



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, Cumberland MD 21502

DATE: September 17, 2024

OPEN SESSION – 6:15 PM

Pledge of Allegiance

Roll Call

Proclamations

1. A Proclamation declaring September 20th to be National POW/MIA Recognition Day in Cumberland

Director's Reports

(A) Administrative Services

- [1.](#) Administrative Services Monthly Report for August 2024

(B) Public Works

- [1.](#) Maintenance Division Monthly Report for August 2024

(C) Police

- [1.](#) Police Department Monthly Report for August 2024

(D) Utilities - Flood, Water, Sewer

- [1.](#) Utilities Division Water/Sewer/Flood Monthly Reports for August 2024

Approval of Minutes

- [1.](#) Approval of the Closed and Open Work Sessions and Regular Public Meeting Minutes from September 3, 2024

Public Comments – FOR AGENDA ITEMS ONLY

All public comments are limited to 5 minutes per person

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

(B) Orders (Consent Agenda)

- [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.

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

. Administrative Services Monthly Report for August 2024

Administrative Services Monthly Report for August, 2024

2024

Honorable Mayor and City Council
City Hall
Cumberland, Maryland 21502

Dear Mayor and City Council Members:

The following report is submitted by the Department of Administrative Services for the month of August, 2024.

Information Technology Department

August 2024

Johnna Byers, Director

Statistics

329 new help desk requests
299 help desk requests resolved

Activities

Major department initiatives in the past month include:

- Continue Active Directory migration project
- Deal with side effects of said migration project (81 calls recorded)
- Assist with police mobile data terminal issues
- Assist with Time and Attendance HR Project (including new time clock at Const. Park)
- Assist workforce with remote working questions/issues

Parks and Recreation

August 2024

Ryan Mackey, Director

Sunday in the Park Concert series: Four concerts were held at the Park Amphitheater in August –Lonesome Prospectors, Glen Shelton, The Haze and Suzy Nash. Funding for this program is provided by the City of Cumberland, Parks & Recreation.

Pavilion Reservations and usage for the month of August: 29 reservations utilized pavilions,

Baseball/ Softball League play and practices for August:

The City of Cumberland provides fields for the following leagues:

Pee Wee Football team – Renegades – practices, & scrimmage

Girls Softball League – Fall Ball

Dapper Dan Fall Baseball – Fall Ball

****Football and Soccer practices began in August at the Mason Complex,**

Mason Cup – Marble Tournament – Held at Constitution Park Marble Rings August 3 & 4

Event held at the New Marble Rings, located in Grove 4, at Constitution Park. Coordinated by the Renee Truly and local marble players.

Constitution Park Pool

1 Days closed early/ did not open due to inclement weather remaining days were for the season winding down and lack of staff/kids returning to school.

Constitution Park Day Camp

2 Days of Day Camp

Daily activities include: Sports related games, Tennis, Arts & Crafts, Dance & music, Breakfast, Lunch, snack, afternoon swimming, “Fun Friday” Special event day.

- **Summer Lunch Program** the Parks & Recreation Department serves as sponsor for the **Summer Lunch Program** for Cumberland. Area sites include Constitution Park Day Camp, and YMCA Riverside summer program
- **August meals served** – Breakfast: 132, Lunch: 151

Meetings attended:

(2) Special Events Meetings

Upcoming:

Wrap up of pool operations and summer
Recreation Advisory Board Meeting – September 9
Planning for fall events
Start of Park Maintenance plans

Community Development Report

August 2024

CODE COMPLIANCE

Kevin Thacker, Code Compliance Manager

Noted Activity:

- Building permit issued for:
 - 710 N. Centre ST – Renovations valued at \$2,500,000.00.
 - 205 Baltimore ST – Lighting improvements valued at \$124,935.00.
 - 22 Queen City DR – Minor remodel valued at \$115,000.00.

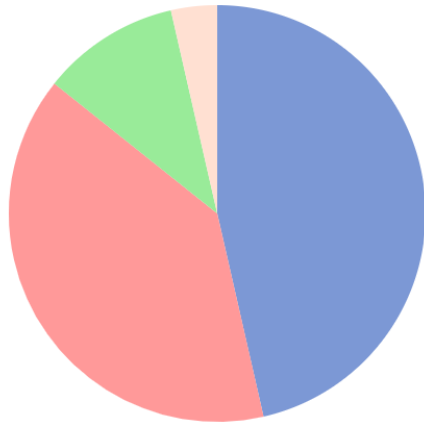
Code Enforcement Activity:

58 new cases received – 29 of those are still open

28 violations were found

29 cases have been resolved

Open Date From: 08/01/2024
Open Date To: 08/31/2024



Violations by Violation Type			
	Cutting of weeds	13	46.4%
	Dwellings, yards and lots to be kept clean	11	39.3%
	Licensing of rental dwelling units	3	10.7%
	Registration of agents	1	3.6%

Permits/Reviews & Rental Licenses:

57 Total Permits/Reviews were issued

54 Rental Inspections were completed

Building

Residential.....6

Commercial.....5

Miscellaneous

Residential.....7

Commercial.....0

Occupancy

Residential 1

Commercial 5

Signage

Residential 0

Commercial 2

Electrical

Residential.....7

Commercial.....6

Plumbing

Residential.....3

Commercial.....1

Utility

Residential 0

Commercial 0

Demolition

Residential 1

Commercial 0

Public ROW

Residential.....8

Commercial.....0

Rental Licenses

Residential.....487

Rental Inspections

Residential 50

Failed 4

Plans, Reviews, Amendments and Appeals (ZA, RPR, SPR, ZMA, ZTA, SRA)

SPR Issued0

Certificates of Appropriateness

Issued..... 5

Request for Change/Amendment

Issued..... 0

Revenue from ‘Issued’ Permits/Reviews:

Building Permits	\$15981.75
Miscellaneous Permits	111.00
Occupancy Permits	168.00
Sign Permits	82.00
Utility Permits	0.00
Plan reviews, Amendments & appeals.....	0.00
Zoning Classification Détermination (info request)	0.00
Municipal Infractions (citations).....	0.00
Certificates of appropriateness.....	151.00
Rental Licenses (new & renewals.....	19,900.00
Paid Rental Inspection Requests	<u>0.00</u>
TOTAL	\$36,393.75

Demolition Bonds Collected.....\$0.00

COMMUNITY DEVELOPMENT PROGRAMS:

Lee Borrer, Senior Community Development Specialist

CDBG-CV (funds expire in 2026): All activities are underway. The youth center expenditures should be drawn completely by December 31,2024. The Constitution Park Trails project, which has been extremely popular with residents and groups, will be completed by November 31, 2024. The Constitution Park playground rehabilitation will soon be out to bid. The City is on track to complete the CARES ACT grant well within HUD timelines. The funds were well spent on meaningful activities in response to the COVID pandemic. Internet access, youth center construction, domestic violence shelter support, hazard pay relief, emergency homeless prevention, homeless shelter air quality and community center improvements, and healthy, safe outdoor gathering space and improved health outcomes of our community were goals met by completing these activities.

2023 CARES ACT	CDBG	OG	Exp 2023	Balance
CV Broadband & Technology Accessibility	CV20 004	\$109,155.60	\$7,018.00	\$0.00
CV AYEY Youth Center Rehab	CV20 006	\$190,050.73	\$41,225.50	\$5,341.50
CV Family Crisis Rehab Ctr	CV20 009	\$84,544.00	\$39,039.53	\$0.00
CV Small Bus Grant TERMINATED	CV20 001	\$0.00	\$0.00	\$0.00
CV Hazard Pay Relief	CV20 002	\$55,000.00	\$0.00	\$0.00
CV HRDC Emerg Assistance	CV20 003	\$24,992.05	\$0.00	\$0.00
CV Associated Charities Emerg Homeless Prev	CV20 005	\$7,614.48	\$0.00	\$0.00
CV YMCA Trans Hous Sanitizer	CV20 007	\$6,750.00	\$0.00	\$0.00
CV YMCA Gym Roof	CV20 008	\$40,600.00	\$0.00	\$0.00
CV Constitution Park Trails	CV20 010	\$14,153.74	\$0.00	\$14,153.74
CV Constitution Park Playground	CV20 011	\$63,300.40	\$0.00	\$63,300.40
		\$596,161.00	\$87,283.03	\$82,795.64
CV Expended in Prior Years		\$426,082.33		

KEY
Open CV activities -no draws
2023 Active CV activities
Completed CV activities

CDBG Regular: The 2023 Consolidated Annual Performance Evaluation Report is underway and posting for public comment beginning September 13, 2024. Prior year CDBG remaining funds are minimal in 2020 and 2021 and are estimated to be exhausted by November 2024. Unexpended 2022 annual action plan projects are underway and expected to be completed by December 31, 2024. All major construction projects in 2023 are on track to be expended by December 31, 2024. The current situation is a milestone of sorts whereby all prior year action plan funds will be exhausted mid-year leaving only the current year's award. I want to thank City community development and other department staff for their notable efforts of participating in the planning, coordination, cooperation and hard work necessary to reach this point. The City CDBG Consolidated Plan for 2025-2029 development will begin this fall.

Community Development Block Grant (CDBG) Monthly Activity	August 2024 Report	Original Budget	Lifetime Funds Exp	Remaining Balance
AYEPS Youth Center Facil Rehab	2020	\$4,753.75	\$4,364.49	\$389.26
2020 Grant Totals		\$4,753.75	\$4,364.49	\$389.26
(May 2 amend) YMCA Trans Shelter 3 fl floor	2021	\$56,642.48	\$53,491.00	\$3,151.48
2021 Grant Totals		\$56,642.48	\$53,491.00	\$3,151.48
Balt Street Redesign	2022	\$188,384.50	\$106,711.10	\$81,673.40
AYEP Youth Center Rehab	2022	\$10,000.00	\$9,337.93	\$662.07
2022 Constitution Park Trail (Admin Feb 20 amend)	2022	\$9,246.89	\$9,246.89	\$0.00
Gilchrist Security for Transi Housing	2022	\$30,820.00	\$30,708.00	\$112.00
2022 Grant Totals	2022	\$238,451.39	\$156,003.92	\$82,447.47
AYEPS Youth Center Facil Rehab	2023	\$20,000.00	\$19,875.00	\$125.00
Admin	2023	\$117,000.00	\$70,317.00	\$46,683.00
Ind Cost	2023	\$12,000.00	\$5,671.00	\$6,329.00
FH	2023	\$11,000.00	\$6,610.29	\$4,389.71
YMCA Gil Trans Shelter Ext Elect/Safe/Cam	2023	\$124,935.00	\$5,500.00	\$119,435.00
FAI ALU Roof	2023	\$18,026.00	\$0.00	\$18,026.00
FAI Water Tank Imps	2023	\$60,000.00	\$0.00	\$60,000.00
FAI Gen Installation LEC	2023	\$18,000.00	\$0.00	\$18,000.00
Assoc Char Short Term	2023	\$11,435.00	\$5,642.00	\$5,793.00
PHA JFV Sidewalk Imps (Feb 20 amend)	2023	\$71,126.00	\$71,126.00	\$0.00
FCRC Domestic Violence IPV classes	2023	\$20,500.00	\$20,500.00	\$0.00
Targ City Foot/Bike Patrols	2023	\$4,960.00	\$4,960.00	\$0.00
YMCA Food Trans Shelter	2023	\$8,000.00	\$8,000.00	\$0.00
Constitution Park Trails	2023	\$303,000.00	\$90,958.28	\$212,041.72
2023 Grant Totals		\$799,982.00		\$490,822.43
			Total All Yrs	\$576,810.64
August 2024 CDBG Report	9/11/24			

Balances:	Year
\$389.26	2020
\$3,151.48	2021
\$82,447.47	2022
\$55.04	2022 PI
\$490,822.43	2023
\$82,795.64	2020 cv
\$3,540.74	OLD 20 21
\$659,661.32	Total All

Historic Planning/Preservation

June 2024

Ruth Davis-Rogers, Historic Planner/Preservation Coordinator

In addition to serving the public and answering daily questions and inquires I did the following:

Historic Preservation Commission Meeting (HPC)

- Supported June HPC Meeting scheduled for August 28th, 2024.
- Reviewed and administered Certificate of Appropriateness permits/administrative approval.
- Consulted with building owners on projects requiring COA permits.

Meetings & Events

Attended

- Various city and dept. staff meetings
- DDC Monthly
- Attainable Housing Mtg.
- MML Housing Symposium
- Interviewed consultants for City of Cumberland Wayfinding Plan
- Served on Public Art Review Panel
- Winterfest Meetings
- Ribbon Cuttings for two new businesses on N. Centre Street
- Visited Barton Archaeological Dig
- Met virtually w/Columbia Urban Design Program
- Met virtually with WVU Landscape Design Program
- Planning Mtg. for citizens Gov't Academy
- Brian white/Allegany High School research Methods Class
- Choose Cumberland Relocation Package Meeting
- Cumberland Arts Commission Meeting (served as staff)

Grants, Tax Credits and Section 106 reviews

Administered/managed funding/grants for:

- Cumberland Wayfinding Plan
- Residential Accessibility Improvement Program
- Roof Replacement Program
- Choose Cumberland Relocation Package
- Mid-town Façade Grant
- Conducted Section 106 Reviews (as needed) for various projects.
- Finalized and submitted five DHCD grant projects for FY2025
- Answered questions (as needed) regarding tax incentives from both current and potential building owners.

Human Resources

August 2024

April Howser, HR Officer/Justin Lam, HR Associate

- New Time & Attendance System Implementation
 - * Helped implement new job position, reason & GL codes for each position
 - * Helped answer questions and fix minor issues with new system
 - * Ran payroll export tests with new system mirroring existing system

* Reconfigured Accrual Balance Settings to remove error codes from payroll exports

* Audited position codes to remove error codes from payroll exports

- Employee Benefit Investigations
- Internal Employee Investigations
- Conducted Employment Interviews
- Administered FMLA Program for City
- Administered Workers Comp Program for City
- Employee Milestone Awards
- Employee Retirements
- Administered City's Drug testing
- Bi-Weekly Payroll
- YMCA Enrollments
- Employee Inquiries & Updates
- Posted and Administered Job Postings on Indeed & City's Website
- Employee Disciplinary Meetings
- Longevity Pay Reports
- Completed Workers Comp Audit for Insurance Provider
- New Hire Interviews

	31-Aug
Open positions	1
New Hires	2
Retirements	2
Resignations	1
Terminations	0
FMLA	4
Workers Comp	3
Elected Officials	5
FT Employees	243
PT Employees	43
Contractual Employees	5

Comptroller's Office

Financial Activity Report

August 2024

Mark Gandolfi, City Comptroller

Cash Flow:

Attached for your review is a Cash Flow Summary for the month of August 2024.

On August 1, 2024, the City had a cash balance of \$10.8 million (\$9.5 million invested in a value money market program and \$1.3 million participating in a sweep program at First United Bank). Receipts exceeded disbursements by \$194 thousand resulting in a cash balance of \$11.0 million at July 31, 2024 (\$10.5 million invested in a value money market program and \$0.5 million participating in a sweep program at First United Bank).

As of August 31st, the significant tax receivable balances are reflected in the table below.

Taxes receivable (General Fund)						\$ 9,248,186
	Beg Balance	New Billings	Adjustments/ Abatements	Collections	Bad Debt	Ending Balance
FY 2025	\$ 10,652,971	\$ -	\$ -	2,721,143	\$ -	\$ 7,931,828
FY 2024	892,728	-	(1,880)	65,836	-	825,012
FY 2023	335,678	-	-	16,916	-	318,762
FY 2022	37,267	-	-	653	-	36,614
FY 2021	32,922	-	-	-	-	32,922
FY 2020	43,384	-	-	-	-	43,384
FY 2019	11,159	-	-	-	-	11,159
FY 2018	11,226	-	-	-	-	11,226
FY 2017	9,053	-	-	-	-	9,053
FY 2016	8,122	-	-	-	-	8,122
FY 2015	6,815	-	-	-	-	6,815
FY 2014	4,880	-	-	-	-	4,880
FY 2013	2,080	-	-	-	-	2,080
Prior FY's	6,328	-	-	-	-	6,328
	\$ 12,054,613	\$ -	\$ (1,880)	\$ 2,804,548	\$ -	\$ 9,248,186

The current year tax receivable balance is comprised of the following:

Real property (non-owner occupied)	\$4,680,788
Personal Property	400,850
Real Property (semiannual payments)	2,850,190
Real Property (Half Year)	0
	<u>\$7,931,828</u>

The City's liquidity position continues to be strong as illustrated in the following cash and investments table. Restricted cash and investments are comprised primarily of invested American Rescue Plan Act (ARPA) funds received in advance and bond proceeds restricted to associated capital projects and expenditures.

Cash and Investment Summary		
August 31, 2024		
	Cash	Investments
Beginning Balance	\$ 10,760,801	\$ 22,727,251
Add:		
Cash Receipts	8,105,222	102,721
Investment Transfer	-	38,425
Less:		
Disbursements	7,911,117	-
Investment Transfer	-	38,425
Ending Balance	\$ 10,954,906	\$ 22,829,972
Restricted	\$ 6,658,151	\$ 14

The table below illustrates cash restrictions and restricted investments associated with specific expenditures and/or capital projects.

Restricted Cash

	8/1/2024	Increase	Utilization	8/31/2024
Police Seizures	\$ 79,958	\$ -	\$ -	\$ 79,958
Fire Department Donation	2,200	-	-	2,200
Bowers Trust	62,697	3,667	7,000	59,364
Mason Sports Complex Donation	2,080	-	-	2,080
Infill Development Allegany County	150,000	-	-	150,000
National Opioid Settlement	113,592	-	-	113,592
ARPA	4,682,836	12,464	-	4,695,300
Capital Projects	1,441,450	3,832	-	1,445,282
Demolition & Fiscal Agent Bonds	110,375	-	-	110,375
	\$ 6,645,188	\$ 19,963	\$ 7,000	\$ 6,658,151

Restricted Investments

	8/1/2024	Increase	Utilization	8/31/2024
DDC	\$ 13	\$ 1	\$ -	\$ 14
ARPA	38,252	173	38,425	-
	\$ 38,265	\$ 174	\$ 38,425	\$ 14

Increases to ARPA, Capital Projects, Bowers Trust and DDC are interest earnings.

Capital Projects are CSX funding for Fayette St. and Cumberland St. bridge replacements.

DDC restricted investment was funded through donations and is restricted for the purpose of maintenance of the Wes Han Fountain.

National Opioid Settlement is for opioid intervention in Cumberland.

Capital Projects and Associated Debt:

The tables below illustrate undrawn Maryland CDA bond proceeds as well as the accumulated debt and grant proceeds for the Decatur Street waterline and the Combined Sewer Overflow (CSO) projects.

Available Bond Proceeds

	8/1/2024	Increase	Utilization	8/31/2024
CDA 2021	2,032,030	-	94,467	1,937,563
CDA 2023	1,464,119	-	12,055	1,452,064
CDA 2024	2,511,043	-	-	2,511,043
	\$ 6,007,192	\$ -	\$ 106,522	\$ 5,900,670

CSO Projects

	8/1/2024	Increase	Utilization	8/31/2024
Evitts Creek Phase 3 Debt	\$ 2,297,851	\$ -	\$ -	\$ 2,297,851
Evitts Creek Phase 3 Grant	5,418,560	-	-	5,418,560
Evitts Creek Phase 4 Debt	3,550,900	-	-	3,550,900
Grit Removal and UV Disinfection	4,445,000	-	-	4,445,000
78" Pipeline Debt	19,941,232	-	-	19,941,232
78" Pipeline Grant	46,338,060	-	-	46,338,060
	\$ 81,991,603	\$ -	\$ -	\$ 81,991,603

CDA 2021 \$94K utilization includes \$32K toward Baltimore St. Bridge improvements, \$21K toward McMullen St. Bridge improvements, \$10K toward street improvements and \$31K for hydrant and valve replacements. CDA 2023 \$12K utilization includes \$10K for hydrant and valve replacements and \$2K toward new filter building design.

Remaining CDA 2021 funds are primarily allocated to Baltimore Street redevelopment (\$1.3M), fuel pump station (\$33K), City Hall elevator modifications (\$22K), cross connections/hydrants valves (\$5K), 5-ton dump truck (\$196K), Marion Street bridge (\$100K), Baltimore Street bridge (\$77K) and Decatur Street lighting (\$140K). Remaining CDA 2023 funds consist primarily of an ambulance (\$385K), 5-ton dump truck (\$190K), water filtration building design (\$466K), cross connections (\$62K), anaerobic digester (\$75K) and WWTP roof replacements (\$61K). Remaining CDA 2024 funds are primarily allocated to paving (\$990K), sewer lining (\$360K), an ambulance (\$364K), and a water excavator truck (\$210K).

The following four projects are major upgrades to the combined sewer collection system. Evitts Creek Phase 3 is in the engineering phase with necessary funding in place. Phase 3 project cost is estimated at \$7.5 million and is funded with \$5.4 million in grants and \$2.3 million in loan with \$1.1 million being forgivable. Phase 3 is on hold pending CSX granting site access. Evitts Creek Phase 4 is in the planning phase and has most of the funding in place. Phase 4 project cost is estimated at \$4 million and is funded with \$3.6 million in loan with \$1.5 million being forgivable. A WWTP grit removal and UV disinfection project is in the planning phase with necessary funding in place. This project is projected to begin during FY26 at an estimated cost of \$4.4 million and is funded with \$4.4 million in loan with \$1.5 million being forgivable. The 78" pipeline project is pending Army Corp of Engineers approval and private property easement and is anticipated to begin construction during FY26 or FY27. The total estimated project cost is \$67 million and is substantially funded with \$46.3 million in grants and \$20.0 million in loan with \$3.0 million being forgivable.

COVID-19:

The City received \$19,595,850 from the American Rescue Plan Act (ARPA). The U.S. Treasury guidance provides greater details on the eligible uses and priority of these funds. These are:

- Support public health expenditures
- Address negative economic impacts caused by the public health emergency
- Replace lost public sector revenue
- Provide premium pay for essential workers
- Invest in water, sewer, and broadband infrastructure

As of August 31, 2024, the City utilized \$16.8 million of the \$19.6 million ARPA award and is on track to obligate all funds by December 31, 2024 and fully expend all funds by December 31, 2026. Remaining projects include park improvements, assistance to small businesses, residential property improvements and demolition, South End and Industrial Boulevard water main replacements, 4" to 6" water line replacements and City Hall HVAC replacement.

Available Funding (*as of August 31, 2024*):

Purpose	Awarded	Allocation				
		Budgeted	Allocated Interest Earned	Utilized Interest Earned	Utilized ARPA Budget	Remaining
American Rescue Plan Act (ARPA)	\$19,595,850					
Premium Pay		\$ 833,952			\$ 833,952	\$ -
Revenue Loss		\$10,000,000			\$ 10,000,000	\$ -
Respond to the health emergency						
Community Programs						
Amphitheatre and Pavilion 1&2		\$ 174,350	\$ 1,824	\$ 1,824	\$ 174,350	\$ -
Pool Area		\$ 71,250	\$ 73,228	\$ 73,228	\$ 71,250	\$ -
Union Rescue Mission		\$ 749,000			\$ 749,000	\$ -
YMCA Bus Replacement		\$ 216,000			\$ 216,000	\$ -
Duck Pond Remediation		\$ 16,844	\$ 12,426	\$ 12,426	\$ 16,844	\$ -
City of Cumberland Park Signage		\$ -	\$ 69,676	\$ 69,676	\$ -	\$ -
Promoting the Community		\$ 32,386			\$ 32,386	\$ -
Janes Place for Abused Children		\$ 40,777			\$ 40,777	\$ -
DDC Assistance to Small Businesses		\$ 183,500			\$ 128,244	\$ 55,256
Community Development Property Improvement		\$ 264,960			\$ 210,883	\$ 54,077
Affordable Housing Assistance		\$ 390,516			\$ 247,589	\$ 142,927
Demolition Assistance		\$ 20,000			\$ 20,000	\$ -
Skate Park - Mason Rec Complex		\$ -	\$325,000	\$ 21,542	\$ -	\$ 303,458
Park General Infrastructure		\$ -	\$ 78,164	\$ -	\$ -	\$ 78,164
Constitution Park Trail		\$ -	\$ 71,836	\$ 1,425	\$ -	\$ 70,411
PPE						
General		\$ 29,269			\$ 29,269	\$ -
Facilities and Equipment		\$ 22,216			\$ 22,216	\$ -
Prisoner Processing Improvements		\$ 62,099			\$ 62,099	\$ -
HVAC Improvement at City Hall		\$ 1,415,278	\$284,685	\$284,685	\$ 1,504,488	\$ (89,211)
Infrastructure Investments						
South End & Industrial Blvd Water Mains		\$ 4,894,228			\$ 2,375,143	\$ 2,519,085
Replace 4" Water Lines with 6" (City-Wide)		\$ 179,224	\$ 31,244	\$ -	\$ 105,037	\$ 105,432
Unallocated		\$ -				\$ -
Unallocated Interest Earned						\$ -
Total:	\$19,595,850	\$19,595,850	\$948,083	\$464,805	\$ 16,839,528	\$ 3,239,599

Purpose	Awarded	Allocation				
		Budgeted	Allocated Interest Earned	Utilized Interest Earned	Utilized ARPA Budget	Remaining
American Rescue Plan Act (ARPA)	\$19,595,850					
Premium Pay		\$ 833,952			\$ 833,952	\$ -
Revenue Loss		\$10,000,000			\$ 10,000,000	\$ -
Respond to the health emergency						
Community Programs						
Amphitheatre and Pavilion 1&2		\$ 174,350	\$ 1,824	\$ 1,824	\$ 174,350	\$ -
Pool Area		\$ 71,250	\$ 73,228	\$ 73,228	\$ 71,250	\$ -
Union Rescue Mission		\$ 749,000			\$ 749,000	\$ -
YMCA Bus Replacement		\$ 216,000			\$ 216,000	\$ -
Duck Pond Remediation		\$ 16,844	\$ 12,426	\$ 12,426	\$ 16,844	\$ -
City of Cumberland Park Signage		\$ -	\$ 69,676	\$ 69,676	\$ -	\$ -
Promoting the Community		\$ 32,386			\$ 32,386	\$ -
Janes Place for Abused Children		\$ 40,777			\$ 40,777	\$ -
DDC Assistance to Small Businesses		\$ 183,500			\$ 125,615	\$ 57,885
Community Development Property Improvement		\$ 264,960			\$ 210,883	\$ 54,077
Affordable Housing Assistance		\$ 390,516			\$ 247,589	\$ 142,927
Demolition Assistance		\$ 20,000			\$ 20,000	\$ -
Skate Park - Mason Rec Complex		\$ -	\$325,000	\$ 4,618	\$ -	\$ 320,382
Park General Infrastructure		\$ -	\$ 78,164	\$ -	\$ -	\$ 78,164
Constitution Park Trail		\$ -	\$ 71,836	\$ -	\$ -	\$ 71,836
PPE						
General		\$ 29,269			\$ 29,269	\$ -
Facilities and Equipment		\$ 22,216			\$ 22,216	\$ -
Prisoner Processing Improvements		\$ 62,099			\$ 62,099	\$ -
HVAC Improvement at City Hall		\$ 1,415,278	\$272,049	\$ -	\$ 642,603	\$ 1,044,724
Infrastructure Investments						
South End & Industrial Blvd Water Mains		\$ 4,894,228			\$ 2,075,638	\$ 2,818,590
Replace 4" Water Lines with 6" (City-Wide)		\$ 179,224	\$ 31,244	\$ -	\$ 105,037	\$ 105,432
Unallocated		\$ -				\$ -
Unallocated Interest Earned						\$ -
Total:	\$19,595,850	\$19,595,850	\$935,446	\$161,771	\$ 15,675,508	\$ 4,694,017

Purpose	Awarded	Allocation				
		Budgeted	Allocated Interest Earned	Utilized Interest Earned	Utilized ARPA Budget	Remaining
American Rescue Plan Act (ARPA)	\$19,595,850					
Premium Pay		\$ 833,952			\$ 833,952	\$ -
Revenue Loss		\$10,000,000			\$ 10,000,000	\$ -
Respond to the health emergency						
Community Programs						
Amphitheatre and Pavilion 1&2		\$ 174,350	\$ 1,824	\$ 1,824	\$ 174,350	\$ -
Pool Area		\$ 71,250	\$ 73,228	\$ 73,228	\$ 71,250	\$ -
Union Rescue Mission		\$ 749,000			\$ 749,000	\$ -
YMCA Bus Replacement		\$ 216,000			\$ 216,000	\$ -
Duck Pond Remediation		\$ 16,844	\$ 12,426	\$ 12,426	\$ 16,844	\$ -
City of Cumberland Park Signage		\$ -	\$ 69,676	\$ 69,676	\$ -	\$ -
Promoting the Community		\$ 32,386			\$ 32,386	\$ -
Janes Place for Abused Children		\$ 40,777			\$ 40,777	\$ -
DDC Assistance to Small Businesses		\$ 183,500			\$ 117,615	\$ 65,885
Community Development Property Improvement		\$ 264,960			\$ 191,188	\$ 73,772
Affordable Housing Assistance		\$ 390,516			\$ 222,589	\$ 167,927
Demolition Assistance		\$ 20,000			\$ 20,000	\$ -
Skate Park - Mason Rec Complex		\$ -	\$325,000	\$ 4,618	\$ -	\$ 320,382
Park General Infrastructure		\$ -	\$ 78,164	\$ -	\$ -	\$ 78,164
Constitution Park Trail		\$ -	\$ 71,836	\$ -	\$ -	\$ 71,836
PPE						
General		\$ 29,269			\$ 29,269	\$ -
Facilities and Equipment		\$ 22,216			\$ 22,216	\$ -
Prisoner Processing Improvements		\$ 62,099			\$ 62,099	\$ -
HVAC Improvement at City Hall		\$ 1,415,278	\$233,797		\$ 642,603	\$ 1,006,472
Infrastructure Investments						
South End & Industrial Blvd Water Mains		\$ 4,894,228			\$ 1,736,614	\$ 3,157,614
Replace 4" Water Lines with 6" (City-Wide)		\$ 179,224	\$ 31,244		\$ 105,037	\$ 105,432
Total:	\$19,595,850	\$19,595,850	\$897,194	\$161,771	\$ 15,283,789	\$ 5,047,484

Respectfully submitted,

Jeffrey F. Silka
City Administrator

slb

File Attachments for Item:

. Maintenance Division Monthly Report for August 2024

MAINTENANCE DIVISION REPORT AUGUST 2024

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

Central Services Report

**PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
AUGUST 2024**

Potholes and Citizen Reports

- 50 Service Requests Completed
- 22 Streets and 3 Alleys Repaired

Street Maintenance and Utility Work

- 8 Yards of Concrete Utilized
- 115 Tons Hot Mix Utilized
- Major Water Repair on Washington St

Tree Removal and Pruning

- 14 hazard trees were removed
- 62 trees were trimmed
- Tree Complaints and Tree Issues
 - Resolved and/or addressed 46 tree complaints and tree issues
- Other Work
 - No Shade Tree Meeting
 - Met About Shade Tree Inventory
 - Canopy Clearing on Reynolds Street
 - City Pesticide License renewed
 - Chainsaw and Pesticide training Completed for New Hires

Street Cleaning Operations

- 17 Loads Collected
- 15 Tons of Debris to Landfill
- 325 Miles of Streets Swept

Sign Work

- 5 Traffic Control Sign Repaired / Installed
- 4 Street Name Signs Repaired / Installed
- 3 Handicap Signs Repaired / Replaced
- 1 Handicap Signs Removed / Installed

Miscellaneous

- Baltimore Street Underpass Cleaned 4x
- New Paving Equipment Delivered and First Paving Project Planned for 9/12 on Fisher Rd.

**PUBLIC WORKS/MAINTENANCE
PARKS & RECREATION MAINTENANCE
MONTHLY REPORT
AUGUST 2024**

Constitution Park

- Mowing operations are in full swing @ Park
- All public restrooms are open for use 7 days a week
- Weekend staffing is in place to support rentals and functions
- Construction of new parks storage facility has begun

Mason's Sports Complex

- Mowing operations are in full swing
- Bathrooms are open to the public 7 days a week
- All fields are being mowed weekly and game prepped 2x per week
- New soccer goals purchased and installed
 - Carl Belt, Inc. donated 2 new goals in addition to 2 purchased from the Bowers Fund
- Bowers Field was aerated, top dressed, and re-seeded and is having great growth response despite high temps.

Parklets

- Mowing contractor continues operations at all outlying greenspace parklets

**FLEET MAINTENANCE
MONTHLY REPORT
AUGUST 2024**

DEPARTMENT	REPAIRS
Central Services	5
Community Development	1
DDC	0
Engineering	1
Fire	18
Fleet Maintenance	7
Flood	1
MPA	0
P & R Maintenance	3
Police	30
Public Works	1
Sewer	6
Snow Removal	1
Street Maintenance	27
Water Distribution	22
WFP	1
WWTP	1
In House Fleet Maintenance Projects	13
Scheduled Preventative Maintenance	11
Field Service Calls	8
Total Fleet Maintenance Projects	157
Total Repair Orders Submitted	4
Fleet Maintenance Risk Management Claims	0

CENTRAL SERVICES MONTHLY REPORT AUGUST 2024

- **City Hall:** Fixed a light in the IT Department's storage room at City Hall. Moved a desk from PSB to the Willetts Building for Community Development for a new hire. Moved file cabinets and a safe for Ryan from City Hall to the Craft house in the Park. Pulled all of the weeds around City Hall. Installed wire protectors on the floor of the Willetts Building for the new data cable installed.
- **Municipal Service Center:** Worked on the exhaust fan in the mechanics store/ break and IT closet at MSC. Not working. Cleaned and repaired the A/C units in the mechanic's office, breakroom and IT room. Growden Heating and Cooling to work on the RTU at MSC. Washed the RTU's and checking the second floor RTU to make sure that it doesn't short out the fan motors like the first floor RTU did at MSC. Cleaned out the roof drains at PSB, City Hall and MSC before the rain storm Debby. Installed the new lights in the second-floor training room at MSC. Remove the water heater in the Water Department to be replaced with the new one. Installed a new cabinet and counter system in the Street Coordinator office and removed the old peg board off the wall and old print table. Work on any of the things that need addressed at the Service Center that was on the Safety Survey. Paint wall behind new cabinets being installed in the Street Coordinators office and then install the new cabinet system on the wall.
- **Public Safety Building:** Painted room P220 PSB, Lt. Bonner's old office before the new person using it. Finished installing the rebuilt boiler hot water circulating pump and refill the system, check for leaks and get the air bleed out at PSB. Tested the sump pump in the basement and the parking lot drains are open. Fixed the lights in the old shooting range now storage room/ Armory in the basement of PSB. Worked on the ADA doors at PSB lobby endurance, control board is bad. Worked on the sink, fountain/toilet in cell #2, Fountain, sink not working correctly. Repaired the flush valve on a few toilets or we have pressure or flow problems in the men's locker room, 2nd floor police side of PSB.
- **Fire Stations #2:** Maintenance on the garage door. Checked the boiler and oiled the circulating pumps. Checked on the sump pump.
- **Downtown Area & Mall:** Setting up the stage on Centre St at Noon for the Friday After Five event. Replaced the lock on the elevator room door top floor at CCPG that was broken into sometime over the weekend. They stole the key to the room from the Kone elevator lock box. Checked that the traffic lights at Baltimore St. and Mechanic St are working correctly before the Baltimore St Bridge is opened up in the morning. Adjusted the traffic controller time for the Bridge opening at Baltimore St. this morning.
- **Parks:** Took the movie screen down on the fence at the pool, the air blower motor burned up so we tied the screen to the fence so they could continue with the movie. Install the time clock for the Park pool and security employees at the Craft House for Ryan. Removed a refrigerator for the Activity's Building for Ryan. Cleaned the faucet valves in the Craft house, there may be dirt in the valve. Cleaned the grinder pump sump pits out with the Sewer Department Vac truck at Mason Complex and Pavilions 1-2 at the Park. Lots of trash in the sump pits after last weekend at Mason Complex.

- **Traffic and Street Lights:** Reported 9 street lights for the power company to repair. PMs on all 21 traffic control cabinets. (dusted the equipment, vacuumed the bottom of the cabinet, checked cooling fans are working and replaced the air filter.) Checked on the left turn traffic light at the Dingle intersection. Dispatch had a caller say not working.
- **Water Reclamation Plant (WWTP):** Worked on the HVAC in GBT building at the WWTP. Low on refrigerant. Added gas and sealer. Checked a split unit at the WWTP, not cooling. (Lab)
- **Flood Department and Sewer:** Worked with the testing contractor at the Mill Race Flood pump station, shutting the high voltage off and re-energizing the switch gear when they're done testing the gear. Re-energized the switchgear at the Ridgeley flood pump station from yesterday's Testing. Worked on the Viaduct 2300 volt vacuum switch breaker, has a bad power supply. 2300 volt motor testing at all 3 flood pump stations, 7 motors. Working on the A/C unit in the Sewer Departments garage, not cooling.
- Monthly Safety Meeting – August 12, 2024
- PMs on all the pumps and motors at PSB, City Hall and MSC

File Attachments for Item:

. Police Department Monthly Report for August 2024



City of Cumberland Department of Police

Monthly Report
August 2024



City of Cumberland Department of Police

Monthly Report

August 2024

Part 1 Crimes for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Aggravated Assaults	6	3	B & E (All)	23	12	Murder	0	0	Rape	0	3
Robbery	8	1	Theft - Felony	0	1	Theft - Vehicle	4	3			

Selected Criminal Complaints for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Theft - Misdemeanor	19	34	Theft - Petty	44	14	Domestic Assaults	23	17	CDS	36	15
Disturbances	165	131	DOP/Vandalism	18	33	Indecent Exposure	2	3	Sex Off - Other	4	5
Suicide	0	0	Suicide - Attmpt.	0	1	Tampering M/V	0	0	Abuse - Child	1	4
Trespassing	43	59	Assault on Police	3	2	Assault Other	31	34			

Selected Miscellenous Incidents for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Alcohol Volations	0	1	Juvenile Compl.	27	17	Missing Persons	5	14	School Resource	115	72
School Threat	1	0	Sex Off. Regist.	0	0	Truancy	0	0	Death Investigation	9	6

Selected Traffic Incidents for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
DWI	8	11	Hit & Run	20	14	M/V Crash	54	70	Traffic Stop	371	265

Selected Service Calls for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Alarms	35	42	Assist Motorist	39	35	Check Well-Being	174	143	Foot Patrol	121	117
Assist Other Agency	82	62	Bike Patrol	8	2	Special Events	3	5	Suspicious Activity	100	89

Current Incident Status for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Open	32	95	Arrest	304	167	Closed	2399	1883	Suspended	66	30



City of Cumberland Department of Police

Monthly Report

August 2024

Arrests Totals for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
M/V Citations	48	36	M/V SERO	3	1	M/V Warnings	320	240	Arrest on View Adult	35	36
Arrest On Crim. Cit.	35	20	Arrest Summons	26	29	Arrest Warrant Adult	65	44	Adult Crim.	161	132
Arrest Summon (Chrg)	25	25	Arrest Warrant (Chrg)	28	12	Juvenile Crim.	25	16	Arrest on View Juv	24	12
Arrest Warrant JUV	0	0	Emer. Petition	67	20	Fingerprinting	0	1	RunAway & Miss Per.	10	12
Civil Citation	0	2									

Total Incidents Reported :

2023	2024
2,801	2,175

Chuck Ternent - Chief of Police

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

AUGUST 2024

SWORN PERSONNEL: 49 SWON OFFICERS

Administration	7 officers
Squad D1	10 officers
Squad N1	8 officers
Squad D2	6 officers
Squad N2	8 officers
C3I/C3IN	5 officers
School Resource	2 officers
CAT Team	0 officers
Academy	3 officer

CIVILIAN EMPLOYEES: 7 full time, 6 part time

CPD Office Associate	1 full time
CPD Records Clerk	1 full time
CPD Records Clerk	0 part time OPEN
MCIN Coordinator	1 full time*
CPD Patrol Assistant	1 full time
CPD Crime Analyst	1 full time*
CPD Maintenance	1 part time
C3IN Office Associate	1 part time**
C3I Office Associate	1 full time
C3I Office Associate	0 part time** OPEN
MPA Supervisor	0 part time
Parking Meter Supervisor	1 full time
Parking Enforcement	2 part time
Code Enforcement	2 part time

*=Grant funded

**=Shared costs with other agencies

LEAVE REPORT

VACATION TAKEN: 1,153

COMP TIME USED: 64

SICK TIME USED: 370.75

YEAR TO DATE (beginning 07/01/23): 2,723.75

YEAR TO DATE (beginning 07/01/23): 117.50

YEAR TO DATE (beginning 07/01/23): 658.75

OVERTIME REPORT

OVERTIME WORKED: 116.25

HOSPITAL SECURITY: 87.51

COURT TIME WORKED: 384

YEAR TO DATE (beginning 07/01/23): 348.25

YEAR TO DATE (beginning 07/01/23): 222.02

YEAR TO DATE (beginning 07/01/23): 690

File Attachments for Item:

. Utilities Division Water/Sewer/Flood Monthly Reports for August 2024

Utilities Division Activity Report for August 24 WATER

REQUEST	W/E 8/9/24	W/E 8/16/24	W/E 8/23/24	W/E 8/30/24	MONTHLY TOTALS
Service Technicians					
NON READS	17	28	32	58	135
FINAL READS & DEMOS		2		2	4
LEAK INVESTIGATIONS/turn off-on	11	8	12	10	41
METER/STOP INVESTIGATIONS	13	17	6	5	41
REPAIR WIRING/GET READING					0
ORANGE TAG FOR REPAIRS		7		9	16
RECONNECTS/TURN ONS	62	38	52	32	184
NONPMT/BAD CK/AGREEMENT SHUT OFFS	64	51	53	21	189
SUSPENDED ACCTS - RECCKES			2		2
REPLACE/REPAIR METER/LID/VALVE					0
INSTALL COUPLERS/PLUGS/LOCKS		4		1	5
NEW METER - Residential	3	2	6	2	13
METER FIELD TESTS - Residential					0
METER TESTS - Industrial					0
NEW METER - Industrial	1				1
HYDRANTS FLUSHED					0
PRESSURE CHECK/NO WATER/DIRTY WATER	2				2
MOVE METERS OUTSIDE		9	6	3	18
SP Change Outs/Repairs/Reactivates/Move	3	11	11	6	31
FREEZE UPS-LEAKS/METERS & LINES					0
CCP - BACKFLOW/RETRO		9	6	3	18
HYDRANT/IRRIGATION METER					0
Total					700
Pipe Technicians					
LINE LOCATOR	95	106	80	80	361
TAPS SERVICED	1	11	13	5	30
LEAKS REPAIRED	4		1		5
GREENE ST - NEW MAIN LINE	37				37
BACKFILLED HOLE @ WILLISON OIL	5				5
COLD MIXED HOLES - N LEE & SMALLWOOD	2				2
RAISED METER BOX - 806 MARYLAND AVE	3				3
BACKFILLED/CLEANED UP - ANIMAL SHELTER	2				2
MARKED VALVE BOXES - LONGWOOD		3			3
PUT ADAPTER ON HYD FOR STREET DEPT		3			3
19 FREDERICK - SAW CUT FOR TAP		3			3
REMOVED 2" TEMP SERVICE - GREENE ST		4			4
FIRST ST - DUG TEST HOLES - NO WATER		4			4
VALVE TEST/THOMPSON FOR NEW HYDRANT		4			4
THOMPSON - REPLACED HYDRANT		4			4
LEAK CHECK - 432 N CENTRE/WATER OFF		2			2
COL GAS HIT LINE/511 LA AVE - WATER OFF		2			2
LOCATED 12" FOR EA - VIRGINIA AVE			3		3
LIBERTY ST - PUT OUT NO PARKING SIGNS			3		3
LIBERTY @ HARRISON/TIED 8" IN TO 30" MAIN			5		5
860 SPERRY TERR - RAISED METER BOX				3	3
LIBERTY/HARRISON - TURNED IN VALVES				3	3
LIBERTY/HARRISON - FLUSHED HYDRANTS				3	3
221 MARY - REPLACED VALVE BOX TOP				3	3
612 HADDON AVE - LOCATED CURB BOX				4	4
GREENE ST - CLEANED UP ROAD SIGNS				4	4
POTOMAC @ VA - EA HIT LINE/SETTER FIX				4	4
915 LOUISIANA AVE - INSTALLED RETRO				2	2
RACE @ 3RD - REPAIRED HYD THAT WAS HIT				3	3
UNLOADED PIPE @ PIPE YARD				3	3
					0
					0
					0
					0

Watershed					
Replaced air valves on 36" main at AC of MD property					
Picked up trash that was dumped on Narrow Ln					
1924 Durham Dr - removed old air valve & meter box/replaced with new 1" air valve, monitor box & backfilled					
Took 5" pump to dam					
Refueled equipment for crew on Greene St main line job					
1325 Virginia Ave - hand dug valve box & replaced monitor box & lid					
Trimmed & removed trees at Adam's farm & Eastman Rd 36" main					
Removed downed tree at out fall on Lake Gordon Rd					
Hauled 392 from Greene St to dam					
Refueled both generators @ dam - had no power due to downed tree taking out power lines					
Lake Gordon 36" main - hauled shale/main line exposed					
Did a dry run for the Christmas tree with the crane truck					
Unloaded pipe @ pipe yard					
Removed downed tree on Golden Ln					
Looked at main line @ Animal Shelter - trees need cut & brushed removed					
1400 Piedmont - Removed old meter box & air valve - installed new 2" air valve & new monitor box & lid					
Hauled 392 from dam to animal shelter/Took 382 to warehouse for street dept					
Independence St - 2" air valve investigation - main needs shut down to do 2" air valve					
Line locate - New Oakland Dr					
Removed downed tree - Evitts Creek Rd					
Refueled generators					
Flushed hydrants - Longwood & Brown Ave					
Fabricated new meter vault @ 12101 Industrial Pk/220 - removed broken one & installed new one					
Picked up hydrant from Triton					
Took materials to 306 crew on Cumberland St/Washington St/Sunbury Ave					
Queen City Dr - shut off valve to hydrant that was struck					
Trimmed trees on Independence St					
Trimmed trees & marked main at animal shelter for main line clearing (several days)					
Removed old & installed new culvert on main line access road behind animal shelter/installed main line markers					
Leak investigation - Whitetail Ln					
Line locate - Frazier Lake					
Fixed washed out air valve box @ 1200 Piedmont Ave					
GRAND TOTAL					1217

August 2024 Monthly Reort

Flood Maintenance

August 2nd Test ran all Pumps

Run Gate Operators

Check Sewage Regulators

Safety Meeting

Test Run Green St Pump

Cleaned debri Big/Small bull pin

Weekly Check of overflows

Brush Cut Levee wall

Pre & Post Storm Inspections

Wash Down CSO Millrace flumme

Began Mowing Cycle

Mowed West and East Ridgley, Moose, And Parkets Narrows

Cleaned and Maintenance of Mowers/Trimmers

Began Internal levee weed removal and Maint. Flapper gates(complete)

8/14/2024 Bi-annual Switch Gears testing and cleaning (Completed)

8/15/2024 Annual Inspections w MDE CSO inspection at Levee

****Inspections Report available upon request**

Began Painting Fence rails and Gates

Hurrican Debi(Possible flood Event Inspection all gates/siphons open

****No Army Corp. Invoices submitted this month of August**

Sanitary Sewer Department Monthly Report



August 2024

Calls Answered:	14
Service Lines Opened:	6
Owner's Trouble:	6
Line Locates/ Mains	175
Flushed Mains	1,680
Mains Repaired/ Replaced	2
Sewer Taps Installed Arch st./Kelly Rd/823 E.First.	5
Cleaned Catch Basins	42
Cleanouts Installed	5
Televised Sewer Mains	1,600
Televised Sewer Lines	16 service Lines
Call Outs/ Overtime	4 call outs 11 Hrs
Weekly Check of Overflows, pits, etc....	5

Jeffrie Harden
Supervisor

Flush Truck Flush truck used for Ball park 4000gal
Vac-con

Water Usage:		
608	7,200	Gals.
605	2,800	Gals.

Work Performed and House Calls

114 Weber House call Sewer Smell in basement (Floor Drain was dry)

55 Baltimore St. Lateral Line broke at foundation Resident needs Plumber for repair

593 Washington Street Basin Install w additional 8inch Drain line

1 Baltimore Street Flushed lateral Line

300 Arch St. Four Taps installed/60ft of 8inch sewer main for New Const. (Teabow)

520 Winifred Flushed sewer main, Basement water present foundation was leaking (Rain)

826 Louisiana Ave Flush Lateral line (Clean out was Clogged)

801 Louisiana Ave Flushed Lateral Line and Main

913 Kelly Rd Install Tap for Lucky 13 Towing

505 Beall St Flushed Main

Glenn St Manhole Repair Concrete repair/Schedule for remove and replace

Vault Cleaned ready for Manhole Install 3-36inch (Mill Race)

House call 728-730 Gebhart sink hole at Manhole

3rd and Seymour Sink hole near basin

1314 Fredrick House Call Sewer smell, Owner needs Plumber

823 E 1st St Tap Installed PN. UT24-000013

*Fill in Sewer Main off Furnace Ast with Fill/Erosion control

[Vac-con Harrison and Liberty for H2o Dept. 6hrs](#)

[Vac-con Baltimore Bridge H2o Dept 8hrs.](#)

High Velocity 10 Sites Sewer Dept.

Hydro Sites Water Dept. -None

Vactor Truck callouts: 15

CCTV Camera Truck Callouts:

505 Beall St sewer back up in basement (Mains flushed)

1 Baltimore St sewer main needs 12ft replaced on City

55 Balt. Cracked Lateral Line No city issues

114 Weber St No sewer main/lateral line Issues

300 Arch st CCTV new sewer main and existing (No City issues)

28 Green st No main issues, (Resident needs plumber)

520 Winifred No Issues with city sewer or lateral. Resident needs Plumber

801 Louisiana No city Issues

913 Kelly road No sewer main issues

2 Grandview Terrace owner Greiss Karvallian owner/CCTV sewer

8/15/2024 CSO Inspection with Charlie Hatfield

8/20/2024 CSO Mill Race safety walk through(Upcoming Project)

8/26/2024 Quote accepted by PPI for Mill Race Vault Manhole Install

File Attachments for Item:

1. Approval of the Closed and Open Work Sessions and Regular Public Meeting Minutes from September 3, 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 Council Chambers
57 N. Liberty Street
Cumberland, MD 21502

Tuesday, September 3, 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; Walter Bowman

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

I. DISCUSSION ON CITIZENS LOCAL GOVERNMENT ACADEMY

Mr. Silka addressed the Mayor and City Council about the Citizens Local Government Academy presentation and updated that it would be a two-hour session with Ken Tressler using most of the hour. He went on to say that there would be an introduction of the Mayor and City Council, explaining their roles and a couple trivia questions as well to engage those in attendance. Administrative services would also be included.

II. DISCUSSION REGARDING FOOD AND BEVERAGE BAN AT RIVERSIDE PARK

Mr. Silka began the discussion by addressing the issue at Riverside Park and stated that a drastic change may have to include the ban of food and beverage, this would help reduce the litter and loitering and mentioned that if an Ordinance is passed there has to be enforcement.

Councilman Cioni asked what signs are in place right now advising that littering is not acceptable and Jeff advised that there are no signs in place because it is a law to not litter. Rock asked Chief Ternent his thoughts on the discussion, and he replied that it will not be popular but it is the right decision. Mayor Morriss stated that we have to be careful to not be relocating the problem elsewhere in the City. Jeff added that those contributing to the issue frequent the area every day. Michael Cohen added the issue of food on the property not being properly disposed of which attracts rats and vermin. Rock asked about not providing the option to charge cell phones and Jeff advised that the City is working on shutting off the electricity on the grounds, the issue that comes with doing that presents an issue of being able to decorate with lights at Christmas time but at this time we are taking all the necessary measures to secure the area.

Councilman Furstenberg asked if the City has worked with the church groups to find another spot to congregate, Jeff replied that these are people choosing every day to walk this area, congregate and then leave at night and the goal is to not have them congregate there. Councilwoman Marchini asked how many organizations are providing food to the groups, Councilman Frazier responded that he is only aware of one group. Chief Ternent added that some church groups will drop off any leftovers that they have so it is hard to actually account for the number of groups providing food. Rock asked what would prevent the groups from going to the Rescue Mission if the City is able to stop the groups from feeding at the park, Chief Ternent responded that Pastor Ziller does not trespass anyone violating rules at the kitchen which as a result forces them to go elsewhere. Jeff added the Outreach Ministry provides food from a van and due to the strict rules and regulations, it does not attract a lot of people. A consensus was reached with all Council members concerning the food ban so Jeff advised that the order would be ready for the next meeting for its first reading.

III. UPDATE ON THE SKATEPARK

Jeff updated that the State issued the Storm water permit, finishing up the water way obstruction permit. Going to be a Spring construction and hoping to have a bid package out in the next few months for the concrete work.

IV. REVIEW OF THE PUBLIC MEETING AGENDA OF SEPTEMBER 3, 2024

Jeff referred the Mayor and City Council to Order eight - a resident who purchased property out by the dam has approved plans with engineering for paving on Teacup Lane. And Order nine is for expanding the open containers for alcohol to full footprint for Rock the Block.

V. MAYOR AND CITY COUNCIL UPDATES

Councilman Cioni updated that the Parks and Recreation Commission would be meeting next week and Let's Beautify Cumberland would be meeting Thursday at St. Paul's and he or the Mayor would be advertising for new members. He also mentioned the last concert in the park was great entertainment and a nice crowd and also Friends of the Park has been well received and could use some new members.

Councilwoman Marchini updated that progress for the grand opening of Downtown on November 14 & 16, 2024 is still being continued and brought up a concern about the no smoking ban and how that will be posted. Mr. Silka responded that the signs are currently being created and would be posted all over Baltimore Street. Laurie asked where someone would dispose of a cigarette if they are smoking and Jeff advised that receptacles are in place now and the City will try to keep them off of Baltimore Street to incorporate into the architecture. Laurie went on with an update on the Historic Preservation Commission and said they are dealing with organizations asking for forgiveness after the fact for installing products that do not meet guidelines, fines have been issued and the Commission has even offered to return the fines to the owner when the repairs are completed with materials that meet HPC guidelines. Gino Giattris received a \$50,000 grant for his restaurant (Coney Island Famous Wieners) materials and design have been approved and he is planning to install new bike racks, trash cans and umbrellas. There was a Barton archeological dig for the John Barton farm; it is the most significant site in the Country for Native American finds. More volunteers are still needed for the Heritage Days booth.

Mayor Morriss spoke about the Baltimore Street bridge successfully being reopened and Al Feldstein being the first to drive across it. Let's Beautify Cumberland is still accepting donations for the clock that has been ordered. On September 12 the Women's Civic Club on Washington Street is holding a reception at 5:30 p.m. as the official opening of Heritage Days. September 13, will be the Whiskey Rebellion leading right into Heritage Days on the 14th and 15th. Mayor Morriss added that he too is getting excited about the ribbon cutting ceremony and mentioned that when he was out on Labor Day, he observed a nice crowd of people downtown and fortunately some businesses were open. At the Rosenbaum building a reveal of a Welcome to Cumberland painting done by Mark Phillips was held. Also, a tour of D'Atri's revealed that more work is still needed but overall, it is progressing nicely and some great artwork displayed as well. When asked if they would have relocated without the redesign, they responded that they wouldn't have. Mayor Morriss added that the vision of the revitalization was a step in the right direction to address the issues that were taking place in the Business District. He also mentioned the Choose Cumberland Relocation program and mentioned that there are over 1,000 applications, and we need to be selective in choosing candidates that fit the criteria the

City is looking for. The applications also provide us with a lot of good data from all who have applied that may help in determining if this is a program we could use again in the future. One of the biggest issues Cumberland has faced is decreased population. Michael Cohen mentioned that he has seen the program broadcasted on several news channels and Jeff added that the program has received applications from 48 states. Mayor Morriss spoke of several interviews he has participated in with broadcasting companies including FOX DC and mentioned articles in the Washington Post and New York Times. Jeff also mentioned that he had been appointed to the Salvation Army advisory board.

VI. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:05 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 Meeting
57 N. Liberty St.

DATE: September 3, 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

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk;
Shannon Adams, Fire Chief; Chuck Ternent, Chief of Police

IV. Statement of Closed Meeting

On September 3, 2024, the Mayor and City Council met in closed session at 4:00 p.m. in the 2nd Floor Conference Room in City Hall to receive legal advice regarding the projects at 19 Frederick Street and at the Memorial Hospital Site and to discuss the possible location of a new business in the City by Teabow Residential. Authority to close the session is provided by Section 3-305(b)(4) and (7) of the General Provisions Article of the Annotated Code of Maryland.

V. Presentations

1. Recognition of Avery Miller for winning a second straight State Championship title and being the first female in 52 years to win the maximum four events twice for the 100,200,400m and long jump. Also, for capturing the AAU Junior Olympics National Championship and taking first place in the heptathlon at the New Balance Nationals. George Brown spoke to the team coaches who work with Avery. A certificate was presented and a photo was taken with the Mayor and City Council members
2. Presentation of awards given in recognition of employee retirement.

Chief Ternent spoke to Tim Amann and his career with the Cumberland Police Department which began in 1975. In 1992 he was promoted to Corporal, 1995 Sargent, 1998 Lieutenant until he retired from the Cumberland Police Department after 34 years. Tim is most famous for being a training officer and is well known for his fighting technique where he would dress up in a big red outfit and let all the officers fight him. After he retired, he later returned to the City with the municipal parking authority and worked there for 14 years until he announced his retirement. With a total of 48 years with the City of Cumberland he has greatly impacted the community with mentoring and training. The Police department got golf passes and a photo was taken with the Mayor and City Council members.

Chief Adams spoke to Julie Davis and her career with the City of Cumberland which began on January 17, 1977 in the finance department and then moved on to Human Resources and in 1985 she moved to the Fire Department as an Administrative Officer until her retirement on September 1, 2024. Along with handling administrative functions she is also the HIPAA officer and she handled all of the billing for EMS and Fire related issues. She will be greatly missed by all. A photo was taken with the Mayor and City Council members.

Chief Adams spoke to Terry Puffinberger and his career with the Cumberland Fire Department that started on September 12, 1990. Terry spent many years riding ambulances until he was promoted to equipment operator. Terry was a senior academy instructor and taught EMT, Fire, CPR and any other required training as well as assisting with Paramedic classes. He was a member of the heat team, worked with Trooper Five conducting aerial rescues and was a great mentor to young members of the crew and is going to be greatly missed. Chief Adams thanked Terry for his 34 years of service. A photo was taken with the Mayor and City Council members.

VI. Approval of Minutes

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

1. Approval of the Open Work Session and Regular Public Meeting Minutes from August 20, 2024

VII. Public Comments- – FOR AGENDA ITEMS ONLY

All public comments are limited to 5 minutes per person

VIII. New Business

(A) Orders (Consent Agenda)

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

1. Order 27,552 - authorizing the Chief of Police to accept the FY25 Police Recruitment and Retention Grant in the amount of \$21,739 awarded by the Governor's Office for Crime Control and Prevention (GOCCP) recognizing the state-wide shortage of police candidates and providing funds to help local agencies recruit and retain police officers
2. Order 27,553 - declaring vehicles and equipment to be surplus property and authorized for sale, trade in or scrap
3. Order 27,554 - accepting certain bids received for the "2024 GovDeals Sale 6 of Surplus Vehicles and Equipment" and rejecting all other bids
4. Order 27,555 - lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within a defined area of the downtown mall for the Grand Opening Community Day on November 16 from Noon to 10 PM, the Tree Lighting on November 29 from 4 PM to 10 PM, the Winter Festival on December 14 from 4 PM to 10 PM and the New Year's Eve Celebration from 5 PM on December 31, 2024 through 1 AM on January 1, 2025 from; notwithstanding, that open glass containers shall not be permitted
5. Order 27,556 - authorizing the City Comptroller to abate FY24 taxes in the amount of \$12,441.71 for the City-owned cellular tower location at 600 Bishop Walsh Road (Tax ID#06-050301)

6. Order 27,557- approving the sole source purchase from Leonard Truck & Trailer for a 2025 B-B Flatbed Trailer in the not to exceed amount of \$57,629.56
7. Order 27,558 - accepting the sole source proposal from Marshal Ruby & Sons to purchase Scum Pan Fiberglass Components to repair the damaged brackets at the Water Reclamation Facility in the not to exceed cost of \$36,553
8. Order 27,559 - approving the right of way improvements to Tea Cup Lane, proposed by property owner Ethan Burkhardt, to include resurfacing the roadway and installing drainage pipes at his cost
9. Order 27,560 - rescinding Order No. 27,540, originally approved on August 20, 2024, and authorizing a new Order lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within a defined area of the downtown mall for the "Rock the Block" event on October 12, 2024 from 11 AM through 9 PM; notwithstanding, that open glass containers shall not be permitted

Public Comments

All public comments are limited to 5 minutes per person

IX. Adjournment

With no further business at hand, the meeting adjourned at 6:39 p.m.

Minutes approved on_____

Raymond M. Morriss, Mayor_____

ATTEST: Allison K. Layton, City Clerk _____

File Attachments for Item:

. 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

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

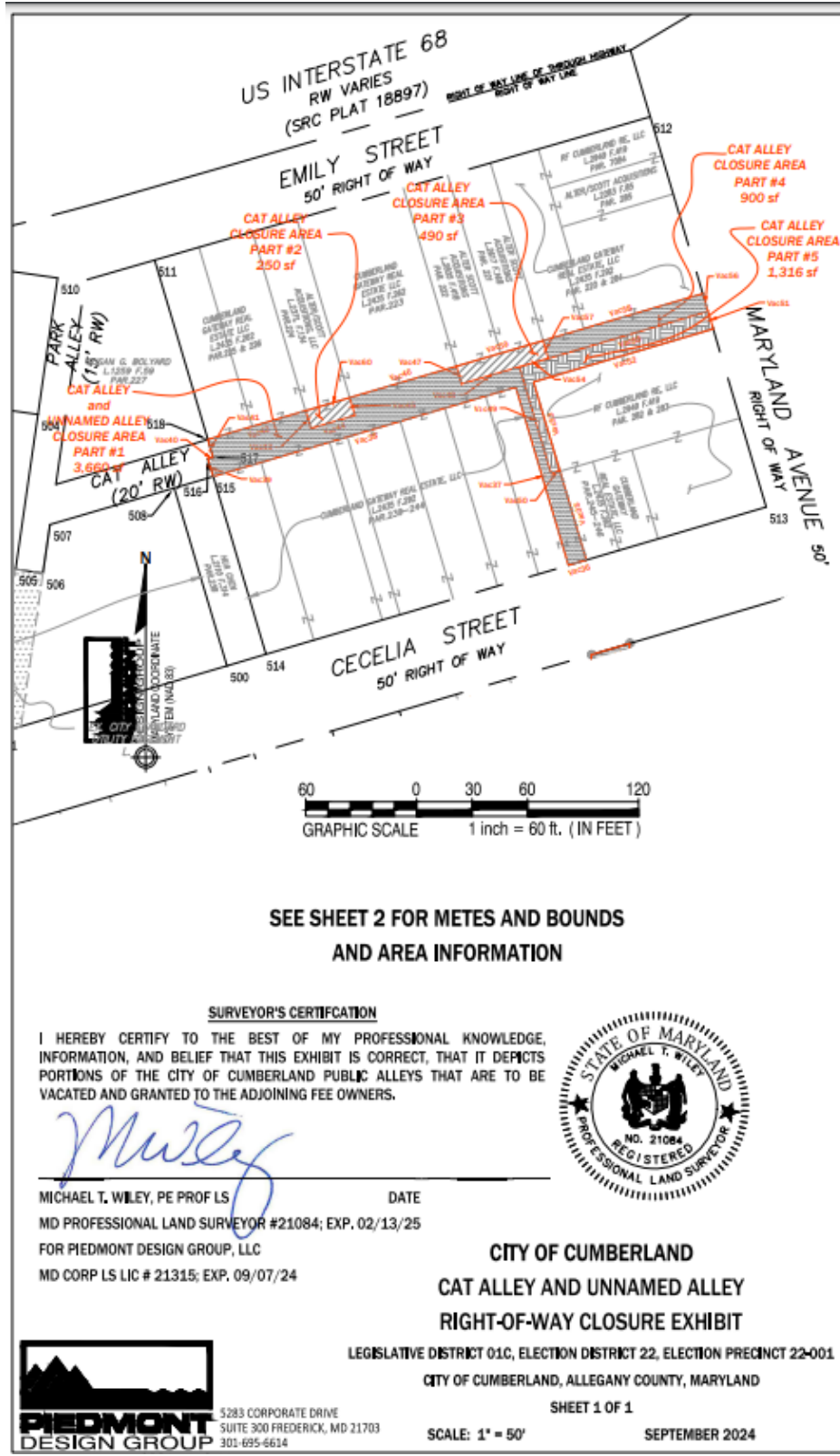


EXHIBIT B

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.

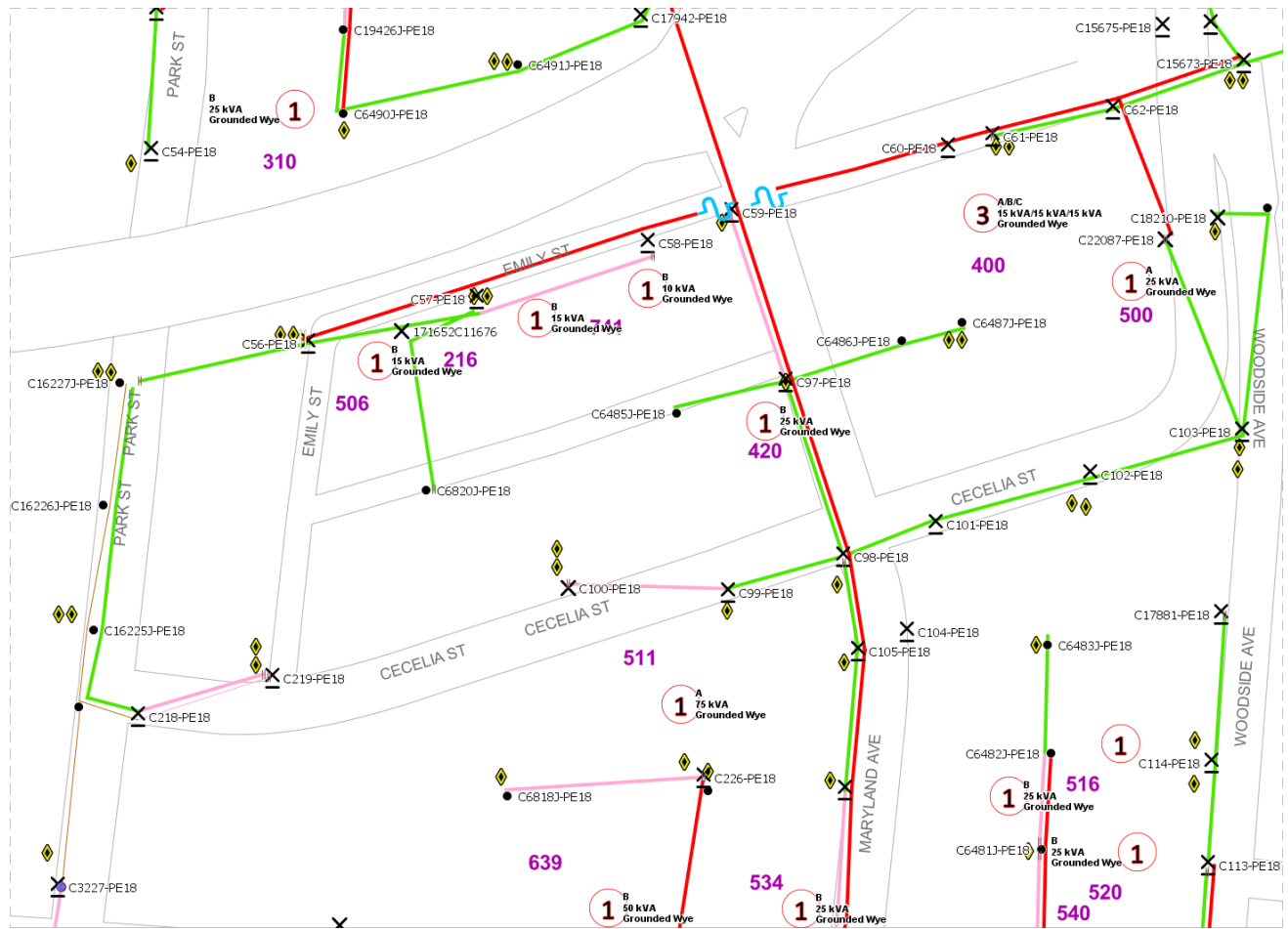
FURTHERMORE, if the Grantee(s) alter(s) the surface of the land hereby conveyed or its subsurface and the alterations result in the need to relocate public or private

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.



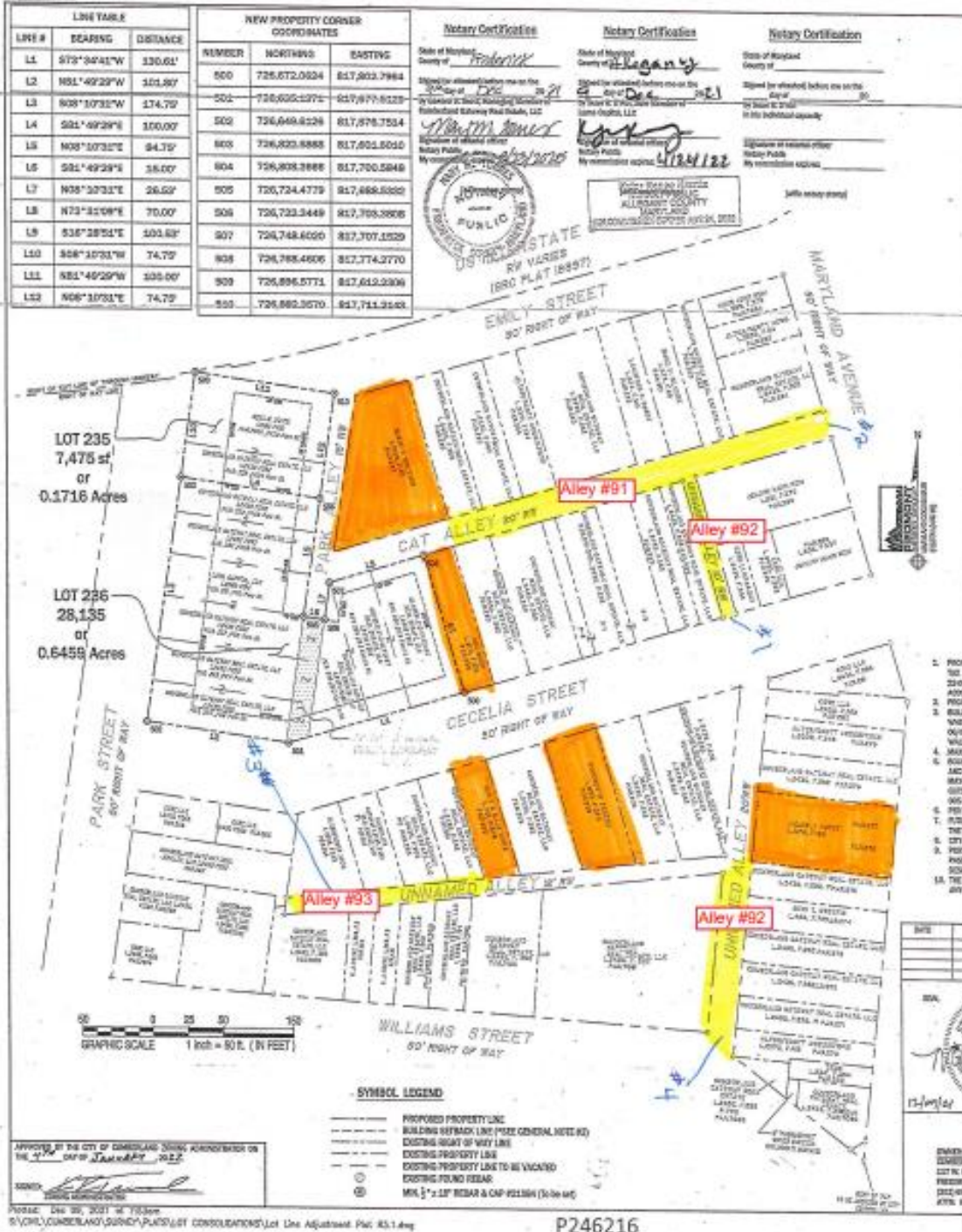
ANN ST. SEWER PLATED FROM NOTE BOOK NO. 1 PAGE 14
 KING ST., WOODSIDE AVE., ALTHOUGH ALLEY TO WOODSIDE ALLEY, AL
 PLATED FROM NOTE BOOK NO. 1 PAGE 22
 SCALE 40 FEET IN ONE INCH.



- PARK ST. SEWER PLATED FROM MAP-BOOK NO. 14
- EMILY ST. SEWER PLATED FROM NOTE BOOK NO. 1 PAGE 14
- ALLEY IN REAR OF PARK PLATED FROM NOTE BOOK NO. 1 PAGE 14
- CAT ALLEY PLATED FROM NOTE BOOK NO. 1 PAGE 14
- ALLEY BETWEEN CECILIA & WILLIAM ST. PLATED FROM NOTE BOOK NO. 1 PAGE 14
- ALLEY REAR OF MARYLAND AVE. PLATED FROM NOTE BOOK NO. 1 PAGE 14
- CECILIA ST. SEWER PLATED FROM NOTE BOOK NO. 1 PAGE 14
- MARYLAND AVE. SEWER PLATED FROM NOTE BOOK NO. 1 PAGE 14

EXHIBIT A

No. 2498



CLOSURE OF PUBLIC R/W
REMAINING PRIVATE PROPERTY
(ALLEY ACCESS REQUIRED)

File Attachments for Item:

. Ordinance 3994 (*1st reading*) - 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:

. 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)

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

ORDER NO. 27,561

DATE: September 17, 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.
JoAnn Circosta	107 S. Centre St / 04-031601	2024-2025	\$ 714.04
Ernest Gusella Tomiyo Sasaki	33 N. Centre St / 14-002847	2024-2025	\$636.63
Daniel Rhee	45 N. Centre St. / 14-003207	2024-2025	\$749.44
William & Barbara Humbertson	50-52 N. Centre St / 14-005781	2024-2025	\$307.04
William & Barbara Humbertson	43-45 N. Liberty St / 14-005773	2024-2025	\$213.49
Sandra Saville	27 N. Centre St / 14-002618	2024-2025	\$345.42

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

SPECIAL TAXING DISTRICT

REQUEST FOR EXEMPTION

Tax Year 2024

I Jo Ann Circosta request an exemption from the Special Taxing District Levy for property owned by me at:

107 S. Centre St.
Cumberland
Acct # 04031601 Bill- 38218

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

Industrial _____

Residential ✓

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

Industrial % _____

Residential % 100%

Signed [Signature]

Date 08/12/2024

Account No 04 031601 45

	<u>Assessed</u>	<u>Tax</u>
Original	266433	71404
Exempt	<u>(266433)</u>	<u>(71404)</u>
Billable	0	0

JO ANN CIRCOSTA PH D

502-797-0881
JCIRCOSTA08@GMAIL.COM

107 S CENTRE ST
CUMBERLAND, MD
21502-3022

August 12, 2024

City of Cumberland
Office of Finance
57 North Liberty Street
Cumberland, MD. 21502

Hello:

Re: Special Tax, Year 2024

Please find enclosed a request for exemption due to owner occupied property at 107 S Centre Street, Cumberland.

Account: 04031601, Bill 38218

Thank you for your consideration.

Best regards,


Jo Ann Circosta

City of Cumberland
SPECIAL TAXING DISTRICT REQUEST FOR EXEMPTION

Tax Year 2024

I, ERNEST Gasolla / Tomiyo SASAKI request an exemption from the Special Taxing District Levy for property owned by me at: 33 NORTH CENTRE ST.

My request is based upon the fact that:

X

Residential - this property, or portion thereof, is occupied and used by the owner for his or her residence;

Industrial - this property, or portion thereof, is used solely for light manufacturing purposes, and qualifies for a similar exemption according to the tax provisions of Allegany County, Maryland.

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

Residential 66 1/2 %
Industrial %

As to approved applications, the exemption shall be granted for all fiscal years falling within the calendar year preceding the date of the submission of the application for the exemption.

Signed: *Tomiyo Sasaki*

Date: 08/28/24

For City use

Tax Account No: 14 002847 4P

	Assessed Amount	Tax Amount
Original	211533	964.59
Exempt	<139612>	<636.63>
Billable	71921	327.96

City of Cumberland
SPECIAL TAXING DISTRICT REQUEST FOR EXEMPTION

Tax Year 2024

I, Daniel Rhee request an exemption from the Special Taxing District Levy for
property owned by me at: 45 N. Centre Street, Cumberland, MD 21502

My request is based upon the fact that:

X

Residential - this property, or portion thereof, is occupied and used by the owner for his
or her residence;

Industrial - this property, or portion thereof, is used solely for light manufacturing
purposes, and qualifies for a similar exemption according to the tax provisions of
Allegany County, Maryland.

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

Residential 50 %

Industrial %

As to approved applications, the exemption shall be granted for all fiscal years falling within the calendar
year preceding the date of the submission of the application for the exemption.

Signed: 

Date: 09-03-2024

For City use

Tax Account No: 14 003207 4P

	Assessed Amount	Tax Amount
Original	328700	1498.87
Exempt	164350	749.43
Billable	164350	749.43

City of Cumberland
SPECIAL TAXING DISTRICT REQUEST FOR EXEMPTION

Tax Year 2024

I, William & Barbara Humbertson request an exemption from the Special Taxing District Levy for property owned by me at: 50-52 N. Centre Street, Cumberland, MD 21502

My request is based upon the fact that:

X **Residential** - this property, or portion thereof, is occupied and used by the owner for his or her residence;

 Industrial - this property, or portion thereof, is used solely for light manufacturing purposes, and qualifies for a similar exemption according to the tax provisions of Allegany County, Maryland.

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

Residential 50 %

Industrial %

As to approved applications, the exemption shall be granted for all fiscal years falling within the calendar year preceding the date of the submission of the application for the exemption.

Signed: Barbara Humbertson

Date: 09-03-2024

For City use

Tax Account No: 14 005781 4P

	Assessed Amount	Tax Amount
Original	134,667	614.08
Exempt	<67,334>	<307.04>
Billable	67,333	307.04

City of Cumberland
SPECIAL TAXING DISTRICT REQUEST FOR EXEMPTION

Tax Year 2024

I, William & Barbara Humbertson request an exemption from the Special Taxing District Levy for property owned by me at: 43-45 N. Liberty Street, Cumberland, MD 21502

My request is based upon the fact that:

X

Residential - this property, or portion thereof, is occupied and used by the owner for his or her residence;

Industrial - this property, or portion thereof, is used solely for light manufacturing purposes, and qualifies for a similar exemption according to the tax provisions of Allegany County, Maryland.

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

Residential 50 %

Industrial %

As to approved applications, the exemption shall be granted for all fiscal years falling within the calendar year preceding the date of the submission of the application for the exemption.

Signed: William C. Humbertson
Date: 09-03-2024

For City use

Tax Account No: 14 005773 4P

	Assessed Amount	Tax Amount
Original	93433	426.97
Exempt	446817	213.49
Billable	46814	213.48

City of Cumberland
SPECIAL TAXING DISTRICT REQUEST FOR EXEMPTION

Tax Year 2024-2025

I, Sandra Saville request an exemption from the Special Taxing District Levy for property owned by me at: 27 N Center

My request is based upon the fact that:

✓ **Residential** - this property, or portion thereof, is occupied and used by the owner for his or her residence;

 Industrial - this property, or portion thereof, is used solely for light manufacturing purposes, and qualifies for a similar exemption according to the tax provisions of Allegany County, Maryland.

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

Residential 50 %

Industrial %

As to approved applications, the exemption shall be granted for all fiscal years falling within the calendar year preceding the date of the submission of the application for the exemption.

Signed: Sandra Saville
Date: 9/9/24

For City use

Tax Account No: 14 002618 4P

	Assessed Amount	Tax Amount
Original	151500	1690.84
Exempt	<75750>	<345.42>
Billable	75750	345.42

File Attachments for Item:

. 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

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

ORDER NO. 27,562

DATE: September 17, 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:

Daniel Malamis, DBA Café Mark

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 September 17, 2024 through October 31, 2025.

Raymond M. Morriss, Mayor

OUTDOOR DINING LEASE AGREEMENT

THIS OUTDOOR DINING LEASE AGREEMENT ("Lease") is made and executed this 28 day of August, 2024, by and between the **Mayor and City Council of Cumberland**, a Maryland municipal corporation (the "City") and **DANIEL MALAMIS DBA CAFÉ' MARK** ("Lessee").

WHEREAS, Lessee operates a restaurant at 37 Baltimore Street, 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 7 feet 6 inches and length of 24 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.

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 June 1, 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.

4. **Special Events.** The City shall be entitled to suspend Lessee's use of the Demised Premises during special events, such as Heritage Days, and shall give Lessee notice of such suspension at least ten (10) days prior to the scheduled event.

5. **Rent.** Lessee, in consideration of the leasing of the Demised Premises and the performance by the City of the covenants to be performed by it, agrees to pay rent to the City in the amount of One Dollar (\$1.00).

6. **Permits, Licenses, Fees.** In addition to the rent specified above, Lessee shall obtain all permits and licenses required by any laws, ordinances, rules or regulations of the City and/or any Federal, State or other governmental agency and shall pay all related fees. The execution of this Lease does not constitute permit approval or licensure by or on the part of the City.

7. **Demarcation / Alcoholic Beverages.** Lessee shall place stanchions and chains along the perimeter of the Demised Premises to control ingress and egress therefrom. Lessee shall be responsible for monitoring the area to ensure that patrons do not take alcoholic beverages off the premises of the Lessee. Any such beverages to be consumed with the Demised Premises shall be served in non-breakable containers. Glass bottles or glasses are not permitted in the area of the Demised Premises.

8. **Furnishings & Equipment.** Lessee shall be responsible for providing all furnishing and equipment for use by its staff and patrons within the area of the Demised Premises. All such furnishings and equipment must be approved by the City before use within said area. Upon the City's request of the City, Lessee shall remove said furnishings and/or equipment from the Demised Premises and store them in a neat and orderly manner.

9. **Rules and Regulations.** The City shall have the right, from time to time, to establish, modify, amend and enforce reasonable rules and regulations with respect to the Demised Premises. Lessee shall faithfully observe and comply with such rules and regulations.

10. **Assignment and Subletting.** This Lease and the rights granted hereby shall not be assigned or subletted by Lessee except with the prior written consent of the City. Said consent may be withheld for any reason or no reason at all.

11. **Termination.** Except as provided for hereinafter, either party shall have the right to cancel this Lease by giving the other thirty (30) days advance written notice.

12. **Right of Entry.** The City shall have the right to enter upon the Demised Premises at any time for the purpose of operating, maintaining, repairing, restoring or replacing any public utilities. It may also enter upon the Demised Premises for the purpose of inspecting it to ensure that Lessee is complying with its obligations under the terms of this Lease.

13. **Maintenance.** Lessee shall be responsible for keeping the Demised Premises and all items located therein in good condition and repair. The Demised Premises shall be kept free of garbage and refuse.

14. **Release.** The Lessee hereby irrevocably and unconditionally releases, cancels, and forever discharges the City and its directors, officers, officials, employees, affiliates, agents, and

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.

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:

Jody Malamis
Café Mark
37 Baltimore Street
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.

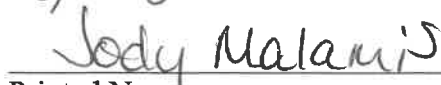
IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and date first above written.

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

By: _____
Raymond M. Morriss, Mayor

DANIEL MALAMIS

Witness

 (Seal)
Signature

Printed Name

File Attachments for Item:

. 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

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

ORDER NO. 27,563

DATE: September 17, 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 SRO/Adequate Coverage Grant made available through the Maryland Center for School Safety (MCSS), in the amount of Forty Nine Thousand Dollars and No Cents (\$49,000.00) 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.

Mayor Raymond M. Morriss

Grant: FY25 MCSS SRO Program Grant

Council Agenda Summary

Meeting Date: September 17, 2024

Key Staff Contact: Chief Chuck Ternent

Item Title: FY25 MCSS SRO Grant

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

Authorize the Chief of Police to accept the FY25 Maryland Center for School Safety SRO grant in the amount of \$49,000.00. These funds will be used to provide adequate police coverage in and around our city's schools. The grant will pay officers overtime to supplement our school resource activities which include providing additional officers to patrol our schools and interact with the children during school days as well as extra-curricular activities

Amount of Award: \$49,000

Budget number:

Grant, bond, etc. reference: FY25 MCSS SRO Grant

MARYLAND CENTER for SCHOOL SAFETY

7/30/2024

GRANT APPROVAL NOTICE

Maryland Center for School Safety
C/O: Maryland State Department of Education
200 W. Baltimore Street
Baltimore, MD 21201

Chief John C. Ternent
Cumberland Police Department
57 North Liberty Street
Cumberland, MD 21502

RE: FY2025 SRO Adequate Coverage Grant

Dear Chief Ternent,

This letter is to notify you that your application for the FY2025 SRO Adequate Coverage Grant has been **fully approved** in the amount of **Forty-Nine Thousand Dollars [\$49,000.00]**. This funding is to cover Off duty police officer overtime salaries to provide adequate coverage for the seven schools within the Cumberland Police Department's jurisdiction. The effective date for the FY2025 SRO Adequate Coverage Grant is from July 1, 2024 to June 30, 2025.

The Maryland Center for School Safety will submit the approval into the State Department of Education, Notice of Grant Award (NOGA) system. This process may take a few weeks, but once completed, you will receive a letter requiring signatures for an official grant award.

You will be required to submit detailed quarterly progress reports as well as a final project report at the end of the performance period. Please visit the [MCSS website](#) to access the Reimbursement Form and other Post Award grant forms. Please contact the MCSS Grants Unit at mcss.mcss@maryland.gov with any questions.

Sincerely,

Maryland Center for School Safety
Email: mcss.mcss@maryland.gov

cc: Eric Bonner



410-281-2335 | schoolsafety.maryland.gov | school.safety@maryland.gov

File Attachments for Item:

. Order 27,564 - declaring vehicles and equipment to be surplus and authorizing them for sale, trade in or scrap

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

ORDER NO. 27,564

DATE: September 17, 2024

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

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

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

Item	Department	Description	VIN No.
Med-343	Fire	2007 International Ambulance	1HTMNAAMX7H368307
Med-370	Fire	2000 Freightliner Ambulance	1FV3EFBC7YHA49645
Squad-1	Fire	1993 Ford F-450 Rescue Truck	2FDLF47M6PCA69303

Raymond M. Morriss, Mayor

File Attachments for Item:

. Order 27,565 - authorizing the appointment of Gilbert Cochrum to the Arts Commission

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

ORDER NO. 27,565

DATE: September 17, 2024

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

THAT, the following appointments to boards and commissions be and are hereby
approved:

<i>Board/Commission</i>	<i>Member</i>	<i>Position</i>	<i>Term</i>
Arts Commission	Gilbert Cochrum	Resident at Large	8/5/24-8/5/26

Raymond M. Morriss, Mayor

File Attachments for Item:

. 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

Council Agenda Summary

Meeting Date:

Key Staff Contact: Johnna Byers, Director IT

Item Title:

Council Order: Palo Alto firewall software subscription/maintenance yearly fee

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

IT requests the Mayor and Council approve purchase of Palo Alto yearly firewall software subscription/maintenance from CDWG at a cost not to exceed \$48,878.64. This purchase provides software subscriptions to keep our main firewall and backup firewall functional and updated with current protection, as well as maintenance due to any hardware failures. CDWG currently holds the Palo Alto contract and Jeff Silka has approved this as sole source.

It is budgeted in 001.330 48201 and 001.034 48201



Thank you for choosing CDW. We have received your quote.

Hardware

Software

Services

IT Solutions

Brands

Research Hub

QUOTE CONFIRMATION

JOHNNA BYERS,

Thank you for considering CDW•G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

This quote is subject to CDW's Third Party Cloud Services Order Form Terms and Conditions set forth at <https://www.cdwg.com/content/cdwg/en/terms-conditions/third-party-cloud-services-order-form-terms-and-conditions-.html>

Convert Quote to Order

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
NZTH221	7/25/2024	NZTH221	1275425	\$48,878.64

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Palo Alto Networks Premium Support - extended service agreement (renewal) - Mfg. Part#: PAN-SVC-PREM-1420-R Electronic distribution - NO MEDIA Contract: MARKET	1	7649844	\$4,157.51	\$4,157.51
Palo Alto Networks Premium Support - extended service agreement (renewal) - Mfg. Part#: PAN-SVC-PREM-1420-R Electronic distribution - NO MEDIA Contract: MARKET	1	7649844	\$4,157.51	\$4,157.51
Palo Alto Networks Advanced URL Filtering - subscription license renewal (1 Mfg. Part#: PAN-PA-1420-ADVURL-HA2-R Electronic distribution - NO MEDIA Contract: MARKET	1	7809052	\$4,841.96	\$4,841.96
Palo Alto Networks Advanced Threat Prevention - subscription license renewa Mfg. Part#: PAN-PA-1420-ATP-HA2-R Electronic distribution - NO MEDIA Contract: MARKET	1	7649840	\$4,841.96	\$4,841.96
Palo Alto Networks Advanced WildFire - subscription license renewal (1 year Mfg. Part#: PAN-PA-1420-AWF-HA2-R Electronic distribution - NO MEDIA Contract: MARKET	1	7649842	\$4,841.96	\$4,841.96
PA-1420, GlobalProtect subscription, for one (1) device in an HA pair, 1 year (12 months) term, renewal.	1	NEW-ITEM	\$3,227.96	\$3,227.96

QUOTE DETAILS (CONT.)

Mfg. Part#: PAN-PA-1420-GP-HA2-R

Contract: Standard Pricing

PA-1420, GlobalProtect subscription, for one (1) device in an HA pair, 1 year (12 months) term, renewal.	1	NEW-ITEM	\$3,192.87	\$3,192.87
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Mfg. Part#: PAN-PA-1420-GP-HA2-R

Contract: Standard Pricing

	1	7649842	\$4,789.32	\$4,789.32
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[Palo Alto Networks Advanced WildFire - subscription license renewal \(1 year\)](#)

Mfg. Part#: PAN-PA-1420-AWF-HA2-R

Electronic distribution - NO MEDIA

Contract: MARKET

	1	7809052	\$4,789.32	\$4,789.32
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[Palo Alto Networks Advanced URL Filtering - subscription license renewal \(1](#)

Mfg. Part#: PAN-PA-1420-ADVURL-HA2-R

Electronic distribution - NO MEDIA

Contract: MARKET

	1	7649840	\$4,789.32	\$4,789.32
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[Palo Alto Networks Advanced Threat Prevention - subscription license renewa](#)

Mfg. Part#: PAN-PA-1420-ATP-HA2-R

Electronic distribution - NO MEDIA

Contract: MARKET

	1	NEW-ITEM	\$2,687.63	\$2,687.63
--	---	----------	------------	------------

[AIOps and Cloud Manager for NGFW subscription, 1-year renewal, PA-1420 HA Pair](#)

Mfg. Part#: PAN-PA-1420-AIOPS-NGFW-HA2-R

Contract: Standard Pricing

	1	NEW-ITEM	\$2,561.32	\$2,561.32
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[PAN-PA-1420-AIOPS-NGFW-HA2-R](#)

Mfg. Part#: NPAN-PA-1420-AIOPS-NGFW-HA2-R

Contract: Standard Pricing

These services are considered Third Party Services, and this purchase is subject to CDW's [Third Party Cloud Services Terms and Conditions](#), unless you have a written agreement with CDW covering your purchase of products and services, in which case this purchase is subject to such other written agreement.

The third-party Service Provider will provide these services directly to you pursuant to the Service Provider's standard terms and conditions or such other terms as agreed upon directly between you and the Service Provider. The Service Provider, not CDW, will be responsible to you for delivery and performance of these services. Except as otherwise set forth in the Service Provider's agreement, these services are non-cancellable, and all fees are non-refundable.

SUBTOTAL	\$48,878.64
-----------------	-------------

SHIPPING	\$0.00
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SALES TAX	\$0.00
------------------	--------

GRAND TOTAL	\$48,878.64
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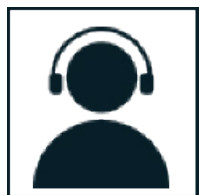
PURCHASER BILLING INFO**DELIVER TO**

Billing Address:
CITY OF CUMBERLAND
ACCTS PAYABLE
57 N LIBERTY ST
CUMBERLAND, MD 21502-2331
Phone: (301) 722-2000
Payment Terms: Request Terms

Shipping Address:
CITY OF CUMBERLAND
JOHNNA BYERS
57 N LIBERTY ST
CUMBERLAND, MD 21502-2331
Phone: (301) 722-2000
Shipping Method: UPS Ground (2 - 3 day)

Please remit payments to:

CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675-1515



Sales Contact Info

Tyler Cowden | (866) 245-1795 | tyler.cowden@cdwg.com

LEASE OPTIONS

FMV TOTAL	FMV LEASE OPTION	BO TOTAL	BO LEASE OPTION
\$48,878.64	\$1,412.59/Month	\$48,878.64	\$1,612.51/Month

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

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- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.
- Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

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Support



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This order is subject to CDW's Terms and Conditions of Sales and Service Projects at

<http://www.cdwg.com/content/terms-conditions/product-sales.aspx>

For more information, contact a CDW account manager.

© 2024 CDW•G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239

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

ORDER NO. 27,566

DATE: September 17, 2024

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

THAT, the proposal from CDWG to purchase 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 be and is hereby accepted in the amount not to exceed Forty Eight Thousand Eight Hundred Seventy Eight Dollars and Sixty Four cents (\$48,878.64).

Raymond M. Morriss, Mayor

Budget: 001.330 48201 001.034 48201

File Attachments for Item:

. 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

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

ORDER NO. 27,567

DATE: September 17, 2024

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

THAT, a change order from Long View Systems Corporation USA, 1221 McKinney Street, Suite 4150, Houston, TX 77010 for Longview Network AD Migration services be and is hereby accepted with an increase of One Thousand Four Hundred Forty Two Dollars and no Cents (\$1,442.00) bringing the new amount not to exceed Sixty Thousand Nine Hundred Sixty Eight Dollars and No Cents (\$60,968.00).

Raymond M. Morriss, Mayor

Budget: 001.330.20100

Council Agenda Summary

Meeting Date:

Key Staff Contact: Johnna Byers, Director IT

Item Title:

Longview Network AD Migration - Change order due to cost increase

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

IT requests an order for costs not to exceed \$60,968 for Longview Network AD Migration services. This project started in FY 2024 and the PO is 24-1533. This change order will add 55 days to the project schedule extending the completion date to 9/30/2024. Overall scope remains the same, but devices were migrated in multiple waves impacting schedule, effort, and cost. The price increase is \$1442.

It is budgeted in 001.330 20100



PROJECT CHANGE REQUEST
PCR-Mayor & City Council of Cumberland-AD Migration

PROJECT CHANGE REQUEST (this “PCR”) dated as of September 2, 2024 between Mayor & City Council of Cumberland (“Client”) and **Long View Systems Corporation (USA)** (“Long View”)

This contract change is governed by Statement of Work Contract ID: C003163

PCR Contract ID: C005626

This contract change is an extension of Project No.: 3015717

LONG VIEW: Long View Systems Corporation (USA)
1221 McKinney Street, Suite 4150
Houston, Texas 77010
Project Manager: Steve Griffin
Email: Steve.Griffin@lvs1.com

CLIENT: Mayor & City Council of Cumberland
57 North Liberty St
Cumberland, MD 21502
Contact: Johnna Byers
Email: johnna.byers@cumberlandmd.gov

By signing below, the authorized representative of Client gives approval for the tasks outlined within this PCR to take place, and understands the impacts of the project regarding costs, deliverables, schedule, and quality.

Mayor & City Council of Cumberland

Long View Systems Corporation (USA)

Signature
Johnna Byers

Signature

Name

Name

Title

Title

Date

Date

Description of Change

As per the original plan, the project completion date was set to July 12, 2024. Due to unforeseen circumstances beyond the control of the project team, an extension of the project timeline has become necessary. This Project Change Request aims to address the schedule modification along with its associated implications on effort and cost.

Scope & Schedule

The overall scope, i.e., the number of devices, did not increase. However, they had to be migrated in multiple waves, impacting the schedule, effort, and cost.

Schedule Extension:

As per the original plan, the project completion date was set to July 12, 2024. Due to reasons beyond the control of the project team, such as delays in receiving user responses and the unavailability of devices on the network, the migration had to be performed in multiple waves, resulting in schedule delays. This also impacted the budget and cost.

Assumptions

The following assumptions have been made:

- The following list of servers sent on 8/28/2024 is the final set of servers. No additional servers/devices remain to be migrated:
 - a. ENGFILE
 - b. GIS-DB
 - c. GIS-WEB
 - d. LOGOSAPPA
 - e. LOGOSDBA
 - f. TESTLOGOSAPPA
- All the above-mentioned servers will be migrated in a single wave.



Hours, Costs, and Schedule

Hours		Budget	
Approved hours:	293	Approved budget:	\$ 59,526
Additional hours:	07	Additional budget:	\$ 1,442
New total hours:	300	New approved budget	\$ 60,968
Schedule: This change request will add 55 days to the project schedule, extending the completion date to: 9/30/2024			

The total cost for this PCR is: \$ 1,442

Overall Project Impact

Impact To:	Impact Notes/Comments
Cost	There will be additional budget of \$1,442 required to complete the project.
Schedule	Project is expected to complete on 9/30/2024
Scope	Overall scope i.e. number devices remain same, but they were migrated in multiple waves impacting schedule, effort & cost.
Quality	NA

Certificate Of Completion

Envelope Id: 4E7E479E318B4FF0BECF630D831FCCF8

Status: Sent

Subject: Please DocuSign: PCR between Mayor & City Council of Cumberland and Long View Systems Corporation (U

Source Envelope:

Document Pages: 3

Signatures: 0

Envelope Originator:

Certificate Pages: 4

Initials: 0

Suhas Sapre

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Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Suhas.Sapre@lvs1.com

IP Address: 209.112.107.1

Record Tracking

Status: Original

Holder: Suhas Sapre

Location: DocuSign

8/30/2024 11:45:18 AM

Suhas.Sapre@lvs1.com

Signer Events	Signature	Timestamp
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Johnna Byers

Sent: 8/30/2024 11:46:46 AM

johnna.byers@cumberlandmd.gov

Viewed: 8/30/2024 12:04:00 PM

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:

Accepted: 8/30/2024 12:04:00 PM

ID: 2c248ff2-2742-4c5f-a8f3-7831cc456347

Dave Snyder

Dave.Snyder@lvs1.com

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:

Accepted: 2/12/2024 2:26:11 PM

ID: d63c7fcb-74f0-4cd2-9041-33a31813379a

In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent

Hashed/Encrypted

8/30/2024 11:46:46 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Long View Systems Corporation - CLM Expansion Account:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: David.Toews@lvs1.com

To advise Long View Systems Corporation - CLM Expansion Account of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at David.Toews@lvs1.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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To request paper copies from Long View Systems Corporation - CLM Expansion Account

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to David.Toews@lvs1.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Long View Systems Corporation - CLM Expansion Account

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to David.Toews@lvs1.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

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- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Long View Systems Corporation - CLM Expansion Account as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Long View Systems Corporation - CLM Expansion Account during the course of your relationship with Long View Systems Corporation - CLM Expansion Account.

File Attachments for Item:

. 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

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

ORDER NO. 27,568

DATE: September 17, 2024

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

THAT, the Fire Chief be and is hereby authorized to accept the FY23 Staffing for Adequate Fire and Emergency Response Program (SAFER) Grant made available through the Department of Homeland Security (DHS) and Federal Emergency Management Agency (FEMA), in the amount of Two Million Five Hundred Ten Thousand Nine Hundred Seventy Six Dollars and Twenty Four Cents (\$2,510,976.24) to hire nine (9) new Firefighters for the department.

Mayor Raymond M. Morriss

Award Number	Organization	Program Area	Federal Share	POC Name	POC Phone	POC City	POC Zip
EMW-2023-FF-01220	Mayor And City Council of Cumberland	Hiring of Firefighters	\$2,510,976.24	Derrick Grimm	(301) 759-6600 -	Cumberland	21502-2312

FY 2023 Staffing for Adequate Fire and Emergency Response Program

The Fiscal Year (FY) 2023 Staffing for Adequate Fire and Emergency Response (SAFER) Program will make available \$360 million to fire departments and volunteer firefighter interest organizations to assist fire departments in increasing the number of frontline firefighters.

Overview

The FY 2023 SAFER Program is one of three grant programs that constitute the Department of Homeland Security (DHS) and the Federal Emergency Management Agency's (FEMA) focus on enhancing the safety of the public and firefighters with respect to fire and related hazards. Since FY 2005, the SAFER Program has awarded approximately \$5.5 billion in grant funding to provide critically needed resources to hire new, additional firefighters (or to change the status of part-time or paid-on-call firefighters to full-time firefighters), to rehire laid off firefighters or to retain firefighters facing layoff, as well as to recruit and retain volunteer firefighters. The FY 2023 SAFER Program will award another \$360 million to an estimated 300 eligible fire departments and volunteer firefighter interest organizations to assist fire departments in increasing the number of firefighters to meet industry minimum standards and attain 24-hour staffing to provide adequate fire protection from fire and fire-related hazards. For more information, see page 5 of the FY 2023 SAFER Program Notice of Funding Opportunity (NOFO).

Purpose

The purpose of the SAFER Program is to award grants directly to eligible fire departments and volunteer firefighter interest organizations to assist local fire departments with staffing and deployment capabilities to respond to emergencies. Using a competitive process that is informed by fire service subject-matter experts, grants are awarded to applicants whose requests best address the priorities of the SAFER Program.

Funding

The DHS Appropriations Act, 2023 (Pub. L. No. 117-328) appropriated \$360 million to carry out the activities of the SAFER Program. The statute, 15 U.S.C. § 2229a, authorizes the SAFER Program to make competitive grants to fire departments and national, state, local, federally recognized tribal, and non-profit interest organizations representing the interests of volunteer firefighters. No less than 10% of the funding must be awarded to projects under the Recruitment and Retention (R&R) Activity, and 10% of the funding is set aside for awards to volunteer or mostly volunteer fire departments under the Hiring of Firefighters (Hiring) Activity. For more information, see page 5 of the FY 2023 SAFER Program NOFO.



FEMA

Eligibility

Eligible applicants for the FY 2023 SAFER Program include fire departments and national, state, local, federally recognized tribal, and non-profit interest organizations operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico¹, or any federally recognized Indian tribe or tribal organization. For more information, see pages 7 and 8 of the FY 2023 SAFER Program NOFO.

Definitions

- A *fire department* is an agency or organization that has a formally recognized arrangement with a state, territory, local government, or tribal authority (city, county, parish, fire district, township, town, village or other governing body) to provide fire suppression on a first-due basis to a fixed geographical area.
- A *national, state, local, federally recognized tribal, and non-profit interest organization* is an organization that supports or represents the interests of firefighters in front of legislative bodies at the local, state, tribal and/or federal level. Such organizations include state or local firefighter and/or fire chiefs' associations, and volunteer firefighter relief organizations and associations.
- A *career fire department* is a fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters (fire departments that provide reimbursement on a paid-on-call basis are considered to be a “combination fire department” for the purposes of the FY 2023 SAFER Program).
- A *combination fire department* is a fire department that has paid firefighting personnel and volunteer firefighting personnel. A combination fire department must have at least one active firefighter who receives financial compensation for their services (including paid-on-call) and at least one active firefighter who does not receive financial compensation for services, other than life, health, and workers’ compensation insurance.
 - FEMA considers a department to be majority volunteer if more than 50% of its membership is made up of personnel who do not receive financial compensation for their services.
 - FEMA considers a department to be majority career if more than 50% of the active firefighting membership is salaried staff.
- A *volunteer fire department* is a fire department that has an all-volunteer force of firefighting personnel. To be an all-volunteer force, no member may receive financial compensation (in the form of salary or wages) for their services other than life and health insurance, workers’ compensation insurance, and/or a nominal stipend per call.

¹ The District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico are all defined as “States” in the Federal Fire Prevention and Control Act of 1974.

Program Highlights

Under the FY 2023 SAFER Program, eligible organizations may apply for grants for the following activities:

R&R Activity

- Assist fire departments with the recruitment and retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response.

Hiring Activity

- Hire new, additional firefighters (or to change the status of part-time or paid-on-call firefighters to full-time firefighters);
- Rehire laid off firefighters; and
- Retain firefighters facing layoff.

The following requirements are being waived for the FY 2023 SAFER Program:

- Position Cost Limits: There are no annual salary limits under the Hiring Activity.
- Cost-share: There is no prescribed cost-share or match under the Hiring Activity.
- New Additional Firefighters Requirement: Grant funds can be used to rehire laid off firefighters and retain firefighters facing layoff under the Hiring Activity
- Period of Performance: Extensions to the period of performance under the Hiring Activity are allowable.
- Supplanting Requirement: There is no supplanting requirement under the Hiring Activity.
- Minimum Budget Requirement: There is no minimum budget requirement.

For more information, see Appendix B of the FY 2023 SAFER Program NOFO.

Application Process and Evaluation Criteria

SAFER Program applications are reviewed through a multi-phase process. All complete and eligible applications are electronically pre-scored and ranked based on the substance of the application relative to the established funding priorities. Applications will then undergo further evaluation by a peer- review panel, comprised of individuals from the fire service and volunteer firefighter interest organizations.

A minimum of three peer review panelists evaluate the applications using the narrative statement, answers to general questions, and answers to activity-specific questions. Each application is judged on its own merits against established criteria and is not compared to other applications.

Applications most consistent with the established SAFER Program funding priorities that score the highest and are determined to be in the “competitive range” will undergo a Technical Review by the FEMA Program Office, which will assess the request with respect to costs, quantities, feasibility, eligibility, and recipient responsibility. For more information, see pages 20 to 25 of the FY 2023 SAFER Program NOFO.

Program Coordination

The following entities were involved in developing the FY 2023 SAFER Program guidance:

DHS

- FEMA
- U.S. Fire Administration

Major Fire Service Organizations

- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Services Institute

SAFER Program Resources

For additional information on the FY 2023 SAFER Program, please visit our website at:

<https://www.fema.gov/grants/preparedness/firefighters/safer>.

You may also contact the SAFER Program Help Desk at (866) 274-0960 or firegrants@fema.dhs.gov.

The SAFER Program Help Desk is open Monday through Friday, 8:00 a.m. – 4:30 p.m. ET.

File Attachments for Item:

. 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

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

ORDER NO. 27,569

DATE: September 17, 2024

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

THAT, the City Administrator be and is hereby authorized to enter into a Project Development Agreement with Centrica Business Solutions, 3 Rosell Drive, Ballston Lake, NY 12019, 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

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: 9/17/2024

Key Staff Contact: Robert Smith

Item Title:

Authorizing the City Administrator to enter in a Project Development Agreement with Centrica Business Solutions for the proposed development of a bundled energy solutions project at the Water Reclamation Facility.

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

This project will potentially provide turn-key solutions for energy related projects at the Water Reclamation Facility which include solar panels, recommissioning the anaerobic digester, replacement of the main switchgears and other components that may be related those items previously referenced.

These services were procured under Section 2-171(g) as a request for proposals as the project scope was identified and to be funded under the Energy Savings as a Service model.

The Project Development Agreement (PDA) will allow the final scope and contract to be finalized. If at the conclusion of the PDA the City determines it is not in our best interests to proceed, the City shall be required to compensate Centrica Business Solutions in the amount of \$98,750. If the project proceeds to construction, the PDA fee of \$98,750 will be incorporated into the final contract which would be approved in future Mayor and City Council Meeting.

The project is not budgeted for this fiscal year and those potential costs would be realized in FY26 utilizes City Funds

Amount of Award: \$98,750 (potentially)

Budget number: 003.310.20100

Grant, bond, etc. reference: City Funds

City of Cumberland, MD

212 Decatur St, Cumberland, MD 21502

Attn: Robert Smith, City Engineer

Date: September 12th, 2024

Project Development Agreement ("PDA")

Dear Robert Smith,

Thank you for your interest in working with Centrica Business Solutions Services, Inc. ("Centrica") in connection with the proposed development of a ***bundled energy solutions*** project (the "Project") for ***The City of Cumberland, Maryland*** ("Customer") at the City's Water Reclamation Facility (WRF) located at 400 East Offutt Street, Cumberland, MD 21502 (the "Site").

The purpose of this PDA is to facilitate Centrica's performance of certain development services in relation to the Project as described in Schedule 1 (the "PDA Services"). Following completion of the PDA Services, Centrica and Customer may elect to (but shall be under no obligation to) enter into an Energy Savings Performance Contract in relation to the Project (the "Final Contract"). Centrica and Customer (each a "Party" and together the "Parties") agree as follows:

1. This PDA shall be effective from the date of Customer signature until the earlier of: (i) the date of the Final Contract; (ii) early termination of this PDA by Centrica; or (iii) one year from the date of this PDA. Paragraphs 2, 4, 5, 7, , 9 and 10 shall survive termination or expiry of this PDA under sub-sections (i) and (ii) of this paragraph 1.
2. Customer shall negotiate exclusively with Centrica in relation to the Project for one year from the date of this Agreement (the "Exclusivity Period") and accordingly Customer shall not (and shall procure that its affiliates and its and their officers, employees, agents, advisers and other representatives shall not) directly or indirectly enter into, restart, solicit, initiate or otherwise participate in any discussions or commercial arrangements with any third-party which are similar to or could reasonably be expected to conflict with this PDA or the proposed development of the Project by Centrica.
3. Each of the Parties shall perform the obligations in respect of the PDA Services as allocated to that Party in Schedule 1.
4. Subject to paragraphs 5 and 6 below, Customer shall pay Centrica the sum specified in Schedule 1 plus any applicable taxes (the "PDA Services Fee") as consideration for Centrica's performance of the PDA Services. If the Parties agree to proceed with the Project, the PDA Services Fee shall be incorporated into the terms of the Final Contract and shall therefore not be payable pursuant to this PDA. If either: (i) Customer fails to sign a Final Contract within thirty days of receipt of the investment grade audit; (ii) this PDA expires under paragraph 1(iii) above; or (iii) Customer otherwise indicates its intention not to proceed with the Project at any stage, Customer shall pay the PDA Services Fee to Centrica within thirty days of invoice.
5. Centrica may terminate this PDA on written notice to Customer if:
 - a) Customer either: (i) undergoes a voluntary or involuntary case related to or associated with the U.S. Bankruptcy Code or any similar federal or state law; (ii) makes a general assignment for the benefit of its creditors; or (iii) admits in writing its inability to pay its debts generally as they fall due;
 - b) Customer is in breach of this PDA and (if such breach is capable of remedy) has failed to remedy such breach within ten business days of notice; or
 - c) Centrica reasonably believes that it is no longer practicable to proceed with the Project due to material circumstances beyond its reasonable control (including, but not limited to, change in law) that were unforeseeable at the date of this PDA,

in either which case Customer shall pay Centrica within thirty days of invoice such proportion of the PDA Services Fee as reasonably determined by Centrica based on PDA Services provided by Centrica prior to termination.

6. This PDA may be terminated by Centrica for convenience on written notice to Customer, in which case no PDA Services Fee shall be due or payable by Customer.
7. Nothing in this PDA affects the title or ownership of or to any designs, database rights, know-how and any other intellectual property rights of any nature ("IP Rights"). Customer shall not acquire any ownership, right, title or interest in any IP Rights created by or licensed to Centrica prior to this PDA or developed by Centrica in connection with the PDA Services ("Centrica IP") and Customer may not use any Centrica IP without Centrica's written consent.
8. INTENTIONALLY OMITTED
9. Provided that this paragraph 9 shall not exclude or limit Centrica's liability for death or personal injury caused by its negligence or for fraud or for fraudulent misrepresentation:
 - a) Centrica shall not be liable for: (i) any loss of profits, revenue, business, goodwill or business opportunity; (ii) any loss of data; or (iii) any indirect, special or consequential loss or damage, in each case arising out of or in connection with this PDA; and
 - b) Centrica's maximum liability for all other losses under or in connection with this PDA shall be limited to: (i) \$1,000,000 for any loss or damage to property; and (ii) \$500,000 for all other losses.
10. This PDA shall constitute the entire agreement between the Parties with respect to the Project and supersede all prior agreements and understandings, both written and oral, between the Parties. This PDA and any dispute or claim arising out of or in connection with it or its subject matter shall be governed by and construed in accordance with the laws of Maryland. All claims arising out of or in connection with this PDA shall be adjudicated in any federal or state court of competent jurisdiction located in the state of Maryland. Neither Party or any assignee, successor, or personal representative of a Party shall seek a jury trial in any lawsuit, proceeding, counterclaim or any other litigation procedure arising out of or in connection with this PDA. Centrica may assign or transfer all or any of its rights or obligations under this PDA to an affiliate by providing thirty days prior written notice to Customer. Should any provision of this PDA be held void or voidable, the existence thereof shall not prejudice the enforceability of any remaining provisions. This PDA may be executed in any number of counterparts (electronic or otherwise) each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

This PDA (including Schedule 1) sets forth our mutual understanding regarding the Project. If you have any questions, please feel free to contact me.

Signed on behalf of Centrica

Signed

NAME: Matt Sorbero

POSITION: East Business Unit Manager

TEL: 518.406.0303

EMAIL: Matt.Sorbero@Centrica.com

Accepted and agreed on behalf of Customer

Signed

NAME:

POSITION:

Schedule 1

Centrica's Obligations

1. Undertake an investment grade audit and preliminary solar design in respect of the Project for Customer's facilities at the Site indicated below.

Building	Use
Water Reclamation Facility and Surrounding Property	Municipal Wastewater Treatment Plant



2. Deliver an investment grade audit report and preliminary solar design to Customer within one hundred eighty days of this PDA, which report shall include a description of the Project and list the cost associated with each individual facility improvement measure identified in the report.
3. Investment Grade Audit will be based upon Centrica's response to the RFP issued by the City for Energy Efficiency Services submitted on June 18th, 2024. Measures to be investigated will include installation of a ground mount solar system, recommissioning of the existing digester, and replacement of the existing electrical switchgear.

Customer's Obligations

1. Compile, collect and deliver such information, data (including, but not limited to utility data), drawings and other and other information matters reasonably requested by Centrica (or any of Centrica's employees, affiliates, agents or subcontractors as Centrica may nominate from time to time (each a "Centrica Representative")) in connection with this PDA.
2. Provide Centrica (and/or any Centrica Representative) with timely access to the Site as reasonably requested by Centrica (and/or any Centrica Representative) in connection with this PDA.

3. Ensure that its employees, affiliates, agents and subcontractors shall co-operate in a timely and efficient manner with Centrica (and/or any Centrica Representative) in so far as their co-operation is necessary, advisable or pertinent to the delivery of Centrica's obligations under this PDA.

PDA Services Fee

Ninety Eight Thousand Seven Hundred and Fifty Dollars - \$98,750

File Attachments for Item:

. Order 27,570 - declaring computer equipment as surplus property and authorizing it to be scrapped or e-cycled

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

ORDER NO. 27,570

DATE: September 17, 2024

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

WHEREAS, the Mayor and City Council authorize this equipment to be scrapped or e-cycled;

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 to be scrapped or e-cycled:

Item	Make	Model	Serial Number
PC	Dell	Optiplex 9020	5PQ3Z72
phone	Cisco	7821	WZP20211CQN
printer	Dell	2130CN	7D1SZK1
printer	HP	Laserjet Pro 400	CNDF278168
PC	Lenovo	Thinkcentre Edge	PBHALDA
PC	Lenovo	Thinkcentre Edge	PB02GW20
PC	Dell	Optiplex3020	71GXV02
monitor	Samsung	740N	HA17H9NQ401013J
PC	Dell	Optiplex 3020	BYH0W02
PC	Acer	Veriton M4650G	82...3901
PC	Dell	Optiplex 3020	71QXV02
PC	Lenovo	Thinkcentre Edge	PC03F25N
PC	Lenovo	Thinkcentre	2GW20
switch	Cisco	Nexus	FOC2015R3PQ
switch	Cisco	Nexus	FOC2019R0SK

Item	Make	Model	Serial Number
printer	Lexmark		
PC	Lenovo	Thinkcetre	1510AS000FUSPC0832XKJ
PC	Dell	Vostro 220s	2RGRFK1
PC	Lenovo	Thinkcetre	MJ56M98
TV	Samsung	42"	AK3DHCEQ600605V
TV	Samsung	50"	Unknown
Monitor	Acer	S220HQL	Unknown
Monitor	Acer	S220HQL	Unknown
Monitor	Acer	S220HQL	Unknown
Monitor	Acer	S220HQL	Unknown
Cellphones	Box of about 20 assorted old and broken cellphones		
PC	Dell	Optiplex3020	F2HBKQ2
Micro PC	Dell	Optiplex9020	F872B42
PC	Lenovo	ThinkCentre 7269	MJATR76
PC	Lenovo	ThinkStation 7824	MJDRPTW
PC	Lenovo	ThinkCentre10AL	MJ000M6Z
PC	Lenovo	ThinkCenter M7269	MJATR72
PC	Premio	Aries 2851M	2001025241
PC	Lenovo	ThinkCentre M700	MJ0414HK
Monitor	IBM		66-11483
Switch	Cisco	Catalyst 2960-CX	FOC2239Y0RF
DVR	Zmodo	ZMD-DD-SBN8	zvs000207131115N1499
DVR	Zmodo	ZMD-DD-SBN8	zvs000207131218N2861
DVR	Zmodo	ZMD-DD-SBN8	zvs000207131218N2623
IP Phone	Cisco	7821	WZP20180C7A
monitor	HP	P22vaG4	CN42122124
Laptop	Alienware	15 R4	D4TO6S2
Desktop	Lenovo	ThinkCentre E73	PC09EYRE
Desktop	Lenovo	ThinkCentre E73	MJ04B05P
Desktop	Lenovo	ThinkCentre M700	MJ04BN73
Desktop	Lenovo	ThinkCentre M700	MJ04B05Q
Desktop	lenovo	ThinkCentre M700	MJ0414HJ

Item	Make	Model	Serial Number
Desktop	acer	Veriton M430G	PSVB10300102118F342700
IP Phone	Cisco	CP-8841	FCH20128UHH
Desktop	Lenovo	9120-AAU	LKFYPA
Desktop	Lenovo	10AS	PCOC4AF5
Desktop	Lenovo	ThinkCentre M700	MJ04BN71

Raymond M. Morriss, Mayor

File Attachments for Item:

. 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.

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

ORDER NO. 27,571

DATE: September 17, 2024

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

THAT, the City Administrator be and is hereby authorized 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.

Raymond M. Morriss, Mayor