L".

Dorothy Lennig, Esq.
Executive Director

cc: Lieutenant Eric Bonner



Governor's Office of Crime Prevention and Policy

Regional Monitor:
Fiscal Specialist:

Fitzpatrick, Paula
Maddox, Dana

Budget Notice

Grant Award Number:	PACT-2025-0024	
Sub-recipient:	Cumberland Police Department	
Project Title:	2025 CPD BWC PROJECT	
Implementing Agency:	Cumberland Police Department	
Award Period:	07/01/2024 - 06/30/2025	CFDA: State General Fund

Funding Summary	Grant Funds	100.0 %	\$40,000.00
	Cash Match	0.0 %	\$0.00
	In-Kind Match	0.0 %	\$0.00
	Total Project Funds		\$40,000.00

Contractual Services

Description	Funding	Quantity	Unit Cost	Total Budget
Annual body camera hardware/software costs	Grant Funds	1	\$40,000.00	\$40,000.00

Contractual Services Total: \$40,000.00

Approved:

Governor's Office of Crime Prevention and Policy Authorized Representative

Effective Date: 8/30/2024

File Attachments for Item:

. Order 27,574 - declaring certain equipment to be surplus property and authorizing it for sale, trade in, scrap or disposal

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,574

DATE: October 1, 2024

WHEREAS, the Mayor and City Council of Cumberland is the record owner of certain equipment that has been determined to be of no further value to the City; and

WHEREAS, the Mayor and City Council desire to dispose of said equipment;

IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, THAT, the following equipment is hereby declared to be surplus property and authorized for sale, trade in, scrap or disposal:

Item No.	Department	Item Description	Model/Serial No.
237	Street	2000 INGERSOLL-RAND ROLLER	166060
249	Street	2014 BRIMAR TRAILER	58CDC2931EC000415
250	Street	2002 BLAW-KNOX PAVER PF-875	32044503
912	Flood	2010 CUB CADET Z-FORCE	1F170Z20072

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: October 1, 2024

Key Staff Contact: Brian Broadwater

Item Title:

Surplus of Vehicles and Equipment

Summary of project/issue/purchase/contract, etc for Council:

Recommendation to declare the following vehicles and/or equipment as surplus property and authorized for sale, trade in or scrap:

237	Street	2000 INGERSOLL-RAND ROLLER	166060
249	Street	2014 BRIMAR TRAILER	58CDC2931EC000415
250	Street	2002 BLAW-KNOX PAVER PF- 875	32044503
912	Flood	2010 CUB CADET Z-FORCE	1F170Z20072

Amount of Award: NA

Budget number: NA

Grant, bond, etc. reference: NA

File Attachments for Item:

. Order 27,575 - approving the reappointment of Garland Kearney to the Cumberland Housing Authority Board of Commissioners for the five-year term expiring October 31, 2029

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,575

DATE: October 1, 2024

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, Garland Kearney be and is hereby reappointed to the Cumberland Housing Authority for a five (5) year term to be effective October 31, 2024 through October 31, 2029.

Raymond M. Morriss, Mayor



The Cumberland Housing Group

Cumberland Housing Alliance, Inc.
Housing Authority of the City of Cumberland

September 18, 2024

Jeffrey Silka, Administrator
City of Cumberland
P.O. Box 1702
57 North Liberty Street
Cumberland, Maryland 21502

Dear Mr. Silka;

The current five year term of office for Garland Kearney of the Board for the Housing Authority of the City of Cumberland will be expiring on October 31, 2024. According to Maryland State Law and HUD guidelines, housing authority commissioners are to be appointed by the chief officer of the jurisdiction upon recommendation from the Housing Authority Board of Commissioners.

Mr. Garland Kearney, Sr. previously resided in Baltimore MD and moved to Cumberland over 26 years ago. He resided in our public housing community in the 1990's as a model tenant. He later purchased a home at 1011 Bedford Street where he continues to reside. Garland was employed with Garrett College as a software support technician from 2000 until 2015 when he retired. He is a member of the Metropolitan A.M.E. Church and serves on their Steward Board.

Mr. Kearney has been an extremely active member of our Board of Commissioners since his initial appointment May 2021. In addition, Mr. Kearney has been an extremely active member of our Board of Commissioners since his initial appointment on the Cumberland Housing Alliance Board of Directors (part of the Cumberland Housing Group) since May of 2009.

Mr. Kearney is already familiar with our operations, staff, and the projects we currently have in various stages. At the meeting on September 18, 2024, The Board of Commissioners for the Housing Authority voted unanimously to request the City of Cumberland to reappoint Mr. Garland Kearney of 1011 Bedford Street, Cumberland to the Board of Commissioners effective November 1, 2024 and expiring in October 31, 2029.

Should you have any questions concerning this request, please do not hesitate to contact me at (301) 724-6606, extension 110.

Sincerely,

Michele Bender
President/CEO
Board of Commissioners Secretary



635 East First Street, Cumberland, MD 21502-4362
Office 301-724-6606 Fax 301-724-8731
www.CumberlandHousing.org



Cumberland Housing



File Attachments for Item:

. Order 27,576 - approving the sole source proposal from Cargill, Inc. to provide road salt for an amount not to exceed \$200,000 for the term September 1, 2024 - August 31, 2025, with pricing obtained through the statewide contract

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,576

DATE: October 1, 2024

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the City Administrator be and is hereby authorized to approve the sole source purchase of road salt from Cargill Incorporated, 24950 Country Club Boulevard, Suite 450, North Olmsted, Ohio, 44070 for an amount not to exceed Two Hundred Thousand Dollars and No Cents (\$200,000.00), for the term September 1, 2024 through August 31, 2025, with pricing obtained through the State bid process.

Raymond M. Morriss, Mayor

Budget: 001.057.36000

Council Agenda Summary

Meeting Date: October 01, 2024

Key Staff Contact: Devin Burke

Item Title:

Order accepting the Sole Source Purchase of Road Salt from Cargill Incorporated, 24950 Country Club BLVD, STE 450, North Olmsted, OH 44070 for the amount not to exceed \$200,000.

Summary of project/issue/purchase/contract, etc. for Council:

Requesting an order to accept the sole source purchase of road salt from Cargill Incorporated for an amount not to exceed \$200,000. Cargill Incorporated was awarded the Statewide Contract for Road Salt to be used in Allegany County, which is in accordance with the City Code Sec. 2-171 (c) (iv) – sole source purchases through joint efforts with other agencies. As per the statewide contract the cost of the road salt plus delivery is \$102.96/ton for the contract term of September 1, 2024-August 31, 2025. The Mayor and Council previously approved the budget amount of \$164,736 in 001.057.36000 for snow removal chemicals. The purchase order is for \$200,000 to allow for overages, as we will spend only what is necessary.

Amount of Award: \$200,000

Budget number: 001.057.36000

Grant, bond, etc. reference:



Julie Hutson <julie.hutson@cumberlandmd.gov>

Re: Road Salt Contract FY25 Sole Source Approval

1 message

Jeff Silka <jeff.silka@cumberlandmd.gov>

Tue, Sep 24, 2024 at 3:57 PM

To: Devin Burke <devin.burke@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Julie Hutson <julie.hutson@cumberlandmd.gov>

Approved

Sent from my iPhone

On Sep 24, 2024, at 2:58 PM, Devin Burke <devin.burke@cumberlandmd.gov> wrote:

Jeff,

I am asking for your Sole Source Approval for the purchase of road salt from Cargill Incorporated. Cargill was awarded the Statewide Contract for Road Salt to be used in Allegany County, which is in accordance with the City Code Sec. 2-171 (c) (iv) – sole source purchases through joint efforts with other agencies.

As per the statewide contract, the cost of the road salt plus delivery is \$102.96/ton for the contract term of September 1, 2024 - August 31, 2025. The Statewide Contract is attached for your reference.

Thank you for your time!

-Devin

--
Devin Burke
Superintendent of Streets and Public Properties
City of Cumberland, MD
P | 301-759-6622
C | 240-609-6793
E | Devin.burke@cumberlandmd.gov

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B4600022

PRINT DATE: 07/21/23

PAGE: 01

SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

VENDOR ID:

CARGILL INCORPORATED
24950 COUNTRY CLUB BLVD STE 450

NORTH OLMSTED, OH 44070
(800) 600-7258 EXT 4774

REFER QUESTIONS TO:

DAVID RENFRO
(410) 767-7064
DAVID.RENFRO@MARYLAND.GOV

ITB: DGSR3600022

EXPR DATE: 08/31/26
POST DATE: 07/13/23

DISCOUNT TERMS: . NET 30 DAY
CONTRACT AMOUNT: .00

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

* STATEWIDE CONTRACT FOR SODIUM CHLORIDE/ROAD SALT *
* ROCK AND SOLAR *
* ALLEGANY COUNTY *

.
DETAIL OF DELIVERY PRICE PER COUNTY IS LOCATED BELOW
THIS IS A STATEWIDE CONTRACT AND MAY BE USED BY ALL STATE AGENCIES,
COUNTIES, MUNICIPALITIES, AND OTHER ELIGIBLE ENTITIES.
CONTRACT TERM: SEPTEMBER 1, 2023 THRU AUGUST 31, 2026
THREE (3) YEARS.

.
OPTION TO RENEW: THE CONTRACT MAY BE UNILATERALLY EXTENDED FOR
(2) TWO ADDITIONAL, (1) ONE YEAR PERIODS AT THE SAME TERMS AND
CONDITIONS.

.
OPTION YEAR 1: SEPTEMBER 1, 2026 THRU AUGUST 31, 2027
OPTION YEAR 2: SEPTEMBER 1, 2027 THRU AUGUST 31, 2028

.
VENDOR NAME: CARGILL, INC.
VENDOR CONTACT: TATYANA HUHN
TELEPHONE: 800-600-7258
VENDOR EMAIL ADDRESS: SALT_CUSTOMERCAREROADSAFETY@CARGILL.COM
. .

.
THE PURPOSE OF THIS CONTRACT IS TO OBTAIN A SOURCE OF SUPPLY

*** CONTINUED, NEXT PAGE ***

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B4600022

PRINT DATE: 07/21/23

PAGE: 02

TERMS (cont'd):

TO PROVIDE, DELIVER AND UNLOAD SODIUM CHLORIDE (ROCK AND SOLAR SALT) FOR THE STATE AT A FIRM FIXED PRICE FOR THE TERM AS SHOWN HEREIN. ALL ROCK AND SOLAR SALT FURNISHED UNDER THIS CONTRACT SHALL COMPLY WITH THE SCOPE OF WORK DETAILED IN THE INVITATION FOR BID (IFB).

QUALITY:

THIS CONTRACT IS SUBJECT TO CANCELLATION UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. THE VENDOR WILL BE RESPONSIBLE FOR MONETARY DAMAGES LIMITED TO THE DIFFERENCE BETWEEN CONTRACT PRICE AND OPEN MARKET PURCHASE TO FULFILL THE CONTRACT.

PRODUCT ACCEPTABILITY SHALL BE AT THE SOLE DISCRETION OF THE MARYLAND STATE ORDERING AGENCY. EACH AGENCY SHALL BE THE SOLE JUDGE OF WHAT IS AN "APPROVED EQUAL". ANY MATERIAL DELIVERED AS A RESULT OF THIS AWARD WHICH DOES NOT MEET THE SPECIFICATIONS OR IS OTHERWISE FOUND TO BE DEFECTIVE, SHALL BE REJECTED AND RETURNED AT THE VENDOR'S AT THE VENDOR'S EXPENSE FOR REPLACEMENT FOR CREDIT.

AGENCIES RESERVES THE RIGHT TO SAMPLE MATERIAL AT ANY TIME. ACCEPTANCE TESTING WILL BE COMPLETED ON DELIVERED MATERIAL AS DETERMINED. THE MATERIAL MAY BE SUBJECT TO A WORKABILITY EVALUATION EITHER IN THE LAB OR IN THE FIELD. NON-CONFORMING MATERIALS WILL BE REJECTED WHETHER IN-PLACE OR NOT. THE VENDOR WILL REMOVE ALL AGGREGATES MATERIAL FROM INVENTORY ON HAND THAT FAILS TO MEET REQUIREMENTS AND REPLACE AT NO ADDITIONAL COST.

DELIVERIES:

ALL DELIVERIES WILL BE MADE ONLY DURING NORMAL WORKING HOURS (MONDAY - MONDAY - FRIDAY, 7:30AM-3:30PM), UNLESS THE SUPPLIER OBTAINS PRIOR VERBAL OR WRITTEN APPROVAL FROM AN MDOT SHA REPRESENTATIVE FOR A DELIVERY DURING NON-WORK HOURS. MDOT SHA WILL CONSIDER EXTENDED OR WEEKEND DELIVERY HOURS, OVERNIGHT IF NEEDED, PROVIDED THE VENDOR COMMITS TO A HIGH DELIVERY TONNAGE TO A SPECIFIC SALT STRUCTURE.

MATERIALS:

*** CONTINUED, NEXT PAGE ***

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B4600022

PRINT DATE: 07/21/23

PAGE: 03

TERMS (cont'd):

A. SODIUM CHLORIDE (ROCK SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS SET FORTH IN ASTM DESIGNATION.

D632-12 (OR LATEST REVISION THEREOF):

TYPE 1 - USED AS A PAVEMENT DEICER

GRADE 1 - STANDARD GRADING (PROVIDES A PARTICLE GRADING FOR GENERAL APPLICATION)

THE MOISTURE CONTENT OF SODIUM CHLORIDE (ROCK SALT) SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT AT THE TIME OF DELIVERY. THE SODIUM

CHLORIDE (ROCK SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED THROUGHOUT THE ROCK SALT TO PREVENT CAKING.

B. SODIUM CHLORIDE (SOLAR SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS SET FORTH IN ASTM DESIGNATION.

D632-12 (OR LATEST REVISION THEREOF):

TYPE 1 - USED AS A PAVEMENT DEICER

GRADE 1 - STANDARD GRADING (PROVIDES A PARTICLE GRADING FOR GENERAL APPLICATION)

THE SODIUM CHLORIDE (SOLAR SALT) SHALL BE CREATED UTILIZING AN EVAPORATION PROCESS, OR EQUIVALENT PRACTICE, THAT WILL YIELD A 99% MINIMUM SODIUM CHLORIDE PRODUCT (1% OR LESS OF INSOLUBLE IMPURITIES). THE MOISTURE CONTENT OF SODIUM CHLORIDE (SOLAR SALT) SHALL NOT EXCEED

THREE PERCENT (3.0%) BY WEIGHT AT THE TIME OF DELIVERY. THE SODIUM CHLORIDE (SOLAR SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED THROUGHOUT THE SOLAR SALT TO PREVENT CAKING.

THE VENDOR SHALL FURNISH THE USING AGENCY WITH ITEMIZED INVOICES WITHIN FIFTEEN (15) DAYS AFTER DELIVERY/PICKUP OF MATERIAL.

.
PAYMENT:

FOLLOWING DELIVERY AND ACCEPTANCE OF MATERIAL SHALL SUBMIT AN ORIGINAL INVOICE TO THE ORDERING AGENCY

.
INVOICES:

VENDOR MUST INCLUDE THE 9-DIGIT ZIP CODE OF COMPANY ADDRESS ON ALL INVOICES. FAILURE TO SO MAY RESULT IN DELAY OF PAYMENT. THIS PURCHASE IS FOR ROCK AND SOLAR ROAD SALTS FOR STATEWIDE AGENCIES FACILITIES ACROSS THE STATE.

*** CONTINUED, NEXT PAGE ***

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B4600022

PRINT DATE: 07/21/23

PAGE: 04

TERMS (cont'd):

USAGE REPORT:

A REPORT SHALL BE FURNISHED BY THE SUCCESSFUL CONTRACTOR EVERY HUNDRED -TWENTY (120) DAYS DETAILING THE PURCHASE OF ALL ITEMS ON THE CONTRACT THE REPORT SHALL BE SUBMITTED ELECTRONICALLY IN EXCEL FORMAT. AS A MINIMUM, THE REPORT SHALL REFLECT THE CONTRACT NUMBER, CONTRACT ITEM NUMBER AND DESCRIPTION, THE DOLLAR VOLUME PURCHASED OF EACH ITEM, AGENCY IDENTIFICATION, AND THE CONTRACT TOTAL. THE REPORT SHALL BE FILED WITHIN THIRTY (30) DAYS AFTER THE END OF EACH REPORTING PERIOD. ANY EXCEPTION TO THIS MANDATORY REQUIREMENT MAY RESULT IN CANCELLATION

OF THE AWARD. FAILURE TO PROVIDE THE REPORT WITH THE MINIMUM REQUIRED INFORMATION MAY ALSO NEGATE ANY CONTRACT EXTENSION CLAUSES THE USAGE REPORT SHALL BE EMAILED TO THE DGS.STATEWIDECONTRACTSUSAGEREPORT@MARYLAND.GOV.

ELECTRONIC TRANSACTION FEE:

SHALL PAY AN ELECTRONIC TRANSACTION FEE TO THE STATE IN THE AMOUNT OF ONE PERCENT (1%) OF THE TOTAL CONTRACT SALES. THE ELECTRONIC TRANSACTION FEE IS CALCULATED BASED ON ALL SALES TRANSACTED UNDER THE

CONTRACT, MINUS ANY RETURNS OR CREDITS. THE ELECTRONIC TRANSACTION FE SHALL NOT BE CHARGED DIRECTLY TO THE CUSTOMER, E.G., AS A SEPARATE LINE ITEM, FEE, OR SURCHARGE, BUT SHALL BE INCLUDED IN THE CONTRACT'S UNIT PRICES.

THE ELECTRONIC TRANSACTION FEE SHALL BE SUBMITTED TO THE OFFICE OF STATE PROCUREMENT, FISCAL SERVICES DIVISION, 301 W. PRESTON STREET, ROOM 1309, BALTIMORE, MD, 21201, THIRTY (30) DAYS AFTER THE END OF EACH REPORTING PERIOD ALONG WITH A MONTHLY USAGE REPORT DOCUMENTING

ALL CONTRACT SALES. AN EXCEL VERSION OF THE MONTHLY USAGE REPORT SHAL BE EMAILED TO DGS.STATEWIDECONTRACTSUSAGEREPORT@MARYLAND.GOV.

PURSUANT TO THE STATE FINANCE AND PROCUREMENT ARTICLE SECTION 13-110 OF THE ANNOTATED CODE OF MARYLAND, EXCEPT FOR ENTITIES DESCRIBED IN (6) (A) THE FOLLOWING ENTITIES MAY PURCHASE MATERIALS, SUPPLIES AND EQUIPMENT UNDER THIS CONTRACT:

- (1) A COUNTY OR BALTIMORE CITY;
- (2) A MUNICIPAL CORPORATION;
- (3) A GOVERNMENTAL AGENCY IN THE STATE;
- (4) A PUBLIC OR QUASI-PUBLIC AGENCY THAT: (I) RECEIVES STATE MONEY;

*** CONTINUED, NEXT PAGE ***

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B4600022

PRINT DATE: 07/21/23

PAGE: 05

TERMS (cont'd):

- AND (II) IS EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE;
- (5) A PRIVATE ELEMENTARY OR SECONDARY SCHOOL THAT: (I) EITHER HAS BEEN ISSUED A CERTIFICATE OF APPROVAL FROM THE STATE BOARD OF EDUCATION OR IS ACCREDITED BY THE ASSOCIATION OF INDEPENDENT SCHOOLS; AND (II) IS EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; OR
- (6) A NON-PUBLIC INSTITUTION OF HIGHER EDUCATION UNDER SECTION 17-106 OF THE EDUCATION ARTICLE.
(A) A PRIVATE ELEMENTARY OR SECONDARY SCHOOL OR A NON-PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT PURCHASE RELIGIOUS MATERIALS UNDER THIS CONTRACT.
(B) THE RIGHT TO PURCHASE UNDER THIS SECTION SHALL BE IN ADDITION TO, BUT NOT IN SUBSTITUTION FOR, THE APPLICABLE PURCHASING POWER GRANTED TO ANY OF THE LISTED ENTITIES PURSUANT TO ANY STATUTORY OR CHARTER PROVISION.
- (7) ANOTHER STATE OR AN AGENCY OR OTHER INSTRUMENTALITY OF ANOTHER STATE. ALL PURCHASES UNDER THIS CONTRACT BY ANY SUCH ENTITY WHICH IS NOT A UNIT OR AGENCY OF THE STATE OF MARYLAND FOR WHICH THE STATE OF MARYLAND MAY BE HELD LIABLE IN CONTRACT
(1) SHALL CONSTITUTE A PURCHASE OR CONTRACT BETWEEN THE CONTRACTOR AND THAT ENTITY ONLY;
(2) SHALL NOT CONSTITUTE A PURCHASE OR CONTRACT OF THE STATE OF MARYLAND;
- (8) SHALL NOT BE BINDING OR ENFORCEABLE AGAINST THE STATE OF MARYLAND OR ANY OF ITS UNITS OR AGENCIES; AND MAY BE SUBJECT TO OTHER TERMS AND CONDITIONS.

VENDOR MUST INCLUDE THE BLANKET PURCHASE ORDER NUMBER ON ALL INVOICES.

THIS PURCHASE ORDER IS FOR NEW PRODUCTS/EQUIPMENT WHICH MUST BE FREE FROM DEFECTS. USED, REFURBISHED OR REMANUFACTURED PRODUCTS/EQUIPMENT WILL NOT BE ACCEPTED OR CONSIDERED UNLESS OTHERWISE INDICATED HEREIN.

THE DEPARTMENT OF GENERAL SERVICES' "TERMS AND CONDITIONS FOR COMMODITY CONTRACTS OVER \$50,000" AND ALL SPECIFICATIONS, TERMS AND CONDITIONS OF SOLICITATION # BPM036326/001IT821376 INCORPORATED HEREIN BY REFERENCE.

DELIVERY PRICING/PER TON:

*** CONTINUED, NEXT PAGE ***

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B4600022

PRINT DATE: 07/21/23

PAGE: 06

TERMS (cont'd):

9/1/2023-8/31/24	9/1/24-8/31/25	9/1/25-8/31/26
ROCK SOLAR	ROCK SOLAR	ROCK SOLAR
ALLEGANY \$97.13 \$115.13	\$102.96 \$117.96	\$102.96 \$120.46

0009 77545 TN 97.1300

ROAD MAINTENANCE SALT

0010 77545 TN 115.1300

ROAD MAINTENANCE SALT

END OF ITEM LIST

***** LAST PAGE *****

AUTHORIZED BY: _____

DATE: _____

BUYER AUTHORIZED DESIGNEE



CITY OF CUMBERLAND MARYLAND

September 24, 2024

Dear Mayor and City Council,

I recommend that we move forward with the Sole Source Purchase of Road Salt from Cargill Incorporated, 24950 Country Club Blvd, North Olmsted, OH 44070.

Cargill Incorporated was awarded the Statewide Contract for Road Salt to be used in Allegany County, which is in accordance with the City Code Sec. 2-171 (c) (iv) – sole source purchases through joint efforts with other agencies. The statewide contract may be used by all state agencies, counties, municipalities and other eligible entities. The term of the contract is from July 13, 2023 through August 31, 2026. The road maintenance salt unit cost is \$102.96 per ton, which includes delivery cost for 9/1/24-8/31/25. The FY25 approved budget amount for snow removal chemicals is \$164,736. The purchase order will be for an amount not to exceed \$200,000 to allow for overages due to the unexpected weather.

MAYOR

RAYMOND M. MORRISS

COUNCIL

RICHARD J. CIONI, JR.
EUGENE T. FRAZIER
JAMES L. FURSTENBERG, III
LAURIE P. MARCHINI

CITY ADMINISTRATOR

JEFFREY F. SILKA, ICMA-CM

CITY SOLICITOR

MICHAEL SCOTT COHEN

CITY CLERK

ALLISON LAYTON

Sincerely,

Devin Burke,

Superintendent of Streets and Public Properties



MEMBER MARYLAND
MUNICIPAL LEAGUE (MML)

57 N. LIBERTY STREET, CUMBERLAND, MD 21502 www.cumberlandmd.gov
VOICE (301)722-2000 • FAX (301)759-6438 • TDD (800)735-2258

File Attachments for Item:

. Order 27,577 - accepting the bid from Belt Paving, Inc. to provide full depth asphalt repair as well as some milling and overlaying on a portion of Kelly Road (City Project 2024-04-TRFC) in the amount not to exceed \$153,334

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,577

DATE: October 1, 2024

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the bid from Belt Paving, Inc., 11521 Milnor Avenue, Cumberland, MD 21502, to provide full depth asphalt repair as well as some milling and overlaying on a portion of Kelly Road (City Project 2024-04-TRFC) be and is hereby accepted in the amount not to exceed One Hundred Fifty Three Thousand Three Hundred Thirty Four Dollars and No Cents (\$153,334.00).

Raymond M. Morriss, Mayor

Budget:
127.101.63000

Only Bid Received:

Belt Paving	\$153,334.00
-------------	--------------

Council Agenda Summary

Meeting Date: 10/1/2024

Key Staff Contact: Matt Idleman, P.E.

Item Title:

Award Kelly Road Paving Improvements, City Project # 2024-04-TRFC

Summary of project/issue/purchase/contract, etc for Council:

Award Kelly Road Paving Improvements Contract to low responsive bidder, Belt Paving, Inc., in the lump sum cost of \$153,334.00.

This project includes pavement repairs to a portion of Kelly Road in Cumberland, Maryland. Repairs include some full-depth asphalt repair, as well as some milling and overlaying. This project also includes installation of various thermoplastic pavement markings at two midblock crosswalks.

This project was advertised for bid on 8/28/24. Bids closed on 9/18/24, with one qualified bid being received. The low bidder was Belt Paving, Inc., with an acceptable bid of \$153,334.00.

The project is budgeted for this fiscal year, and utilizes City Funds

Amount of Award: \$153,334.00

Budget number: 127.101.63000

Grant, bond, etc. reference: City Funds

PROJECT INFORMATION	
Project Title:	Kelly Road Paving Improvements
City Project:	2024-04-TRFC
Contract Length:	60 Calendar Days
BID OPENING	
Date & Time:	9/18/2024 2:00 PM EDT
Location:	Virtual - Beacon Bid Solicitation Website

CERTIFIED BID TABULATION
BIDDER
Belt Paving, Inc.
11521 Milnor Ave Cumberland, MD 21502

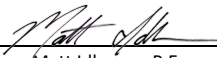
BID ITEMS				Belt Paving, Inc.	
ITEM NO.	DESCRIPTION OF BID	UNITS	QTY.	UNIT PRICE	AMOUNT
1001	Mobilization	LS	1	\$ 7,500.00	\$ 7,500.00
1002	Maintenance of Traffic	LS	1	\$ 9,600.00	\$ 9,600.00
1003	Construction Stakeout	LS	1	\$ 670.00	\$ 670.00
5001	Milling Asphalt Pavement, 0 Inch To 2.5 Inch	SY	6840	\$ 3.00	\$ 20,520.00
5002	Superpave Asphalt Mix 19.0mm For Full Depth Patch, Pg 64S-22, Level 2 (4 1/2" Depth)	TON	130	\$ 165.00	\$ 21,450.00
5003	Removal of Unsuitable Material and Refill	CY	15	\$ 100.00	\$ 1,500.00
5004	Superpave Asphalt Mix 12.5mm For Surface, PG 64S-22, Level 2 (2.0" Depth)	TON	760	\$ 107.00	\$ 81,320.00
5005	HMA Superpave 9.5mm For Wedge and Level, PG 64S-22, Level 2 (0.5" Nominal Depth)	TON	10	\$ 100.00	\$ 1,000.00
5006	24-Inch White Performed Thermoplastic Pavement Marking Lines	LF	185	\$ 24.00	\$ 4,440.00
5007	5-Inch White Performed Thermoplastic Pavement Marking Lines	LF	140	\$ 6.00	\$ 840.00
5008	5-Inch Yellow Performed Thermoplastic Pavement Marking Lines	LF	160	\$ 6.00	\$ 960.00
5009	Bike Lan Preformed Thermoplastic Pavement Marking with Arrow	SF	50	\$ 26.00	\$ 1,300.00
5010	Shared Bike Lane Preformed Thermoplastic Pavement Marking	SF	9	\$ 26.00	\$ 234.00
5011	5-Inch White Pavement Marking Paint Lines	LF	2800	\$ 0.40	\$ 1,120.00
5012	5-Inch Yellow Pavement Marking Paint Lines	LF	2200	\$ 0.40	\$ 880.00

Belt Paving, Inc.	
Bid	✓
AoQtB	✓
LPC	County
ARVF	✓

TOTAL BID:

\$ 153,334.00

I HEREBY CERTIFY THE ABOVE IS A TRUE AND CORRECT SUMMARY OF THE PROPOSALS RECEIVED:


Matt Idleman, P.E.

Deputy Director of Engineering

File Attachments for Item:

. Order 27,578 - declaring certain City-owned property to be surplus and authorizing it for sale

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,578

DATE: October 1, 2024

WHEREAS, the Mayor and City Council of Cumberland is the record owner of certain parcels of property identified herein; and

WHEREAS, the Mayor and City Council have determined that these properties are no longer needed for any public use and may be offered for sale to the general public;

IT IS, THEREFORE, ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, THAT:

1. The following properties are hereby declared to be surplus in accordance with the provisions of Section 1 of the Charter of the City of Cumberland:

Tax ID#	Address	Street Name
04-038444	208-210	Virginia Ave
06-035868	513	Fayette St
22-008854	317	Cecelia St
04-037359	26	E. Industrial Blvd
04-050592	31	Offutt St
22-005863	445	N. Waverly
06-041515	424	Cumberland St

2. After the passage of twenty (20) days from the date of this Order, the Mayor and City Council may pass an Ordinance authorizing the execution of a deed effecting the conveyance of any or all of the properties to a purchaser, and the City may proceed with the transfer of any or all of the properties in accordance with the terms of said Ordinance

Raymond M. Morriss, Mayor



Allison Layton <allison.layton@cumberlandmd.gov>

Surplus Properties

1 message

Denise Adams <denise.adams@cumberlandmd.gov>
To: Allison Layton <allison.layton@cumberlandmd.gov>

Thu, Sep 19, 2024 at 10:49 AM

Hey Allison,

Just wanting to add some recently acquired properties to be declared surplus. I know the last two were recorded in the last week according to Kevin so I know they will need to be declared. Not sure if some have already been done but just adding/verifying when you have a moment.

04-038444	208-210	Virginia Ave
06-035868	513	Fayette St
22-008854	317	Cecelia St
04-037359	26	E. Industrial Blvd
05-019524	404	Furnace
05-014425	310	Columbia St
23-004224	414	Goethe St
04-050592	31	Offutt St
06-007686	308	Cumberland St
06-040160	118	Winton Place
22-005863	445	N. Waverly
06-04515	424	Cumberland St

I know today is probably crazy getting ready for tonight so this is not a rush for today, just when you have time.

Thanks!

--

Denise Adams
Citizen Service Representative
CITY OF CUMBERLAND
57 N. Liberty Street, Cumberland, MD 21502
Phone: 301-759-6459
denise.adams@cumberlandmd.gov
www.cumberlandmd.gov
Like **City of Cumberland** on Facebook!



****The Community Development Department has temporarily relocated to 446 N. Mechanic Street beginning March 13. (Corner of Valley and N. Mechanic Streets)****

File Attachments for Item:

. Order 27,579 - authorizing a Special Taxing District residential exemption for 55 Baltimore Street in the amount of \$1,051.08

- Order -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,579

DATE: October 1, 2024

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the following Residential Exemption from the Special Taxing District Levy
for the 2024-2025 tax year be and is hereby granted:

Property Owner	Tax Year / Account No.	Tax Year	Exemption Amt.
David Romero	55 Baltimore St. / 04-010671	2024-2025	\$ 1,051.08

BE IT FURTHER ORDERED, that this exemption is hereby granted pursuant to
the provisions of Section 236 of the City Charter.

Raymond M. Morriss, Mayor

City of Cumberland

57 N Liberty Street
Cumberland, MD 21502
301 722 2000

SPECIAL TAXING DISTRICT**REQUEST FOR EXEMPTION**Tax Year 2024

I DANIEL ROMERO request an exemption from the Special Taxing District Levy for property owned by me at:

55 BACIMORE ST.CUMBERLAND MD 21502

My request is based upon the fact that this property is used for:

Industrial 25%Residential 75%

If only part of the property is used for an exempt purpose, designate the percentage so used:

Industrial % 25%Residential % 75%

04 010671 - 4P
Akte 230499 - 1051.08
Billable 74834 - 350.36

Signed Date 27 SEPT 2024

File Attachments for Item:

. Order 27,580 - authorizing the execution of an Outdoor Dining Lease Agreement with Frank and Stein's Beverage (DBA Downtown D'Atri Pasta & Subs) for the use of the public right of way immediately in front of and adjacent to the property for outside cafe dining for a term effective October 1, 2024 through October 31, 2025

- Order -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 27,580

DATE: October 1, 2024

ORDERED, By the Mayor and City Council of Cumberland, Maryland,

THAT, the Mayor be and is hereby authorized to execute an Outdoor Dining Lease Agreement by and between the Mayor and City Council of Cumberland and:

Frank and Stein's Beverage DBA Downtown D'Atri Pasta & Subs

detailing terms for the use of the public right-of-way immediately in front of and adjacent to each property for outside café dining for a term effective October 1, 2024 through October 31, 2025.

Raymond M. Morriss, Mayor

OUTDOOR DINING LEASE AGREEMENT

THIS OUTDOOR DINING LEASE AGREEMENT ("Lease") is made and executed this ____ day of _____, 2024, by and between the **Mayor and City Council of Cumberland**, a Maryland municipal corporation (the "City") and **FRANK AND STEIN'S BEVERAGE DBA DOWNTOWN D'ATRI PASTA & SUBS** ("Lessee").

WHEREAS, Lessee operates a restaurant at 152 Baltimore Street, Suite 101, Cumberland, MD 21502;

WHEREAS, the City maintains and/or owns the public right-of-way immediately in front of the restaurant;

WHEREAS, Lessee wishes to expand its operation to include outside café dining on a portion of the public right-of-way adjacent to its restaurant; and

WHEREAS, the City has determined that it is in the interest of the general public to permit the use of a portion of the right-of-way for café dining.

NOW, THEREFORE, the parties hereto hereby agree as follows:

1. **Demise.** The City hereby leases to Lessee a certain parcel of property located on the public right-of-way adjacent to Lessee's restaurant, the area of which encompasses that portion of the right-of-way directly to a depth of ~~22~~ feet 0 inches and length of 16 feet 0 inches, the corners of which shall be marked by the Lessee subject to the approval of the City, which leased parcel of land (hereinafter referred to as the "Demised Premises") is shown on the plat/drawing attached hereto and incorporated by reference herein as Exhibit 1. Notwithstanding the foregoing, Lessee shall be responsible for allowing pedestrian traffic to pass through the Demised Premises at a location or locations to be approved by the City or as directed by the City, subject to modifications as directed by the City during the term of this Lease. * overflow seating - 14' 0" X 6' 0"

2. **As-Is Condition: No Warranties or Representations.** Except as expressly set forth herein, Lessee accepts the Demised Premises in its as-is where-is condition, with all faults and defects, latent or patent, known or unknown, presently existing or that may arise in the future. The City disclaims all liability and responsibility for any representation, warranty, statement, or information made, communicated, or furnished (orally or in writing) to Lessee or any of its agents, employees or representatives made prior to or following the date of this Agreement unless it is modified as provided for hereinafter.

2. **Term.** The term of this lease shall commence on October 31, 2024 and shall terminate on October 31, 2025, unless sooner terminated as provided for herein.

3. **Use of Property.** The Demised Premises shall be occupied and used by Lessee for the provision of outdoor café dining to Lessee's restaurant customers. Lessee agrees that, in its use of the Demised Premises, it will comply with all present and future valid local, state and federal laws, ordinances, rules and regulations related to the occupancy or use of the Demised Premises.

representatives from any and all claims, complaints, causes of action, demands, damages, obligations, liabilities, losses, promises, agreements, controversies, penalties, expenses, and executions of any kind or nature whatsoever, whether known or unknown, actual or potential, whether arising in law or in equity, which the Lessee may have, may have had, or may in the future obtain, arising out of or relating to any acts, omissions, agreements, or events relating in any manner to this Lease. The provisions of this section shall survive the termination or earlier expiration of this Lease.

15. Insurance. So long as this Lease is in effect, Lessee shall, at its expense, maintain comprehensive general public liability insurance covering personal injury and property damage occurring on the Demised Premises which shall include the City as an additional insured. Such policy shall have minimum single combined liability limits of One Million Dollars (\$1,000,000.00) and shall be written on an occurrence basis. The insurance policy will name the "**MAYOR AND CITY COUNCIL OF CUMBERLAND**" as the Certificate Holder and as an additional insured, and will include an endorsement requiring the insurer to provide the City with no less than thirty (30) days advance written notice of the cancellation of the policy. Immediately upon the execution of this Lease, Lessee shall provide the City with a certificate of insurance evidencing its compliance with the requirements of this section. *On Record per Allison Layton 8/16/24*

16. Indemnification. Lessee shall indemnify, hold harmless and defend the City, its officers, officials, agents, and employees from and against any and all any and all liabilities, damages, claims, costs and expenses, including, but not limited to, attorneys' fees, court costs and litigation expenses, arising from, as a result of, or as an incident to:

- a) Lessee's use of the Demised Premises or the conduct of its business on the Demised Premises;
- b) any act or omission done, permitted or suffered by Lessee, its contractors, licensees, invitees, agents, representatives, or employees on or about the Demised Premises; or
- c) any breach or default in the performance of any obligation of Lessee under the terms of this Lease.

17. Default. After the occurrence of any of the following events, the City shall have the right to terminate this Lease immediately:

- a) In the event that Lessee shall fail to keep and perform, or shall violate the terms, covenants, and conditions of this Lease on its part to be kept and performed, and Lessee shall not have cured or corrected this failure within five (5) days after written notice shall have been given to Lessee.
- b) If Lessee shall make an assignment for the benefit of its creditors, or shall file a petition in bankruptcy or shall be adjudged bankrupt, or the interest of Lessee under this Lease shall be levied upon and sold upon execution or shall, by operation of law, become vested in another person, firm or corporation, because of the insolvency of Lessee, or in the event that a receiver or trustee shall be appointed for Lessee or the interest of Lessee under this Lease.

c) In the event that Lessee shall vacate or abandon the Demised Premises (or its restaurant located adjacent thereto), or shall permit them to remain vacant and unoccupied without the consent of the City first obtained.

18. Repossession Upon Default. Upon the occurrence of any one or more of the events of default or the expiration of any termination notice, Lessee's right to possession of the Demised Premises shall terminate, and Lessee shall surrender possession of it immediately. In this event, Lessee grants to the City full and free license to enter into and upon the Demised Premises to take possession with or without process of law, and to expel and remove Lessee or any other person who may be occupying it.

19. Other Remedies. Each and every of the rights, remedies and benefits provided by this Lease shall be cumulative and shall not be exclusive of any other of such rights, remedies and benefits, or of any other rights, remedies and benefits allowed by law or equity.

20. Waiver. One or more waivers of any term, covenant or condition of this Lease by the City shall not be construed to be a waiver of a further or subsequent breach of the same term, covenant or condition.

21. Notice. Except as otherwise provided herein, all notices required to be given by the parties to one another under this Lease shall be properly given only if made in writing and either deposited in the United States mail, postage prepaid, certified with return receipt requested, or delivered by hand (which may be through a messenger or recognized delivery or courier service) and addressed as follows:

To the City:

Jeffrey Silka
City Administrator
57 N. Liberty Street
Cumberland, MD 21502

To Lessee:

Suzanne D'Atri
D'Atri's
152 Baltimore Street, Suite 101
Cumberland MD 21502

22. Governing Law. The laws and decisions of the State of Maryland shall govern and control the construction, enforceability, validity and interpretation of this Lease, and all other agreements, instruments, documents, exhibits, or schedules executed by the parties pertaining or relating to this Lease or the transactions contemplated herein. Any litigation arising out of this Lease or its terms shall be instituted in the Circuit Court for Allegany County, Maryland or the District Court of Maryland for Allegany County, and the parties hereto waive any objection to the venue of such proceedings being in said courts and they further waive any claims that such courts constitute inconvenient fora.

23. Gender/Tense/Conjugation. The use of any gender, tense, or conjugation herein shall be applicable to all genders, tenses and conjugations. The use of the singular shall include the plural and the plural shall include the singular.

24. **Captions.** The marginal captions of this Lease are for convenience only and in no way define or limit the intents, rights or obligations of the parties hereunder.

25. **Severability.** Should any provision of this Lease be found, held or deemed to be unenforceable, voidable or void, as contrary to law or public policy, the parties intend that its remaining provisions shall nevertheless continue in full force and effect and be binding upon the parties and their respective successors and assigns.

26. **Jury Trial Waiver.** THE PARTIES HERETO WAIVE TRIAL BY JURY IN ANY ACTION OR PROCEEDING TO WHICH ANY OF THEM MAY BE PARTIES ARISING OUT OF OR IN ANY WAY PERTAINING TO THIS LEASE. IT IS AGREED AND UNDERSTOOD THAT THIS WAIVER CONSTITUTES A WAIVER OF TRIAL BY JURY OF ALL CLAIMS AGAINST ALL PARTIES TO SUCH ACTIONS OR PROCEEDINGS, INCLUDING CLAIMS AGAINST PARTIES WHO ARE NOT PARTIES TO THIS LEASE.

27. **Entire Agreement.** This Lease contains the final and entire agreement between the parties, and neither they nor their agents shall be bound by any terms, conditions, statements, warranties or representations, oral or written, not herein contained.

28. **Binding Effect.** This Lease shall inure to the benefit of the parties hereto and it shall be binding upon their respective personal representatives, heirs, successors and assigns.

29. **Public Health Contingencies.** The terms and conditions of this Lease are subject to all orders, ordinances, laws, statutes, rules and regulations of local, state and/or federal governments, pertaining to public health concerns, including, but not limited to, pandemics.

30. **Baltimore Street Redevelopment Project.** The terms and conditions of this Lease are subject to modification and/or suspension if and when such action is deemed necessary to accommodate construction during the planned Baltimore Street Redevelopment Project.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and date first above written.

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

By: _____
Raymond M. Morriss, Mayor

**FRANK AND STEIN'S BEVERAGE DBA
DOWNTOWN D'ATRI PASTA & SUBS**

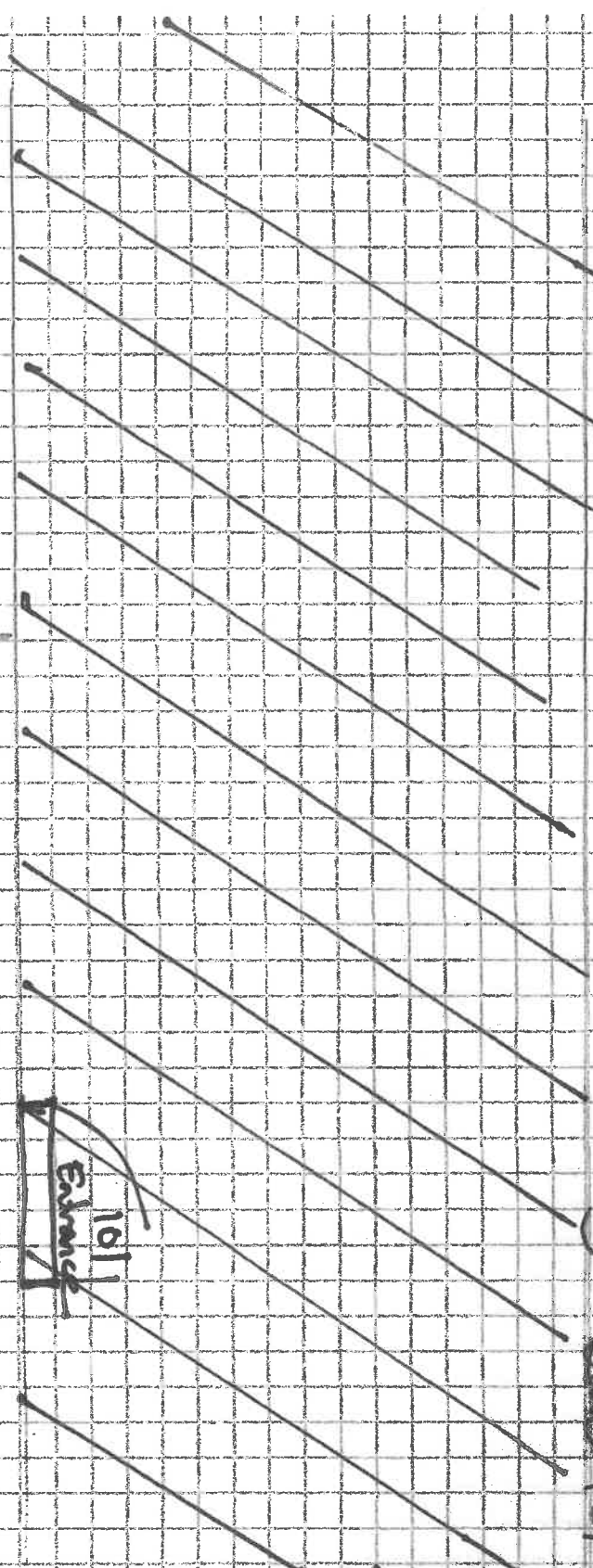
 (Seal)
Signature


Printed Name

Witness

The Mother

Building - Suite 101



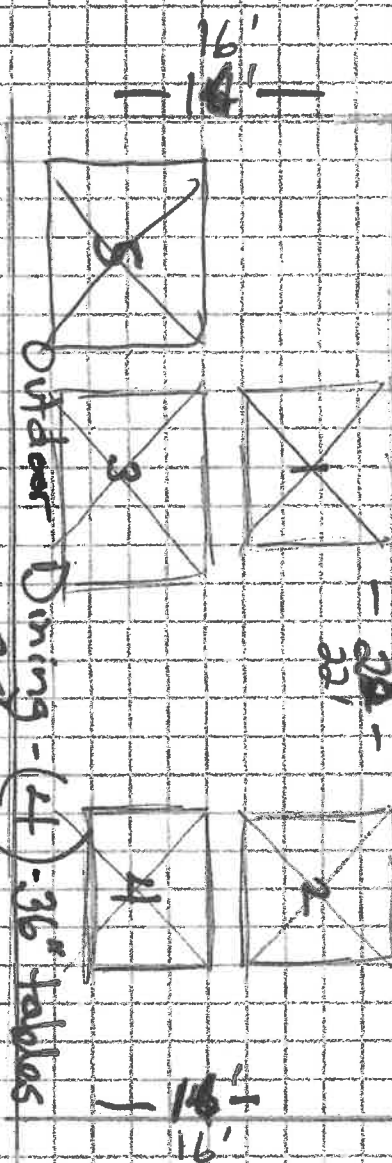
Entrance

overflow - (3) small tables



Side walk

Side walk



Outdoor Dining - (4) 36" tables

Interfurniture

Decor

Bike racks

Baltimore St

George St

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/15/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER CBIZ Insurance Services, Inc. 44 Baltimore Street Cumberland, MD 21502 301 777-1500	CONTACT NAME: Select Business Unit	
	PHONE (A/C, No, Ext): 888-408-7500	FAX (A/C, No):
E-MAIL ADDRESS: cbizselect@cbiz.com		
INSURED Frank and Steins Beverage Center Inc. t/a D'atri's Subs Etc. 442 Columbia Street Cumberland, MD 21502	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Ohio Security Insurance Co.	
	INSURER B : The Ohio Casualty Insurance Company	
	INSURER C : Twin City Fire Insurance Company	
	INSURER D : Travelers Casualty Ins. Co. of America	
	INSURER E :	
INSURER F :		

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			BKS2567433458	04/01/2024	04/01/2025	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
D	AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☒ SCHEDULED AUTOS NON-OWNED AUTOS ONLY			BA9N8882122442G	04/01/2024	04/01/2025	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$10000			USO2567433458	04/01/2024	04/01/2025	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	Y	30WECIB1784	04/01/2024	04/01/2025	☒ PER STATUTE ☐ OTH-ER E.I. EACH ACCIDENT \$100,000 E.I. DISEASE - EA EMPLOYEE \$100,000 E.I. DISEASE - POLICY LIMIT \$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Mayor & City - Cumberland Maryland is listed as additional insured on General Liability when required by written contract.

CERTIFICATE HOLDER

Mayor & City - Cumberland Maryland
212 Decatur St,
Cumberland, MD 21502

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

CBIZ Insurance Services, Inc.