



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

AGENDA

M&CC Regular Public Meeting
City Hall Council Chambers, 57 N. Liberty St., Cumberland

DATE: September 20, 2022

OPEN SESSION – 6:15 P.M.

Pledge of Allegiance

Roll Call

Statement of Closed Meeting

1. Summary statement of the closed meeting held September 13, 2022

Presentations

1. Presentation of the 2022 Let's Beautify Cumberland! Blue Ribbon Awards, Non-Resident Awards, Good Neighbor Awards, We Care Award, and All Star Awards

Director's Reports

(A) Administrative Services

1. Administrative Services monthly report for May, 2022

(B) Engineering

1. Engineering Division monthly report for August, 2022

(C) Public Works

1. Maintenance Division monthly report for August, 2022

(D) Fire

1. Fire Department monthly report for August, 2022

(E) Police

1. Police Department monthly report for August 2022

(F) Utilities - Flood, Water, Sewer

1. Utilities Division Flood/Water/Sewer monthly reports for July and August, 2022

Approval of Minutes

1. Approval of the Work Session Minutes of May 17, 2022, the Special Session Minutes of May 23, 2022, and the Regular Session Minutes of June 21

Unfinished Business

(A) Charter Amendment Resolutions

1. **Charter Amendment Resolution No. 149** (*2nd and 3rd readings*) - to rescind Charter Amendment No. 145 and repeal any effects upon the Charter by its passage, and to repeal Section 75 of the Charter, which prohibits the carrying of concealed weapons in accordance with Section 4-101 of the Criminal Law Article of the Annotated Code of Maryland
2. **Charter Amendment No. 150** (*2nd and 3rd readings*) - to rescind Charter Amendment No. 146 and repeal any effects upon the Charter by its passage, and to repeal and reenact with amendments Charter Section 24 pertaining to the publication of ordinances, when ordinances take effects, and the admissibility of codification in evidence
3. **Charter Amendment Resolution No. 151** (*2nd and 3rd readings*) - to rescind Charter Amendment No. 147 and repeal any effects upon the Charter by its passage, and to repeal Charter Sections 192-203 pertaining to the Mayor and City Council's authority over the Memorial Hospital.

(B) Ordinances

1. **Ordinance 3926** (*2nd and 3rd readings*) - authorizing the transfer of 471 Baltimore Avenue to Bechance LLC for the purchase price of \$100

New Business

(A) Resolutions

1. **Resolution R2022-07 ANN** (*1st reading*) - to annex land located along the east side of Messick Road and the north side of Starlight Drive and Limestone Road in Allegany County, MD, Election District No. 16, consisting of 37.69 acres +/- and owned by the Cumberland Economic Development Corporation

(B) Orders (Consent Agenda)

1. **Order 27,085** - authorizing the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Allegany County Health Department to receive grant funding in the amount of \$3,000 for officers to work overtime conducting overdose follow-ups in conjunction with UPMC Western Maryland, AHEC West and Department of Social Services Peers
2. **Order 27,086** - authorizing the Chief of Police to accept a FY23 Police Recruitment and Retention Grant in the amount of \$59,800.00 awarded by the Governor's Office for Crime Control and Prevention (GOCCP) who recognizes the state-wide shortage of

police candidates and has offered funds to help local agencies recruit and retain police officers

- 3. Order 27,087** - accepting the quote from Environmental Systems Research Institute (ESRI) for its GIS program for a 3-year license agreement in the amount not-to-exceed \$27,500 for each year, for a total not-to-exceed \$82,500 by the end of FY25
- 4. Order 27,088** - authoring the City Administrator to execute Change Order No. 1 for City Project 31-17-W, "Construction Inspector for Decatur St. 24" Crosstown Water Main Replacement", to add 160 additional hours at a cost of \$25/hour for a total not-to-exceed cost of \$4,000.00, bringing the new contract value to \$36,000.00
- 5. Order 27,089** - authorizing the City Administrator to execute a Cost Share Agreement with MDOT - SHA for construction inspection services related to City Project 9-18-BR, "Rehabilitation of Bridge A-C-06 Baltimore St. over Wills Creek", with the City's portion estimated at \$44,698.53, which is 20% of the total estimated cost of \$223,492.65
- 6. Order 27,090** - accepting the bid from Southern States Cooperative for the purchase of heating oil for the Water Reclamation Facility and the Water Filtration Plant, in the most current price (August 6, 2022) of \$79,752.50 for 23,000 gallons
- 7. Order 27,091** - accepting the bid of Carl Belt, Inc. for City Project 9-18-BE "Rehabilitation of Bridge No A-C-06 Baltimore Street over Wills Creek" in the not-to-exceed lump sum cost of \$4,704,910.25, contingent upon MDOT approval

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

. Administrative Services monthly report for May, 2022

Administrative Services Monthly Report for May, 2022

September 20, 2022

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 May, 2022.

Information Technology Department

May 2022

Statistics

122 new help desk requests
115 help desk requests resolved

Activities

Major department initiatives in the past month include:

- Continue making changes to update our network environment and improve security
- Continue working on police mobile data terminal updates
- Launch refreshed city website
- Upgrade VMWare server version to Enterprise Plus to enhance provisioning of workloads across servers
- Order new folder/sealer and coordinate setup/training

Parks and Recreation

May 2022

Diane Johnson, Director

Reservations for the six covered Pavilions at Constitution Park continue to be taken for the 2022 season, with citizens using the Online “Citizen serve” program or by phone. Rental Fees are \$ 100.00 for the Large Pavilion and \$ 75.00 for the Small Pavilion.

Usage of the Pavilions – Month of May– 36 pavilions rented and used

Day of Caring and Sharing Friday May 13, 2022 – Parks & Recreation Department was able to participate by providing facilities for the program. The garden area within the park and cleaning the Day camp buildings and Park Pool clean up were all completed as part of the Day of Caring and Sharing. Volunteers from Rocky Gap casino, Western MD. Correctional Center and the Cumberland Garden club worked at the facilities.

83rd Season - Constitution Park Pool – The Park Pool opened Memorial Day weekend with rain and cool temperatures followed by a Hot and Humid Monday, “Memorial Day”. The pool is scheduled to open for the season June 7, the last day of school for Allegany County public schools. A “Schools Out” party is planned.

3 Days of Operation – paid Attendance: 1,068

Admissions using pre-purchased swim cards or season passes – 84

The Park Pool is open daily 12p.m. to 7:00 p.m. in June & July, 12p.m to 6 p.m. in August

Sunday in the Park- A regular Sunday Evening Concert series began on Sunday May 29, with the Traditional Season opener of “The Potomac Concert Band”. The event was well attended.

Seasonal Services Park pool passes, registration and fees for the summer day camp, picnic kits and sport supplies

Baseball/ Softball League play and practices for May utilizing city fields and facilities:

Pee Wee League/ T Ball began at Long, Al Abrams and Bowers Fields

Girls Softball League at Jaycee and Northcraft, Cavanaugh field

Dapper Dan Little League Baseball at Long Field & Al Abrams

Industrial League at Mason

Co-ed League at Mason

Spring Soccer – Y league and AVID Soccer Club using fields at Mason complex

School Tennis Team at the Park Tennis Courts

Adult Spring Flag Football League

Pee Wee Football Spring Conditioning practice

2 Adult Softball Tournaments held at Mason Complex

Constitution Park – Park watchman began work on weekends May 6 and continued in the month of May including the Memorial Day Holiday. Park Restrooms are open and closed, and Pavilion reservations are monitored along with other activities at the park.

Day Camp Registration Applications were distributed to City and other area schools

Meetings attended:

- Pool Staff meeting
- May Recreation Advisory Board meeting – May 2,
- Park Pool Concession operator meetings
- Summer Lunch Program Training – Zoom meeting
- Day Camp Meeting with Director and Asst. Director
- Park Watchman

Upcoming:

- Park pool daily operations to begin June 8, 2022
- Free Movie Night and swim at Constitution Park – Friday June 17
- Summer Swimming lessons at the park pool begin on Monday June 20,
- Seasonal Day Camp personnel training – June 13-17
- Constitution Park Day Camp, Summer Lunch program begins on June 20.
- June Recreation Advisory Board meeting – Monday June 6
- **Continue work related to all seasonal events programs:
Day Camp, Pool operations, Pavilion reservations, Field reservations, Summer Lunch Program,
Concerts etc.**
- **July 4th Fireworks at Constitution Park**

Community Development Report

May 2022

Kevin Thacker, Code Compliance Manager

CODE COMPLIANCE**Noted Activity:**

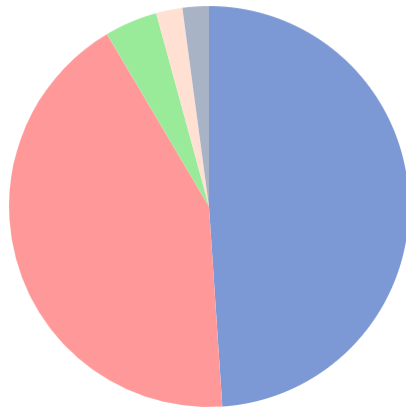
(top projects)

Code Enforcement Activity:

109 new cases received – 70 of those are still open

47 violation were found

56 cases have been resolved



Violations by Violation Type			
■	Cutting of weeds	23	48.9%
■	Dwellings, yards and lots to be kept clean	20	42.6%
■	Order to vacate	2	4.3%
■	Standards for good repair and safe condition	1	2.1%
■	Good repair and safe condition	1	2.1%

Permits/Reviews & Rental Licenses:

61 Total Permits/Reviews were issued
 45 Rental Inspections were completed

Building

Residential..... 4
 Commercial..... 3

Miscellaneous

Residential7
 Commercial1

Occupancy

Residential1
 Commercial1

Signage

Commercial 1

Electrical

Residential..... 12
 Commercial..... 1

Plumbing

Residential1
 Commercial2

Utility

Residential2
 Commercial0

Demolition

Residential 1
 Commercial 0

Public ROW

Residential..... 2

Rental Licences

Issued.....14

Rental Inspections

Pass36
 Fail.....1

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

(Type).....2

Certificates of Appropriateness

Issued.....3

Request for Change/Amendment

Issued.....0

Revenue from 'Issued' Permits/Reviews:

Building Permits.....	\$19,336.00
Miscellaneous Permits.....	120.00
Occupancy Permits	0.00
Sign Permits	43.00
Utility Permits.....	3,370.00
Plan reviews, Amendments & appeals	300.00
Zoning Classification Determination (info request).....	0.00
Municipal Infractions (citations).....	0.00
Certificates of Appropriateness	90.00
Rental Licenses (new & renewals	0.00
Paid Rental Inspection Requests	0.00
TOTAL	\$23,959.00

Demolition Bonds Collected..... \$1,500.00

Community Development Programs

May 2022

Lee Borrer, Senior Community Development Specialist

Community Development Block Grant (CDBG) Monthly Activity	April 2022 Report	Original Bud	ERR	Contract	Lifetime Funds Exp	
Project	Year	Orig.Budget			Expended	Remain
2019 Slush (Final) Fire Dept	2019	\$5,659.63			\$0.00	\$5,659.63
2019 Total Funds		\$5,659.63	ERR	Contract	Expended	\$5,659.63
Baltimore Street Redesign	2020	\$402,700.00	x	Released	\$0.00	\$402,700.00
HRDC Emergency Homeless Prevention	2020	\$25,000.00	x	x	\$20,247.17	\$4,752.83
Admin	2020	\$110,065.20	x	x	\$77,821.64	\$32,243.56
Constitution Park Inclusive Playground Ph 2	2020	\$65,000.00	x	x	\$64,201.40	\$798.60
HRDC Transitional Homeless Shelter Fire Dept/Con Pk	2020	\$6,000.00	x	x	\$0.00	\$6,000.00
2020 PI Slush (final as of July 2021) Con Pk	2020	\$66.40			\$0.00	\$66.40
2020 Grant Totals		\$773,785.60			\$327,196.61	\$446,561.39
Balt Street Redesign/Queen City/South Str	2021	\$232,721.00	x			\$232,721.00
HRDC Rental Rehabilitation	2021	\$19,300.00	x		\$0.00	\$19,300.00
YMCA Riverside Dehumidification	2021	\$200,368.00	x	x	\$177,167.00	\$23,201.00
Admin	2021	\$126,426.00	x		\$52,272.57	\$74,153.43
Ind Cost	2021	\$15,120.00	x		\$7,107.75	\$8,012.25
Fair Housing	2021	\$8,454.00	x		\$4,244.20	\$4,209.80
YMCA Gilchrist HVA Repl. Ph. 2	2021	\$48,520.00	x		\$48,519.00	\$1.00
AHEC Emergency Dental Access	2021	\$4,000.00	x	x	\$4,000.00	\$0.00
Assoc Char Long Term	2021	\$4,000.00	x	x	\$1,560.00	\$2,440.00
Assoc Char Short Term	2021	\$5,000.00	x	x	\$990.00	\$4,010.00
PHA JFV Sidewalk Imps	2021	\$35,000.00	x	x	\$35,000.00	\$0.00
FCRC IPV	2021	\$9,500.00	x	x	\$9,500.00	\$0.00
Targeted Foot & Bike Patrol	2021	\$3,961.00	x	x	\$3,446.64	\$514.36
Jane's Place Inc	2021	\$4,000.00	x	x	\$2,252.57	\$1,747.43
YMCA Food Program Trans Housing Shelter	2021	\$5,000.00	x	x	\$3,505.14	\$1,494.86
Const Pk/Splashpad	2021	\$87,750.00			\$0.00	\$87,750.00
2021 PI credits						\$6,541.28
2021 Grant Totals		\$809,120.00			\$51,206.38	\$466,096.41

Program Income July	2021	\$5.32	2020 Adm			
Program Income Aug	2021	\$5.32	2020 Adm			
Program Income Sept	2021	\$5.31	2020 Adm			
Program Income Oct	2021	\$0.00	na			
Program Income Nov	2021	\$10.63	2021 Adm			
Program Income Dec	2021	\$4.62	2021 Adm			
Program Income Feb 22	2021	\$6,516.82	2021 Adm			
Program Income March 22	2021	\$4.61	2021 Adm			
Program Income April 22	2021	\$4.60				
Total PI 2021		\$31.20				
Total PI credited to 2020		\$15.95				
Total PI credited to 2021		\$6,541.28				
					Expended	Remaining
Total					\$378,402.99	\$918,317.43
					Total All Yrs.	\$918,317.43
<i>as of 5/19/22 post March 2022 Draw</i>						

Balances:	Year		IDIS Unfund	Year
\$5,659.63	2019		\$5,659.63	2019
\$446,561.39	2020	66.40 PI incl.	\$43,062.79	2020
\$466,096.41	2021	\$6,541.28	\$346,312.28	2021
\$918,317.43				

Historic Planning/Preservation

May 2022

Ruth Davis-Rogers, Historic Planner/Preservation Coordinator

In addition to serving the public and answering daily questions and inquiries I:

Personal Training

Continued to train and learn the following systems:

- Logos
- Citizenserve
- Municode
- Intelligrants (State of MD)

- Civicplus

Historic Preservation Commission Meeting (HPC)

Prepared and administered the Historic Preservation Meeting on May 11th.

Reviewed and administered Certificate of Appropriateness permits.

Approved potential new HPC member's application and submitted to Margie for M&CC approval.

Meetings

- Met with Elijah Thane, artist and muralist, who is interested in painting murals in downtown Cumberland.
- Participated in discussion on Parks & Recreation 5-Year Plan.
- Attended and took minutes of Carver Board Meeting.
- Met with producer of HGTV show "Barnwood Builders" at GW Headquarters. This TV show is filming in the area. and would like to consider using this site on a future episode of the show.
- Met with Morgan to discuss Comprehensive Plan Update.
- Participated in Day of Caring & sharing.
- Attended National Main Street Conference in Richmond, VA. May 15th – 18th.
- Met with Tim Mullaney regarding administration of local tax credits.
- Attended virtual State of Maryland DHCD meeting regarding the upcoming Community Legacy funding.
- Held Community Legacy Advisory Group where list of projects was selected and ranked.
- Met with Eugene Frazier and toured Cumberland's African American cemeteries.

Grants, Tax Credits and Section 106 reviews

Administered funding/grants for:

- Residential Accessibility Improvement \$50,000.
- Roof Replacement Program \$50,000.
- Worked with finance on Budget.
- Started preparing for the next round of Community Legacy Awards.
- Conducted Section 106 Reviews (as needed) for CDBG funding

Comptroller's Office

May 2022

Mark Gandolfi, City Comptroller

Cash Flow:

Attached for your review is a Cash Flow Summary for the month of May 2022.

On May 1, 2022, the City had a cash balance of \$9.5 million. Disbursements exceeded receipts by \$522 thousand resulting in a cash balance of \$9.0 million at May 31, 2022.

As of May 31, 2022, the significant tax receivable balances were as reflected in the table below.

Taxes receivable (General Fund)						\$ 1,900,692
	Beg Balance	New Billings	Adjustments/ Abatements	Collections	Bad Debt	Ending Balance
FY 2022	\$ 1,183,443	\$ 61,933	\$ (2,669)	\$ 81,965	\$ -	\$ 1,160,742
FY 2021	393,588	2,410	(418)	12,844	-	382,736
FY 2020	140,586	92	(42)	1,395	-	139,241
FY 2019	61,562	175	-	49	-	61,688
FY 2018	52,854	50	-	-	-	52,904
FY 2017	24,488	61	-	-	-	24,549
FY 2016	23,000	-	-	-	-	23,000
FY 2015	21,151	-	-	-	-	21,151
FY 2014	13,669	-	-	-	-	13,669
FY 2013	9,339	-	-	-	-	9,339
FY 2012	5,574	-	-	-	-	5,574
FY 2011	3,109	-	-	-	-	3,109
Prior FY's	2,990	-	-	-	-	2,990
	<u>\$ 1,935,353</u>	<u>\$ 64,721</u>	<u>\$ (3,129)</u>	<u>\$ 96,253</u>	<u>\$ -</u>	<u>\$ 1,900,692</u>

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

Real property (non-owner occupied)	\$525,829
Non-Corp Personal Property	3,109
Corporate Personal Property	307,116
Real Property (semiannual payments)	323,950
Real Property (Half Year)	738
	<u>\$1,160,742</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

May 31, 2022

	Cash	Investments
Beginning Balance	\$ 9,437,877	\$ 23,656,685
Add:		
Cash Receipts	6,336,951	3,942
Investment Transfer	-	-
Less:		
Disbursements	6,859,053	259
Investment Transfer	-	-
Ending Balance	\$ 8,915,775	\$ 23,660,368
Restricted	\$ 1,198,108	\$ 5,902,289

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

Restricted Cash

	5/1/2022	Increase	Utilization	5/31/2022
Police Seizures	\$ 111,634	\$ -	\$ -	\$ 111,634
Est of Dorothy Jackson	11,250	-	2,715	8,535
Bowers Trust	68,580	-	-	68,580
Street Improvement	-	-	-	-
GOB 21	389,396	41	24,457	364,980
ARPA	588,105	61	-	588,166
Demolition & Fiscal Agent Bonds	56,213	-	-	56,213
	\$ 1,225,178	\$ 102	\$ 27,172	\$ 1,198,108

Restricted Investments

	5/1/2022	Increase	Utilization	5/31/2022
DDC	\$ 6,156	\$ 2	\$ 258	\$ 5,900
GOB 21	1,729,240	161	-	\$ 1,729,401
ARPA	4,166,600	388	-	\$ 4,166,988
	\$ 5,901,996	\$ 551	\$ 258	\$ 5,902,289

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

GOB 21 is the FY21 general obligation bond issuance restricted for scheduled capital projects and equipment.

Estate of Dorothy Jackson is donations for fire, police and police K-9.

Capital Projects and Associated Debt:

The tables below illustrate undrawn Maryland CDA bond proceeds and unused general obligation bond proceeds (GOB21) as well as the accumulated debt and grant proceeds associated with the Decatur Street waterline and the Combined Sewer Overflow (CSO) projects.

	5/1/2022	Issue	Utilization	5/31/2022
CDA 2019	\$ 1,011,405	\$ -	\$ 1,093	\$ 1,010,312
CDA 2021	6,755,133	-	352,633	6,402,500
GOB 21	389,396	-	24,417	364,979
	\$ 8,155,934	\$ -	\$ 378,143	\$ 7,777,791

Decatur Street Project

	5/1/2022	Issue	Utilization	5/31/2022
MWQFA Series 2022A	\$ 1,181,105.00	\$ -	\$ -	\$ 1,181,105
MWQFA Series 2022B	425,140	-	-	425,140
Decatur Street Grants	1,003,000	-	650,723	1,003,000
	\$ 2,609,245	\$ -	\$ 650,723	\$ 2,609,245

CSO Projects

	5/1/2022	Issue	Utilization	5/31/2022
Evitts Creek Debt	\$ 156,740	\$ -	\$ -	\$ 156,740
Evitts Creek Grant	5,418,560	-	-	5,418,560
78" Pipeline Debt	6,075,000	-	-	6,075,000
78" Pipeline Grant	46,338,080	-	-	46,338,080
	\$ 57,988,380	\$ -	\$ -	\$ 57,988,380

The CDA 2019 \$1K utilization is for Baltimore Street access engineering services. The GOB 21 \$24K is for a portion of the municipal service center fence replacement cost. Of the \$353K utilized from CDA 2021, \$35K was toward police patrol vehicles, \$40K for a fire department vehicle, \$250K for a sanitation camera truck, \$26K for the remaining cost of a municipal service center fence replacement and \$2K toward the wastewater treatment plant influent screen design.

The Decatur Street waterline project is funded with \$1.0 in grants and \$2.1 million in loans with \$0.5 million of the loan amount being forgivable after 10 years. \$651K was drawn against the grants in May.

The following three projects are major upgrades to the combined sewer collection system. Evitts Creek Phase 3 is in the engineering phase with the majority of the necessary funding in place. Phase 3 project cost is estimated at \$7.5 million and is partially funded with \$5.4 million in grants and \$0.2 million in loan. Phase 3 is on hold pending site access being granted by CSX. Evitts Creek Phase 4 is in the planning phase and funding is being sought from Maryland Department of the Environment (MDE) to begin the engineering phase in FY 23. Phase 4 project cost is estimated at \$4 million. The 78" pipeline project is budgeted to begin construction during FY24 pending Army Corp of Engineers approval and private property easement or acquisition. The total estimated project cost is \$67 million and is partially funded with \$46.3 million in grants and \$6.1 million in loan with \$1.5 million of the loan amount being forgivable.

COVID-19:

Available Funding (as of May 31, 2022)

The City is receiving \$19,595,850 from the American Rescue Plan Act (ARPA). Funding is distributed 50% in calendar year 2021 and the other 50% one (1) year after. On June 1, 2021, the first 50% was received in the amount of \$9,797,925. The U.S. Treasury issued guidance providing 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

Funds available for use:

Purpose	Awarded	Allocation		
		Budgeted	Utilized	Remaining
American Rescue Plan Act (ARPA)	\$19,595,850			
Respond to the health emergency				
Community Programs				
DDC Assistance to Small Businesses		\$ 183,500	\$ 6,227	\$ 177,273
Promoting the Community		\$ 33,563	\$ 23,026	\$ 10,537
Amphitheatre and Pavilion 1&2		\$ 174,350	\$ -	\$ 174,350
Pool Area and Splash Pad		\$ 71,250	\$ -	\$ 71,250
Janes Place for Abused Children		\$ 102,623	\$ -	\$ 102,623
Union Rescue Mission		\$ 750,000	\$ -	\$ 750,000
Community Development Property Improvement		\$ 364,960	\$ -	\$ 364,960
Affordable Housing Assistance		\$ 250,000	\$ -	\$ 250,000
YMCA Bus Replacement		\$ 216,000	\$ -	\$ 216,000
PPE				
General		\$ 52,729	\$ 22,969	\$ 29,760
Facilities and Equipment		\$ 13,271	\$ 13,271	\$ -
Prisoner Processing Improvements		\$ 176,200	\$ -	\$ 176,200
HVAC improvement at City Hall & Public Safety Buildings		\$ 1,300,000	\$ -	\$ 1,300,000
Premium Pay		\$ 833,952	\$ 833,952	\$ -
Revenue Loss		\$10,000,000	\$4,149,913	\$ 5,850,087
Infrastructure Investments				
Water		\$ 5,073,452	\$ -	\$ 5,073,452
Unallocated Interest Earned		\$ -	\$ -	\$ 5,781
Total:	\$19,595,850	\$19,595,850	\$5,049,358	\$14,552,272

Respectfully submitted,

Jeffrey Silka
City Administrator

sln

File Attachments for Item:

. Engineering Division monthly report for August, 2022

**City of Cumberland, Maryland
Engineering Division - Monthly Report**

Capital Projects							August 31, 2022	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2008		05-08-S	Evitts Creek CSO Upgrades Phase III (gravity sewer under railroad)	Replacement of CSO line connecting Evitts Creek Pump Station effluent with gravity line that parallels the Canal Towpath. Said gravity line is being replaced under project 17-03-S(1).	Design	NO CHANGE - WRA received notice from CSX on 7/7/21 stating that they would no longer allow access in yard for any investigative or rehab activities. This decision was reviewed and confirmed by Alex Saar (PE in Jacksonville office) on 10/29/21. City now assessing legal route of obtaining access to site.	MDI	11/24/2021
2008		06-08-S	Interceptor Sewer to Evitts Creek Pump Station Phase IV	This is the sewer along Evitts Creek upstream of the Pump Station. Project is to evaluate existing line and determine if repair or replacement is best option.	Design	NO CHANGE - Received engineering report from Gwin Dobson & Foreman on 1/18/22. Requested MDE Grant funding, using the report as a reference, in February. Awaiting notice of funding appropriations later this year.	MDI	6/9/2022
2014		04-14-WWTP	Sludge Screening Study/Design	Study to select the best alternative to keep rags out of the recently cleaned and modified digester because the modifications will make it impossible to revive rags in the future.	Design	NO CHANGE Need/Benefit of the project is being reevaluated, and for now the project is on hold. Design is complete and the project will remain on this report for the time being.	RLS	4/2/2018
2014		19-14-M	Greene Street Complete Street Plan	Planning Study for Greene Street	Planning	NO CHANGE - The Design Report from Alta Planning + Design was submitted and presented to the Mayor and City Council. The plan to start work on Construction Funding Applications has been delayed because of the Baltimore Street Project, which would have been competing for the same funds. This project still needs to be done and should be a priority in the future.	RLS	6/1/2017
2015		9-15-M	Potomac River Walk	The Study Phase of this project is being done through the Cumberland MPO and consists of a Walk / Trail for pedestrians and bikes along the Potomac River between Wills Creek and the YMCA	Study	NO CHANGE -This project has been turned over to Canal Place. Engineering Services for Design were received. Recommendation from the committee was to award to CEC.	RLS	8/9/2019
2015		18-15-S	CSO Water Quality Analysis	Base line data collection for analysis of future CSO needs after CSO Storage is on line.	Planning	NO CHANGE Project continues. Staff are taking regular scheduled stream samples for e-Coli analysis at this time. Rainy days (once a month) are the target for sampling at this time.	RJK	6/3/2022
2016		12-16-M	Baltimore Street Access Improvement - Final Design	The purpose of the New Baltimore Street Town Center project is to reopen and improve Baltimore Street, which is currently configured as a pedestrian mall, to vehicular traffic while maintaining elements of the mall.	Design	UPDATED - The project has been advertised for bids, a mandatory pre-bid meeting is scheduled for August 31st, and the bid opening is scheduled for September 21st.	JRD	8/25/2022
2016		17-16-M	Stage Renovations at Liberty Street Stage	Replace wood stage with Concrete Stage	Design	NO CHANGE - This project would be unnecessary if the Baltimore Street Access project is executed. The project will remain on this list until the Baltimore Street project moves to construction.	RLS	5/15/2019
2016		18-16-BR	John J. McMullen, Bridge No. A-C-01 Repairs	Bridge Repair	Engineering	UPDATE - State in lieu of Federal Aid approval letter received on 5/23/22. Engineering services bidding was concluded on 6/19/22, with Gwin Dobson and Foreman as the low bidder. Kickoff meeting was held on 8/11/22. GD&F now developing bid documents.	MDI	8/24/2022
2016		19-16-S	78" Parallel Pipeline from Mill Race to CSO	78" Pipeline to CSO tank in accordance with Consent Decree	Design	NO CHANGE - The USACE is requiring the City to perform a Safety Assurance Review of the project. The City is coordinating the SAR requirements with USACE and further info will be provided.	RLS	1/26/2022

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Capital Projects							August 31, 2022	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2017		2-17-FPM	Flood Control Encroachment removal Project	The City as the Local Sponsor of the Flood Control Project is expected to maintain the easements along the Flood Control Project, however the area along Wills Creek and other areas were never given any comments until the Corps of Engineers standards changed. Completion of this project is necessary to allow the City to get a Satisfactory rating on its annual Flood Control Inspections.	Planning	NO CHANGE - This project has been delayed because of other work, but must be done. A tree removal project has been bid out and a contractor selected to do the work of removing trees in the encroachment area.	RLS	7/11/2018
2017		18-17-M	Maryland Avenue Development	This is not an Engineering Project, but included here to cover future department work with the development.	Design	NO CHANGE - Phases 1 & 2 of the Cumberland Gateway project has moved into construction. The Department will support future phases for stormwater management reviews and traffic design support.	RLS	3/26/2021
2017		31-17-W	Decatur Street 24" Crosstown Water Main Replacement	Prior to designing the water main replacement a more detailed Water Model analysis of the City's system will be done to make sure the issues are being properly addressed. Design will follow.	Design	UPDATE - The tie-ins of the new water lines to the existing water lines is underway, sidewalk restorations have begun, and the road restoration phase will begin soon. The project is expected to be completed in September.	JRD	8/25/2022
2018		08-18-BR	Cumberland Street Bridge Replacement	This project will replace the bridge structure.	Design	UPDATE - The project is in the Final Engineering stage with the contract documents expected to be submitted to MDOT in January 2023.	RLS	7/25/2022
2018		09-18-BR	Baltimore Street Bridge Replacement	This project will replace the bridge structure.	Design	UPDATE - The project has been advertised for bids, a mandatory pre-bid meeting was held Aug. 17th, and the bid opening is scheduled for Aug. 31st.	JRD	7/25/2022
2018		22-18-M	Solid Waste and Recycling Collection	Contract documents for the FY20 garbage and recycling collection bid process	Planning	NO CHANGE Proposals received proposals to extend the contract for FY23. Noble Environmental (Mountainview Landfill) submitted an acceptable 1-year extension back in December. Burgmeier's Hauling provided a proposal for hauling curbside trash and recycling for FY23. This proposal was accepted by M&CC in January.	RJK	6/3/2022
2018		26-18-M	Ridgeley Levee System Certification					
2018		31-18-WFP	Pine Ridge Water & PUC Rate Issues	Project involves determining a path forward regarding the supplying of PA residents with water	N/A	NO CHANGE - City staff continues to work through issues with PA regulators about water issues	RLS	1/28/2020
2018		32-18-FPM	Rehabilitation Assistance for Flood Damages to Flood Risk Management Projects	Request USACE to make repairs or provide funding to address flood control issues	Planning	NO CHANGE - The USACE has denied financial support due to the flood control being in an unacceptable condition. The City is looking to enter the SWIF program to receive aid to get financial support for construction.	RLS	10/12/2018
2018		43-18-BR	Fayette Street Bridge Replacement	This project will replace the bridge structure.	Planning	NO CHANGE - Funding for design work has been identified. The City is working on a quit claim deed with CSX to allow the project to move into the Federal Bridge program.	RLS	1/26/2022
2018		44-18-BR	Washington Street Bridge Replacement	This project will replace the bridge structure.	Planning	NO CHANGE - Studies have been returned and subject to CSX negotiations.	RLS	8/5/2019
2019		5-19-M	Virginia Ave Lot Demolition	Remove two structures and retaining walls at 6, 8 and 10 Virginia Ave.	Complete	UPDATE - Project is complete and waiting for site to be stabilized prior to closing E&S permits.	RLS	7/25/2022

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2019		7-19-WFP	Filter Building Pilot Study	Perform a study to evaluate the potential to replace current filter building with a new membrane/GAC building in the future. The City is required to perform a pilot study to validate the technology we are proposing to use.	Study	NO CHANGE - Project is waiting for authorization from the M&CC on how to proceed.	RLS	3/17/2022
2019		14-19-M	WWTP RMP Compliance Services	RMP Compliance for OSHA 29 CFR 1910	Planning	UPDATE 3-yr audit due July 2022	RJK	6/3/2022
2020		2-20-M	Frederick St Parking Garage Repairs	Repairing a spalled section of slab on grade in Frederick St parking garage, as well as looking into sealing all concrete driving surfaces	Planning	NO CHANGE - Researching proper repair systems for spalled concrete in parking garages. Working with Street Dept. to determine if city forces can make repairs.	MDI	1/24/2020
2020		6-20-S	Sanitary Sewer Lining Assessment	Performing a cost assessment on relining (CIPP) all sanitary sewer lines within city.	Planning	NO CHANGE - Based on list of "high risk" lines provided by sewer dept, have developed a preliminary cost estimate. Awaiting updated list from most recent cleaning and cameraing prior to moving forward with project.	MDI	3/30/2020
2020		9-20-M	Constitution Park Fill Disposal	Assessing potential clean fill dump sites for Public Works	Design	NO CHANGE - Public works dept. is nearing completion of fill placement at Site #1 (behind field). Site #2 behind pool house has been cleared and the perimeter has silt fence in place. Fill may be deposited in this site upon final completion of Site #1.	MDI	7/22/2022
2020		12-20-RE	Long Field Upgrades - Phase 1	Improvements to Long Field Concession and Restroom area. Upgrades include electrical improvements.	Construction	UPDATE - Carl Belt has completed about 99% of the work under this contract. Punch list was created and sent to Adam Sterne on 8/16/22. Project will be closed out upon completion of punch list.	MDI	8/24/2022
2020		13-20-WWTP	CSO Nine Minimum Controls Annual Review	A requirement of our LTCP and NPDES Report to look at these controls annually		UPDATE - NMC report spring 2022; to be finalized in June.	RJK	6/6/2022
2020		14-20-M	Carver Building Repairs	Project to repair damage to the Carver Building				
2020		17-20-WWTP	CSO Long-Term Control Plan Projects/Schedule Review	Correspondences with MDE regarding the LTCP Projects and the Consent Decree (CO) end date: October 1, 2023.	N/A	NO CHANGE - All jurisdictions and AquaLaw to met with MDE on the CO extension process on November 5, 2021. MDE requires a letter with the official request and supporting documentation as next step. This Letter was sent November	RJK	6/6/2022
2020		29-20-S	Locust Grove Force Main & LaVale Water Main Replacement	Joint project between Allegany County Public Works & LaVale Sanitary Commission to replace the force main from the new Locust Grove Pump Station and replace water main to LaVale.				
2020		30-20-SWM	Grow West Facility Expansion	SWM Review for proposed expansion of Grow West MD Facility @ the industrial park.	Construction	NO CHANGE - Contractor continues construction of expansion. City monitoring SWM situation at incomplete stage, as rainwater collection tanks have not been installed.	MDI	10/8/2021
2021		2-21-WWTP	Influent Screening System Upgrade	Design and replacement of a new influent screening system at the headworks of the WWTP.	Construction	NO CHANGE - Carl Belt was the low bidder for the construction phase of this project, at \$1.4m. Kickoff meeting was held in late June. Belt has begun material procurement but will not start work on site until Fall.	MDI	7/22/2022

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2021		4-21-W	Route 220 20" Water Main Replacement	Project to replace the 20" water main in Route 220. The water line from I-68 to the State Prison is currently owned by the City. Discussion are being held between the City and County to partner on the project or transfer the asset to the County.	Planning	NO CHANGE - This project is in the planning stages in conjunction with Allegany County.	RLS	4/21/2021
2021		6-21-RE	Constitution Park Wading Pool Filter Renovation	Replace the cracked filter and other improvements to the mechanical building equipment for the wading pool.		NEW -		
2021		7-21-WFP	2021 ECWC Watershed Timber Sale	2021 ECWC Watershed Timber Sale		NO CHANGE - The timber sale bids have been returned and an award issued to American Hardwood Industries.	RLS	7/27/2021
2021		8-21-WWTP	SCADA System Integration	Solicit bids for a qualified Industrial Control System Integrator to complete the Water/Wastewater SCADA System integration.		NO CHANGE - This is a project to secure integrator services to support both the Water Filtration Plant and Water Reclamation Facilities	RLS	4/21/2021
2021		10-21-M	Undocumented Rights-of-Way	Decide how undocumented rights-of-way should be dedicated and what form of dedication is need to prevent the rights-of-ways from accidentally being sold.	Study	UPDATE - Completed the review of a list of City owned surplus property for possible retention due to easement, utility or right-of-way needs. Evaluating using GIS to track City owned property, easements, parcels used for rights-of-way, etc. May need to request a legal opinion on several issues.	JRD	8/25/2022
2021		12-21-WWTP	Industrial Pretreatment USPI CWT Organics Permit Application	An application to discharge industrial wastewater as a Centralized Waste Treatment facility (Categorical Permit request by existing Significant Industrial User USPI)	Planning	UPDATE - Permit issued to USPI, effective date was November 22, 2021. USPI seeking approval for additional CWT wastes in permit.	RJK	6/3/2022
		13-21-W	Fayette Street Water Main Replacement and Street Repair	Replacement of watermain in Fayette Street from Allegany Street to Luteman Road, and the repair/repaving of the street as needed.	Construction	UPDATE - Project required development of an ESC Site Plan and SOW. These were created and approved by ACSD and MDE on 10/14/21. Construction (using City forces) began on 10/18/21. Water line installation is complete. Street to be paved by Belt Paving after they complete Decatur Heights paving.	MDI	8/24/2022
2021		14-21-RE	Constitution Park Splash Pad	The installation of a splash pad and surrounding recreational area in Constitution Park.	Planning	UPDATE - Project is to be funded from ARPA and CDBG. Held meeting to determine splash pad vendor on 8/23/22. Committee selected WaterSplash as preferred vendor. Contract will be completed through Belt as GC and WaterSplash as sub. Demo work (through Belt) to begin in Fall. Construction should be completed prior to 2023 pool season.	MDI	8/24/2022
2021		15-21-W	WATER DISTRIBUTION ANALYSIS and CIP UPDATE 2021	Water system engineering analysis, updated CIP recommendations, particularly concerning the Fort Hill Reservoir, and Asset Management Info for pump stations, PRV Stations and water tanks.	Planning	NEW - The EADS Group, Inc. was awarded the bid on 11/16/21. Kickoff meeting was held on 12/1/21.	DTG	1/18/2022

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2021		16-21-M	Downtown ADA Improvements	This project includes the replacement of the curb ramps for compliance with the latest ADA requirements at the following locations: Baltimore/Mechanic intersection on the southwest and northwest corners, Liberty/Dexter intersection at the southeast and southwest corners, Centre/Dexter intersection at the southeast and southwest corners, and Centre/Fredrick intersection on the northeastern side.	Planning	NO CHANGE - A preliminary estimate to determine the amount of funding needed, will be prepared this summer.	JRD	6/6/2022
2021		19-21-M	South Street ADA Improvements	This project includes the replacement of curb ramps for compliance with the latest ADA requirements along South Street between Oldtown Road and Industrial Boulevard.	Construction Bidding	UPDATE - This project received approval for bidding from HUD. Project was put out to bid on 8/24. A pre-bid meeting is scheduled on 9/7 with the bid opening on 9/21.	JAT	8/24/2022
2021		20-21-M	Engineering Database Migration	This project will implement the migration of data from the Engineering Department's drawing database and project database to the Laserfiche document management system including the transfer of the scanned images of the Department's drawings from the file server into Laserfiche and the collection of additional metadata for each image.	Planning	UPDATE - Currently, Engineering is working with MCCi (the City's Laserfiche consultant) to create a database for Engineering projects that will use Laserfiche forms to assign new project numbers, and will also automatically create a folder for each project in Laserfiche. Engineering plans to meet with MCCi at the beginning of September to review the prototype they've developed so we can begin testing the new database in preparation for permanent implementation.	JAT	8/24/2022
2021		21-21-WFP	Water Allocation Permit Renewal PA DEP	The Water Allocation Permit is required to be renewed every 25 years. The City will use Gwin, Dobson and Foreman to work through the permit and establish how much flow we can pull from the reservoirs.	Permitting	UPDATE - Application submitted in March.	RJK	6/3/2022
2021		22-21-P	General City Paving	This project paved Merchants Alley Parking Lot (Mill/Patch/Overlay) and Kelly Road along the southern face of the Grow West Facility (Full Depth reconstruct)	Construction	COMPLETE	JRD	6/6/2022
2021		26-21-FPM	Removal of Potomac Industrial Dam at Blue Bridge	Project to remove the industrial dam in the Potomac River under the Blue Bridge to Ridgeley. Water & Land Solutions will be setting up a private commercial mitigation bank to fund construction. This project is related City Project 9-15-M	Planning	NEW -		
2021		27-21-T	Maryland Ave & Williams St Traffic Study	Study to investigate the potential realignment of Maryland Avenue at its intersection with Williams Street for future development in the Rolling Mill area. BBA performed the study using CAMPO funding.	Study	UPDATE - The study is nearly complete. The consultant needs to submit their final memo from Phase 2 of the study. The findings will be presented to City Staff for direction on how to proceed.	RLS	7/25/2022
2021		28-21-M	Municipal Service Center Pole Building	Project to construct a Pole Building at the MSC to store equipment.	Design	UPDATE - Design and specs completed. Project was advertised for bid starting 1/14/22.	DTG	1/18/2022

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2021		30-21-M	Sustainable Communities Program Renewal	Sustainable Communities Program Renewal documentation. The program allows the City to access grant sources and is required to be updated every 5 years.	Planning	COMPLETE - Plan updates sent to Community Development by Dec 7th.	RJK	3/9/2022
2021		31-21-RE	Constitution Park Amphitheater Upgrades	Project to upgrade the Constitution Park Amphitheater.	Planning	UPDATE - Project is a part of the 5-year park improvement plan. Funding (\$174,350) approved through ARPA. City staff to perform electrical upgrades, while site work to be completed by Carl Belt through SourceWell. Adam Sterne currently working on pricing. Site work to be completed by 5/1/23.	MDI	8/24/2022
NOTE: Beginning in 2022, the Engineering Department will be migrating to a new project number format. The new number format places the 4-digit year first, a 2-digit yearly sequence second, and a 3 or 4-character project type code third.								
2022	2022-01-UTIL	1-22-M	MDE Pre Applications FFY22 FY24	Annual Pre Application Jan 2022	Permitting	COMPLETE - Applications submitted by January 31.	RJK	2/17/2022
2022	2022-02-WTR	2-22-W	South Cumberland Water Main Replacement Project	This project includes the replacement of undersized water mains in Humbird, Walsh, and Cumberland Park areas of Cumberland; plus the replacement a a 12" portion of the water main along the southern side of Industrial Blvd. (Route MD-51).	Planning	UPDATE - BBA was awarded the project and is finalizing the preliminary report. Will move into the final design stage in September.	RLS	7/25/2022
2022	2022-05-WRF	5-22-WRF	WRF Head of Plant and Operations Building Roof Replacements	Roof replacement	Complete	UPDATE - This project is complete and will be removed from next months report.	RLS	7/25/2022
2022	2022-09-SHLD	09-22-M	Cumberland Street ADA Improvements	ADA improvements at the intersection of Johnson, Cumberland, and Market Streets	Design	NO CHANGE - This project is currently in preliminary design. The scope of work includes work that was not able to be completed under projects 24-18-M and 14-11-M.	JAT	7/19/2022
2022	2022-10-SWM	10-22-SWM	Messick Road Development	SWM Review and Utility Easement Review	Review	NEW -		
2022	2022-11-PBLD	11-22-PBLD	City Hall/Public Safety Building HVAC Improvements	American Rescue Plan Act (ARPA) Funded Project to improve the HVAC systems of these buildings to improve air quality capabilities and system energy efficiency.	Design	UPDATE - A study will be performed by East Hills Engineering Associates to assess what the City's best options are improvements. The study will be returned in September.	RLS	7/25/2022
2022	2022-12-PBLD	12-22-PBLD	Prisoner Processing Improvements	American Rescue Plan Act (ARPA) funded project to remodel the prisoner processing areas of the Cumberland Police Department in the Public Safety Building	Design	UPDATE - The Engineering Department is working with Sourcewell to scope out the project. Expecting to have a full proposal for construction in September.	RLS	7/25/2022
	2022-13-PBLD	13-22-PBLD	19 Frederick Street Building Assessment	Feasibility study and building assessment for the building located at 19 Frederick Street	Study	UPDATE - This project has been awarded to the EADS group and the final report is scheduled to be delivered to the City in late September.	RLS	7/25/2022
2022	2022-14-MISC	14-22-M	Residential Grass Mowing	Contract for mowing the residential properties within the City Limits which include blighted properties and recent demos.	Construction	NO CHANGE - Contract underway.	DTG	8/31/2022
2022	2022-15-MISC	15-22-M	Non Residential Grass Mowing	Contract for mowing the Commercial and Public Owned Properties within the City Limits. To include water tanks, City Hall, Public Safety and several others.	Construction	NO CHANGE - Contract underway.	DTG	8/31/2022
2022	2022-16-SHLD		Waverly Terrace Retaining Wall Replacement	Project to include replacement of retaining wall below road between 16 and 24 Waverly Terrace. Will include installation of storm sewer.	Planning	NO CHANGE - Currently developing preliminary cost estimate to install an inlet along Waverly to catch stormwater runoff and direct to nearby sewerline, as well as multiple repairs to retaining wall.	MDI	7/22/2022

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2022	2022-17-UTIL		Fuel Bid Bid (Heating Oil)	Heating Oil bid for WRF and WFP		NEW -		
2022	2022-18-PVG		General City Paving FY22	This project includes mill and overlay of Winston St and the Virginia Ave subway - Belt Paving	Construction	UPDATE - Belt Paving paved Winston Street between Queen City Drive and MD-51 (in front of Wendy's), as well as Virginia Avenue from MD-51 to Bowen St, as part of the MD-51 paving operations. The next contract will be for the Decatur Heights area, specifically Footer Pl, Davidson St, Charles St, Fulton St, and Glenn St. This work will begin on 8/29/22.	MDI	8/24/2022
2022	2022-19-RECR		Constitution Park Guard House	Assisting Community Development with development of bid packet for upgrades to the Guard House. CDBG project.	Design	UPDATE - Project to include various improvements to the Guard House at Constitution Park, including electrical, new porch, and new siding. Project was advertised for bid on 8/15/22. Bids are due on 9/7/22.	MDI	8/24/2022
2022	2022-20-WFP		Energy Audit WVU IAC	Energy Assessment by WVU Department of Industrial and Management Systems Engineering		NEW -		
2022	2022-21-WRF		Energy Audit WVU IAC	Energy Assessment by WVU Department of Industrial and Management Systems Engineering		NEW -		
2022	2022-22-PBLD		City Hall and Public Safety Building Elevator Upgrades	Project includes upgrades to elevators in City Hall and the Public Safety Building		NEW -		
2022	2022-23-SWM		Queen City Armory SWM Review	SWM Redevelopment Review for two new structures on S. Wineow St. for Queen City Armory	Review	NEW - Project still in development. Working with EADS and owner to determine a cost effective solution that still complies with City and State SWM guidelines	MDI	8/24/2022
2022	2022-24-BR		Fayette Street Over CSX Rail Bridge Replacement A-C-08	Design and construction of the Fayette Street Bridge (A-C-08)		NEW -		
2022	2022-25-SWM		Pulaski Street Gas Line SWM Review	SWM Waiver Request Review for Columbia Gas Pulaski Street Gas Line project	Review	NEW - Project to receive SWM waiver from City, due to it being considered "maintenance" utility work. Columbia Gas to begin construction in October. There will be no additional updates to this project.	MDI	8/24/2022
2022	2022-26-SHLD		Massachusetts Ave and New Hampshire Ave ADA Improvements	CDBG funded project to install ADA improvements on Massachusetts Ave and New Hampshire Ave between Oldtown Road and Kentucky Ave	Design	NEW - This project is currently in preliminary design. The scope of work includes sidewalk improvements and handicapped ramps on Massachusetts and New Hampshire Avenues to help improve school routes adjacent to Washington Middle School.	JAT	8/24/2022

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2008		05-08-S	Evitts Creek CSO Upgrades Phase III (gravity sewer under railroad)	Replacement of CSO line connecting Evitts Creek Pump Station effluent with gravity line that parallels the Canal Towpath. Said gravity line is being replaced under project 17-03-S(1).	Design	NO CHANGE - WRA received notice from CSX on 7/7/21 stating that they would no longer allow access in yard for any investigative or rehab activities. This decision was reviewed and confirmed by Alex Saar (PE in Jacksonville office) on 10/29/21. City now assessing legal route of obtaining access to site.	MDI	11/24/2021
2008		06-08-S	Interceptor Sewer to Evitts Creek Pump Station Phase IV	This is the sewer along Evitts Creek upstream of the Pump Station. Project is to evaluate existing line and determine if repair or replacement is best option.	Design	NO CHANGE - Received engineering report from Gwin Dobson & Foreman on 1/18/22. Requested MDE Grant funding, using the report as a reference, in February. Awaiting notice of funding appropriations later this year.	MDI	6/9/2022
2014		04-14-WWTP	Sludge Screening Study/Design	Study to select the best alternative to keep rags out of the recently cleaned and modified digester because the modifications will make it impossible to revive rags in the future.	Design	NO CHANGE Need/Benefit of the project is being reevaluated, and for now the project is on hold. Design is complete and the project will remain on this report for the time being.	RLS	4/2/2018
2014		19-14-M	Greene Street Complete Street Plan	Planning Study for Greene Street	Planning	NO CHANGE - The Design Report from Alta Planning + Design was submitted and presented to the Mayor and City Council. The plan to start work on Construction Funding Applications has been delayed because of the Baltimore Street Project, which would have been competing for the same funds. This project still needs to be done and should be a priority in the future.	RLS	6/1/2017
2015		9-15-M	Potomac River Walk	The Study Phase of this project is being done through the Cumberland MPO and consists of a Walk / Trail for pedestrians and bikes along the Potomac River between Wills Creek and the YMCA	Study	NO CHANGE -This project has been turned over to Canal Place. Engineering Services for Design were received. Recommendation from the committee was to award to CEC.	RLS	8/9/2019
2015		18-15-S	CSO Water Quality Analysis	Base line data collection for analysis of future CSO needs after CSO Storage is on line.	Planning	NO CHANGE Project continues. Staff are taking regular scheduled stream samples for e-Coli analysis at this time. Rainy days (once a month) are the target for sampling at this time.	RJK	6/3/2022
2016		12-16-M	Baltimore Street Access Improvement - Final Design	The purpose of the New Baltimore Street Town Center project is to reopen and improve Baltimore Street, which is currently configured as a pedestrian mall, to vehicular traffic while maintaining elements of the mall.	Design	UPDATED - The project has been advertised for bids, a mandatory pre-bid meeting is scheduled for August 31st, and the bid opening is scheduled for September 21st.	JRD	8/25/2022
2016		17-16-M	Stage Renovations at Liberty Street Stage	Replace wood stage with Concrete Stage	Design	NO CHANGE - This project would be unnecessary if the Baltimore Street Access project is executed. The project will remain on this list until the Baltimore Street project moves to construction.	RLS	5/15/2019
2016		18-16-BR	John J. McMullen, Bridge No. A-C-01 Repairs	Bridge Repair	Engineering	UPDATE - State in lieu of Federal Aid approval letter received on 5/23/22. Engineering services bidding was concluded on 6/19/22, with Gwin Dobson and Foreman as the low bidder. Kickoff meeting was held on 8/11/22. GD&F now developing bid documents.	MDI	8/24/2022
2016		19-16-S	78" Parallel Pipeline from Mill Race to CSO	78" Pipeline to CSO tank in accordance with Consent Decree	Design	NO CHANGE - The USACE is requiring the City to perform a Safety Assurance Review of the project. The City is coordinating the SAR requirements with USACE and further info will be provided.	RLS	1/26/2022

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Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2017		2-17-FPM	Flood Control Encroachment removal Project	The City as the Local Sponsor of the Flood Control Project is expected to maintain the easements along the Flood Control Project, however the area along Wills Creek and other areas were never given any comments until the Corps of Engineers standards changed. Completion of this project is necessary to allow the City to get a Satisfactory rating on its annual Flood Control Inspections.	Planning	NO CHANGE - This project has been delayed because of other work, but must be done. A tree removal project has been bid out and a contractor selected to do the work of removing trees in the encroachment area.	RLS	7/11/2018
2017		18-17-M	Maryland Avenue Development	This is not an Engineering Project, but included here to cover future department work with the development.	Design	NO CHANGE - Phases 1 & 2 of the Cumberland Gateway project has moved into construction. The Department will support future phases for stormwater management reviews and traffic design support.	RLS	3/26/2021
2017		31-17-W	Decatur Street 24" Crosstown Water Main Replacement	Prior to designing the water main replacement a more detailed Water Model analysis of the City's system will be done to make sure the issues are being properly addressed. Design will follow.	Design	UPDATE - The tie-ins of the new water lines to the existing water lines is underway, sidewalk restorations have begun, and the road restoration phase will begin soon. The project is expected to be completed in September.	JRD	8/25/2022
2018		08-18-BR	Cumberland Street Bridge Replacement	This project will replace the bridge structure.	Design	UPDATE - The project is in the Final Engineering stage with the contract documents expected to be submitted to MDOT in January 2023.	RLS	7/25/2022
2018		09-18-BR	Baltimore Street Bridge Replacement	This project will replace the bridge structure.	Design	UPDATE - The project has been advertised for bids, a mandatory pre-bid meeting was held Aug. 17th, and the bid opening is scheduled for Aug. 31st.	JRD	7/25/2022
2018		22-18-M	Solid Waste and Recycling Collection	Contract documents for the FY20 garbage and recycling collection bid process	Planning	NO CHANGE Proposals received proposals to extend the contract for FY23. Noble Environmental (Mountainview Landfill) submitted an acceptable 1-year extension back in December. Burgmeier's Hauling provided a proposal for hauling curbside trash and recycling for FY23. This proposal was accepted by M&CC in January.	RJK	6/3/2022
2018		26-18-M	Ridgeley Levee System Certification					
2018		31-18-WFP	Pine Ridge Water & PUC Rate Issues	Project involves determining a path forward regarding the supplying of PA residents with water	N/A	NO CHANGE - City staff continues to work through issues with PA regulators about water issues	RLS	1/28/2020
2018		32-18-FPM	Rehabilitation Assistance for Flood Damages to Flood Risk Management Projects	Request USACE to make repairs or provide funding to address flood control issues	Planning	NO CHANGE - The USACE has denied financial support due to the flood control being in an unacceptable condition. The City is looking to enter the SWIF program to receive aid to get financial support for construction.	RLS	10/12/2018
2018		43-18-BR	Fayette Street Bridge Replacement	This project will replace the bridge structure.	Planning	NO CHANGE - Funding for design work has been identified. The City is working on a quit claim deed with CSX to allow the project to move into the Federal Bridge program.	RLS	1/26/2022
2018		44-18-BR	Washington Street Bridge Replacement	This project will replace the bridge structure.	Planning	NO CHANGE - Studies have been returned and subject to CSX negotiations.	RLS	8/5/2019
2019		5-19-M	Virginia Ave Lot Demolition	Remove two structures and retaining walls at 6, 8 and 10 Virginia Ave.	Complete	UPDATE - Project is complete and waiting for site to be stabilized prior to closing E&S permits.	RLS	7/25/2022

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Capital Projects							August 31, 2022	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2019		7-19-WFP	Filter Building Pilot Study	Perform a study to evaluate the potential to replace current filter building with a new membrane/GAC building in the future. The City is required to perform a pilot study to validate the technology we are proposing to use.	Study	NO CHANGE - Project is waiting for authorization from the M&CC on how to proceed.	RLS	3/17/2022
2019		14-19-M	WWTP RMP Compliance Services	RMP Compliance for OSHA 29 CFR 1910	Planning	UPDATE 3-yr audit due July 2022	RJK	6/3/2022
2020		2-20-M	Frederick St Parking Garage Repairs	Repairing a spalled section of slab on grade in Frederick St parking garage, as well as looking into sealing all concrete driving surfaces	Planning	NO CHANGE - Researching proper repair systems for spalled concrete in parking garages. Working with Street Dept. to determine if city forces can make repairs.	MDI	1/24/2020
2020		6-20-S	Sanitary Sewer Lining Assessment	Performing a cost assessment on relining (CIPP) all sanitary sewer lines within city.	Planning	NO CHANGE - Based on list of "high risk" lines provided by sewer dept, have developed a preliminary cost estimate. Awaiting updated list from most recent cleaning and cameraing prior to moving forward with project.	MDI	3/30/2020
2020		9-20-M	Constitution Park Fill Disposal	Assessing potential clean fill dump sites for Public Works	Design	NO CHANGE - Public works dept. is nearing completion of fill placement at Site #1 (behind field). Site #2 behind pool house has been cleared and the perimeter has silt fence in place. Fill may be deposited in this site upon final completion of Site #1.	MDI	7/22/2022
2020		12-20-RE	Long Field Upgrades - Phase 1	Improvements to Long Field Concession and Restroom area. Upgrades include electrical improvements.	Construction	UPDATE - Carl Belt has completed about 99% of the work under this contract. Punch list was created and sent to Adam Sterne on 8/16/22. Project will be closed out upon completion of punch list.	MDI	8/24/2022
2020		13-20-WWTP	CSO Nine Minimum Controls Annual Review	A requirement of our LTCP and NPDES Report to look at these controls annually		UPDATE - NMC report spring 2022; to be finalized in June.	RJK	6/6/2022
2020		14-20-M	Carver Building Repairs	Project to repair damage to the Carver Building				
2020		17-20-WWTP	CSO Long-Term Control Plan Projects/Schedule Review	Correspondences with MDE regarding the LTCP Projects and the Consent Decree (CO) end date: October 1, 2023.	N/A	NO CHANGE - All jurisdictions and AquaLaw to met with MDE on the CO extension process on November 5, 2021. MDE requires a letter with the official request and supporting documentation as next step. This Letter was sent November	RJK	6/6/2022
2020		29-20-S	Locust Grove Force Main & LaVale Water Main Replacement	Joint project between Allegany County Public Works & LaVale Sanitary Commission to replace the force main from the new Locust Grove Pump Station and replace water main to LaVale.				
2020		30-20-SWM	Grow West Facility Expansion	SWM Review for proposed expansion of Grow West MD Facility @ the industrial park.	Construction	NO CHANGE - Contractor continues construction of expansion. City monitoring SWM situation at incomplete stage, as rainwater collection tanks have not been installed.	MDI	10/8/2021
2021		2-21-WWTP	Influent Screening System Upgrade	Design and replacement of a new influent screening system at the headworks of the WWTP.	Construction	NO CHANGE - Carl Belt was the low bidder for the construction phase of this project, at \$1.4m. Kickoff meeting was held in late June. Belt has begun material procurement but will not start work on site until Fall.	MDI	7/22/2022

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Capital Projects							August 31, 2022	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2021		4-21-W	Route 220 20" Water Main Replacement	Project to replace the 20" water main in Route 220. The water line from I-68 to the State Prison is currently owned by the City. Discussion are being held between the City and County to partner on the project or transfer the asset to the County.	Planning	NO CHANGE - This project is in the planning stages in conjunction with Allegany County.	RLS	4/21/2021
2021		6-21-RE	Constitution Park Wading Pool Filter Renovation	Replace the cracked filter and other improvements to the mechanical building equipment for the wading pool.		NEW -		
2021		7-21-WFP	2021 ECWC Watershed Timber Sale	2021 ECWC Watershed Timber Sale		NO CHANGE - The timber sale bids have been returned and an award issued to American Hardwood Industries.	RLS	7/27/2021
2021		8-21-WWTP	SCADA System Integration	Solicit bids for a qualified Industrial Control System Integrator to complete the Water/Wastewater SCADA System integration.		NO CHANGE - This is a project to secure integrator services to support both the Water Filtration Plant and Water Reclamation Facilities	RLS	4/21/2021
2021		10-21-M	Undocumented Rights-of-Way	Decide how undocumented rights-of-way should be dedicated and what form of dedication is need to prevent the rights-of-ways from accidentally being sold.	Study	UPDATE - Completed the review of a list of City owned surplus property for possible retention due to easement, utility or right-of-way needs. Evaluating using GIS to track City owned property, easements, parcels used for rights-of-way, etc. May need to request a legal opinion on several issues.	JRD	8/25/2022
2021		12-21-WWTP	Industrial Pretreatment USPI CWT Organics Permit Application	An application to discharge industrial wastewater as a Centralized Waste Treatment facility (Categorical Permit request by existing Significant Industrial User USPI)	Planning	UPDATE - Permit issued to USPI, effective date was November 22, 2021. USPI seeking approval for additional CWT wastes in permit.	RJK	6/3/2022
		13-21-W	Fayette Street Water Main Replacement and Street Repair	Replacement of watermain in Fayette Street from Allegany Street to Luteman Road, and the repair/repaving of the street as needed.	Construction	UPDATE - Project required development of an ESC Site Plan and SOW. These were created and approved by ACSD and MDE on 10/14/21. Construction (using City forces) began on 10/18/21. Water line installation is complete. Street to be paved by Belt Paving after they complete Decatur Heights paving.	MDI	8/24/2022
2021		14-21-RE	Constitution Park Splash Pad	The installation of a splash pad and surrounding recreational area in Constitution Park.	Planning	UPDATE - Project is to be funded from ARPA and CDBG. Held meeting to determine splash pad vendor on 8/23/22. Committee selected WaterSplash as preferred vendor. Contract will be completed through Belt as GC and WaterSplash as sub. Demo work (through Belt) to begin in Fall. Construction should be completed prior to 2023 pool season.	MDI	8/24/2022
2021		15-21-W	WATER DISTRIBUTION ANALYSIS and CIP UPDATE 2021	Water system engineering analysis, updated CIP recommendations, particularly concerning the Fort Hill Reservoir, and Asset Management Info for pump stations, PRV Stations and water tanks.	Planning	NEW - The EADS Group, Inc. was awarded the bid on 11/16/21. Kickoff meeting was held on 12/1/21.	DTG	1/18/2022

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Capital Projects							August 31, 2022	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2021		16-21-M	Downtown ADA Improvements	This project includes the replacement of the curb ramps for compliance with the latest ADA requirements at the following locations: Baltimore/Mechanic intersection on the southwest and northwest corners, Liberty/Dexter intersection at the southeast and southwest corners, Centre/Dexter intersection at the southeast and southwest corners, and Centre/Fredrick intersection on the northeastern side.	Planning	NO CHANGE - A preliminary estimate to determine the amount of funding needed, will be prepared this summer.	JRD	6/6/2022
2021		19-21-M	South Street ADA Improvements	This project includes the replacement of curb ramps for compliance with the latest ADA requirements along South Street between Oldtown Road and Industrial Boulevard.	Construction Bidding	UPDATE - This project received approval for bidding from HUD. Project was put out to bid on 8/24. A pre-bid meeting is scheduled on 9/7 with the bid opening on 9/21.	JAT	8/24/2022
2021		20-21-M	Engineering Database Migration	This project will implement the migration of data from the Engineering Department's drawing database and project database to the Laserfiche document management system including the transfer of the scanned images of the Department's drawings from the file server into Laserfiche and the collection of additional metadata for each image.	Planning	UPDATE - Currently, Engineering is working with MCCi (the City's Laserfiche consultant) to create a database for Engineering projects that will use Laserfiche forms to assign new project numbers, and will also automatically create a folder for each project in Laserfiche. Engineering plans to meet with MCCi at the beginning of September to review the prototype they've developed so we can begin testing the new database in preparation for permanent implementation.	JAT	8/24/2022
2021		21-21-WFP	Water Allocation Permit Renewal PA DEP	The Water Allocation Permit is required to be renewed every 25 years. The City will use Gwin, Dobson and Foreman to work through the permit and establish how much flow we can pull from the reservoirs.	Permitting	UPDATE - Application submitted in March.	RJK	6/3/2022
2021		22-21-P	General City Paving	This project paved Merchants Alley Parking Lot (Mill/Patch/Overlay) and Kelly Road along the southern face of the Grow West Facility (Full Depth reconstruct)	Construction	COMPLETE	JRD	6/6/2022
2021		26-21-FPM	Removal of Potomac Industrial Dam at Blue Bridge	Project to remove the industrial dam in the Potomac River under the Blue Bridge to Ridgeley. Water & Land Solutions will be setting up a private commercial mitigation bank to fund construction. This project is related City Project 9-15-M	Planning	NEW -		
2021		27-21-T	Maryland Ave & Williams St Traffic Study	Study to investigate the potential realignment of Maryland Avenue at its intersection with Williams Street for future development in the Rolling Mill area. BBA performed the study using CAMPO funding.	Study	UPDATE - The study is nearly complete. The consultant needs to submit their final memo from Phase 2 of the study. The findings will be presented to City Staff for direction on how to proceed.	RLS	7/25/2022
2021		28-21-M	Municipal Service Center Pole Building	Project to construct a Pole Building at the MSC to store equipment.	Design	UPDATE - Design and specs completed. Project was advertised for bid starting 1/14/22.	DTG	1/18/2022

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Capital Projects							August 31, 2022	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2021		30-21-M	Sustainable Communities Program Renewal	Sustainable Communities Program Renewal documentation. The program allows the City to access grant sources and is required to be updated every 5 years.	Planning	COMPLETE - Plan updates sent to Community Development by Dec 7th.	RJK	3/9/2022
2021		31-21-RE	Constitution Park Amphitheater Upgrades	Project to upgrade the Constitution Park Amphitheater.	Planning	UPDATE - Project is a part of the 5-year park improvement plan. Funding (\$174,350) approved through ARPA. City staff to perform electrical upgrades, while site work to be completed by Carl Belt through SourceWell. Adam Sterne currently working on pricing. Site work to be completed by 5/1/23.	MDI	8/24/2022
NOTE: Beginning in 2022, the Engineering Department will be migrating to a new project number format. The new number format places the 4-digit year first, a 2-digit yearly sequence second, and a 3 or 4-character project type code third.								
2022	2022-01-UTIL	1-22-M	MDE Pre Applications FFY22 FY24	Annual Pre Application Jan 2022	Permitting	COMPLETE - Applications submitted by January 31.	RJK	2/17/2022
2022	2022-02-WTR	2-22-W	South Cumberland Water Main Replacement Project	This project includes the replacement of undersized water mains in Humbird, Walsh, and Cumberland Park areas of Cumberland; plus the replacement a a 12" portion of the water main along the southern side of Industrial Blvd. (Route MD-51).	Planning	UPDATE - BBA was awarded the project and is finalizing the preliminary report. Will move into the final design stage in September.	RLS	7/25/2022
2022	2022-05-WRF	5-22-WRF	WRF Head of Plant and Operations Building Roof Replacements	Roof replacement	Complete	UPDATE - This project is complete and will be removed from next months report.	RLS	7/25/2022
2022	2022-09-SHLD	09-22-M	Cumberland Street ADA Improvements	ADA improvements at the intersection of Johnson, Cumberland, and Market Streets	Design	NO CHANGE - This project is currently in preliminary design. The scope of work includes work that was not able to be completed under projects 24-18-M and 14-11-M.	JAT	7/19/2022
2022	2022-10-SWM	10-22-SWM	Messick Road Development	SWM Review and Utility Easement Review	Review	NEW -		
2022	2022-11-PBLD	11-22-PBLD	City Hall/Public Safety Building HVAC Improvements	American Rescue Plan Act (ARPA) Funded Project to improve the HVAC systems of these buildings to improve air quality capabilities and system energy efficiency.	Design	UPDATE - A study will be performed by East Hills Engineering Associates to assess what the City's best options are improvements. The study will be returned in September.	RLS	7/25/2022
2022	2022-12-PBLD	12-22-PBLD	Prisoner Processing Improvements	American Rescue Plan Act (ARPA) funded project to remodel the prisoner processing areas of the Cumberland Police Department in the Public Safety Building	Design	UPDATE - The Engineering Department is working with Sourcewell to scope out the project. Expecting to have a full proposal for construction in September.	RLS	7/25/2022
	2022-13-PBLD	13-22-PBLD	19 Frederick Street Building Assessment	Feasibility study and building assessment for the building located at 19 Frederick Street	Study	UPDATE - This project has been awarded to the EADS group and the final report is scheduled to be delivered to the City in late September.	RLS	7/25/2022
2022	2022-14-MISC	14-22-M	Residential Grass Mowing	Contract for mowing the residential properties within the City Limits which include blighted properties and recent demos.	Construction	NO CHANGE - Contract underway.	DTG	8/31/2022
2022	2022-15-MISC	15-22-M	Non Residential Grass Mowing	Contract for mowing the Commercial and Public Owned Properties within the City Limits. To include water tanks, City Hall, Public Safety and several others.	Construction	NO CHANGE - Contract underway.	DTG	8/31/2022
2022	2022-16-SHLD		Waverly Terrace Retaining Wall Replacement	Project to include replacement of retaining wall below road between 16 and 24 Waverly Terrace. Will include installation of storm sewer.	Planning	NO CHANGE - Currently developing preliminary cost estimate to install an inlet along Waverly to catch stormwater runoff and direct to nearby sewerline, as well as multiple repairs to retaining wall.	MDI	7/22/2022

**City of Cumberland, Maryland
Engineering Division - Monthly Report**

Capital Projects							August 31, 2022	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2022	2022-17-UTIL		Fuel Bid Bid (Heating Oil)	Heating Oil bid for WRF and WFP		NEW -		
2022	2022-18-PVG		General City Paving FY22	This project includes mill and overlay of Winston St and the Virginia Ave subway - Belt Paving	Construction	UPDATE - Belt Paving paved Winston Street between Queen City Drive and MD-51 (in front of Wendy's), as well as Virginia Avenue from MD-51 to Bowen St, as part of the MD-51 paving operations. The next contract will be for the Decatur Heights area, specifically Footer Pl, Davidson St, Charles St, Fulton St, and Glenn St. This work will begin on 8/29/22.	MDI	8/24/2022
2022	2022-19-RECR		Constitution Park Guard House	Assisting Community Development with development of bid packet for upgrades to the Guard House. CDBG project.	Design	UPDATE - Project to include various improvements to the Guard House at Constitution Park, including electrical, new porch, and new siding. Project was advertised for bid on 8/15/22. Bids are due on 9/7/22.	MDI	8/24/2022
2022	2022-20-WFP		Energy Audit WVU IAC	Energy Assessment by WVU Department of Industrial and Management Systems Engineering		NEW -		
2022	2022-21-WRF		Energy Audit WVU IAC	Energy Assessment by WVU Department of Industrial and Management Systems Engineering		NEW -		
2022	2022-22-PBLD		City Hall and Public Safety Building Elevator Upgrades	Project includes upgrades to elevators in City Hall and the Public Safety Building		NEW -		
2022	2022-23-SWM		Queen City Armory SWM Review	SWM Redevelopment Review for two new structures on S. Wineow St. for Queen City Armory	Review	NEW - Project still in development. Working with EADS and owner to determine a cost effective solution that still complies with City and State SWM guidelines	MDI	8/24/2022
2022	2022-24-BR		Fayette Street Over CSX Rail Bridge Replacement A-C-08	Design and construction of the Fayette Street Bridge (A-C-08)		NEW -		
2022	2022-25-SWM		Pulaski Street Gas Line SWM Review	SWM Waiver Request Review for Columbia Gas Pulaski Street Gas Line project	Review	NEW - Project to receive SWM waiver from City, due to it being considered "maintenance" utility work. Columbia Gas to begin construction in October. There will be no additional updates to this project.	MDI	8/24/2022
2022	2022-26-SHLD		Massachusetts Ave and New Hampshire Ave ADA Improvements	CDBG funded project to install ADA improvements on Massachusetts Ave and New Hampshire Ave between Oldtown Road and Kentucky Ave	Design	NEW - This project is currently in preliminary design. The scope of work includes sidewalk improvements and handicapped ramps on Massachusetts and New Hampshire Avenues to help improve school routes adjacent to Washington Middle School.	JAT	8/24/2022

City of Cumberland, Maryland
Engineering Division - Monthly Report

Program Projects Update							#VALUE!	
Order	Department	Program/Project Name	Description	Phase	Comments	Updated By	Date of Update	
	PUBLIC WORKS	Curbside Recycling	Curbside recycling program started in the City of Cumberland July 1, 2014	Ongoing	NO CHANGE Outreach to residents; monthly articles in the Times-News and Facebook.	RJK	3-Jun-22	
	PUBLIC WORKS	Solid Waste Management Board	County Board for planning and discussion of County-wide recycling and solid waste issues	Ongoing	<p>NO CHANGE Merger of Waste Management with Advanced Disposal was announced on Friday October 30, 2020. GFL owned Mountainview Landfill as part of the merger divestiture. Now Noble Environmental owns now <i>Mountainview Landfill</i>.</p> <p><i>Mountainview Landfill is open at least 1 more contract year (Noble provided a contract extension request for FY23 - Approved at the Dec 7 Council Meeting).</i></p> <p><i>Contract extension price proposal from Burgmeier's Hauling was received prior to Dec 31, 2021. Proposal accepted at Council in January.</i></p> <p><i>FY24 1-year contract extension years to resume Fall 2022.</i></p>	RJK	3-Jun-22	
	WWTP	Cumberland Pretreatment Program	City Ordinance No. 3251 regulates industrial and significant dischargers to Cumberland's sewer and POTW. There are 4 Significant Industrial Users (SIUs) permitted under this Ordinance. Program may also regulate non-significant users that pose a threat or cause problems to the system or POTW.	Regulatory	UPDATE USPI CWT closed soy processing plant, liquidated equipment. No completely CWT wastes. USPI proposing name change and to add new wastestreams. Permit requires modification reviews for any new permit parameters.	RJK	3-Jun-22	

City of Cumberland, Maryland
Engineering Division - Monthly Report

Program Projects Update						#VALUE!	
Order	Department	Program/Project Name	Description	Phase	Comments	Updated By	Date of Update
	WWTP	POTW NPDES Permit	Requirements for compliance	Annual/As Needed	<p>NO CHANGE - Renewal application mailed June 1, 2018. Permit expires April 2020. MDE conference call took place on July 7, 2020. Draft permit received July 27th. Second DRAFT received on September 1st, with conference call taken place September 21 in regards to finalized language.</p> <p>Draft Permit reviewed by EPA in November; comments by EPA to MDE have triggered further drafting of sections of the Permit pertaining to primarily to the CSO program.</p> <p>City has retained the services of AquaLaw, specializing in wastewater regulatory/permit reviews and legal counsel. AquaLaw will participate in reviewing the next draft of the permit, any revisions that follow and the final permit; in the best interest of the City.</p> <p>Anticipated issue date: unknown at this time.</p>	RJK	3-Jun-22
	WWTP/CSO	CSO Consent Decree Compliance Reporting	Reporting/Inspections	Semi-Annual/As Needed	<p>UPDATE The next semi-annual report due July 10, 2022. Currently the Consent Decree expires April 2023.</p>	RJK	3-Jun-22
	WFP	NPDES Permit	Requirements for compliance		<p>NO CHANGE</p>	RJK	3-Jun-22
	Watershed	Evitts Creek Steering Committee	Cross-jurisdictional committee working on source water protection efforts.	Quarterly	<p>UPDATE April meeting to took place on 4/21; in-person meeting at Cumberland Valley Township Building, Centerville, PA</p>	RJK	3-Jun-22

Complete
Construction
Construction Bidding
Construction Closeout
Design
Inspection
N/A
Planning
RFP
Study

File Attachments for Item:

. Maintenance Division monthly report for August, 2022

MAINTENANCE DIVISION REPORT
August 2022

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

Central Services Report

**PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
AUGUST 2022**

- **POTHOLES AND COMPLAINTS**
 - Patched potholes on 25 streets & 4 alleys using 24 tons of hot mix asphalt

- **UTILITY HOLES**
 - Completed 1 concrete utility hole for the Water Dept. using 5cy of concrete
 - Completed 5 asphalt utility holes for the Water Dept. using 8.5t of hot mix asphalt
 - Completed 3 brick utility holes for the Water Dept.

- **TREE & BRUSH WORK**
 - Trimmed 42 trees
 - Removed 12 trees
 - Planted 1 white oak tree
 - Addressed 58 complaints

- **MISCELLANEOUS**
 - Completed 88 Work Orders
 - Cleaned Underpass, McMullen Bridge, Washington St. Bridge, Fayette St. Bridge, Cumberland St. Bridge 4 times.
 - Picked up 7 dead animals
 - Picked up trash/discarded items on 4 occasions
 - Cleaned Municipal Center shop once a week
 - Conducted monthly safety meeting
 - Set out traffic control & worked Overtime for National Night Out event
 - Worked Overtime on weekends @ parks & parklets
 - 2 employees completed Pesticide Training Course
 - Completed asphalt & concrete repairs on South St. @ Oldtown Rd.
 - Installed concrete pad for K9 dog kennel on E. Fourth St.
 - Performed temporary repairs on Oldtown Rd. @ Winifred Rd. after large water main break

STREET MAINTENANCE - AUGUST 2022		8/1-8/5	8/8-8/12	8/15-8/19	8/22-8/26	8/29-8/31	TOTAL
SERVICE REQUEST COMPLETED		26	10	30	18	4	88
PAVING PERFORMED	Tons						0
CONCRETE WORK	Cy	4cy	2.5cy	1.5cy		4cy	12cy
UTILITY HOLES REPAIRED	Water		2	2	1	1	13
	Sewer						0
	Cy				5cy		5cy
	Tons		3.5t	3.5t		1.5t	8.5t
POTHOLES FILLED	Streets	16		3	6		25
	Alleys			1	3		4
	Days	2		1	3		6
	Cold Mix						0
	Tons	6t		3.5t	14.5t		24t
PERMANENT PATCH	Cy						0
	Tons						0
TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED		8			2		10
STREET NAME SIGNS REPAIRED/INSTALLED		2					2
HANDICAPPED SIGNS	Repaired						0
	Installed	4			2		6
	Removed	3			6		9
CURB PAINTING PERFORMED	Blue	4			3		7
	Yellow	1					1
	Red	1			3		4
PAVEMENT MARKINGS INSTALLED	No.						0
STREET CLEANING	Loads	13	13	13	7	5	51
	Miles	197	202	180	150	130	859
SWEEPER DUMPS HAULED TO LANDFILL	Tons				12.64t	4.96t	17.6t
STREET MILLING	Days						0
CLEANED BALTIMORE ST. UNDERPASS	Days	1	1	1	1		4
TRAFFIC CONTROL	Events	1	1	3	2		7
SNOW REMOVAL	Days						0
CLEAN TRUCKS	Days	1		1		1	3
SHOVEL & SALT SIDEWALKS	Days						0
BRUSH REMOVAL/TREE WORK	Areas	9	5	18	7	1	40
CHECK DRAINS/CLEAR DEBRIS	Days						0
STREET TRACTOR MOWING	Days	1					1
HAUL/SPREAD MULCH	Days						0

Picked up trash/discarded furniture on 4 occasions
 Picked up 7 dead animals
 Performed preventative maintenance and cleaned Loader @ Municipal Center
 Cleaned Municipal Center shop once a week
 Conducted monthly safety meeting
 Set out traffic control & worked Overtime for National Night Out event
 Worked Overtime on weekends @ parks & parklets
 2 employees completed Pesticide Training

**PUBLIC WORKS/MAINTENANCE
PARKS & RECREATION
MONTHLY REPORT
AUGUST 2022**

- Constitution Park , Mason’s Complex and Area Parklets
 - Cleaned up garbage 3 times a week

- Washington Headquarters
 - Cleaned up garbage 5 times a week

- Parks & Parklets Mowing
 - Constitution Park
 - Mowed 10 days
 - Mason’s Complex
 - Mowed 4 days
 - Parklets
 - Mowed 10 days

- Ball Fields
 - Flynn Field
 - Mowed 5 times
 - Drug 2 times
 - Lined 4 times
 - Northcraft Softball Field
 - Mowed 5 times
 - Lined 2 times
 - Nonneman Softball Field
 - Mowed 4 times
 - Cavanaugh Field
 - Mowed 3 times
 - Drug 1 time
 - Lined 1 time
 - Abrams Field
 - Mowed 3 times
 - Drug 2 times
 - Lined 10 times

- Long Field
 - Mowed 3 times
 - Drug 2 times
 - Lined 10 times
- JC Field
 - Mowed 3 times
- Bowers Football Field
 - Mowed 4 times
 - Lined 5 times
- Galaxy Field
 - Mowed 4 times
 - Lined 3 times
- United Field
 - Mowed 2 times
- Nonneman Soccer Field
 - Lined 3 times
- Nonneman Jr. Soccer Field
 - Lined 3 times
- Northcraft Soccer Field
 - Lined 3 times
- Pistol Range
 - Mowed 3 times
- Mason's Playground
 - Mowed 3 times
- Miscellaneous Work
 - Performed preventative maintenance on mowers, trimmers & blowers
 - Prepared feed & bedding for ducks & geese @ the Duck Pond
 - Cleaned & performed preventative maintenance on Park & Rec. vehicles
 - Made repairs to bathrooms @ Mason's Complex & Constitution Park
 - Worked weekend OT for trash pickup, pavilion readiness, concerts & movie
 - Setup stage & worked overtime for National Night Out event
 - Performed pool maintenance several times a week
 - Painted several wooden posts @ Constitution Park
 - Removed damaged or un-needed grills @ Constitution Park
 - Lowered & raised flags @ parks per Presidential orders on several occasions

**FLEET MAINTENANCE
MONTHLY REPORT
AUGUST 2022**

DEPARTMENT	REPAIRS
Central Services	3
Community Development	0
DDC	1
Engineering	3
Fire	18
Flood	1
MPA	0
P & R Maintenance	14
Police	14
Public Works	0
Sewer	11
Snow Removal	0
Street Maintenance	28
Water Distribution	17
WFP	6
WWTP	0
In House Fleet Maintenance Projects	9
Scheduled Preventative Maintenance	24
Field Service Calls	10
Total Fleet Maintenance Projects	159
Total Repair Orders Submitted	25
Fleet Maintenance Risk Management Claims	0

CENTRAL SERVICES MONTHLY REPORT AUGUST 2022

- **City Hall:** Disinfecting the AHU's 3 times a week because of COVID. Installed new cat6 cable from the IT department to the Finance Department. Got measurements for the new Cisco WebEx camera system for the Council Chambers. Replaced all the filters in the AHU's.
- **Municipal Service Center:** Disinfecting the RTU's 3 times a week because of COVID. Repaired the A/C unit in the Sewer/Flood Department. Replaced all the filters in the RTU's. Repaired one of the split units in the water Department. Low on gas. Repair the ice machine in the Water Department.
- **Public Safety Building:** Disinfecting the AHU's 3 times a week because of COVID. Finished the new office in the Engineering Department. Built a new 12' X 6' dog kennel for the new K-9 for the police department. Added new outlets and data in the conference room in the Fire Department 2nd floor for the new Deputy Chiefs office.
- **Fire Stations #2:** Replaced all the smoke detectors in the building. Garage door maintenance (greased the track and checked the drive chain).
- **Canadian Hose House:** Checked the building twice a month to make sure that the boiler is working properly and that there are no water leaks.
- **Downtown Area & Mall:** Repaired the outlets on the upper Mall for the Farmers Market. Repaired the sump pump in the Queen City Dr. underpass and cleaned the sump pit out full of mud.
- **Traffic and Street Lights:** Monthly routine preventive maintenance on the 21 traffic control cabinets. Reported 8 street light to the power company to repair. Reset multiple traffic lights in flash due to power dips and short outages. (Dingle and Battery One area lights). Repaired the pole light on the Henderson Ave. Bridge that were out. Replaced the photo cell on the lighting controller on the Henderson Ave. Bridge.
- **Parks areas:** Removed the main pool pump and motor and took it to the motor shop to be repaired. Started redoing the electrical at pavilions 1&2 and the amphitheater. Pulled the grinder pump at Bowers Field and repaired it.

- **Sewer & Flood Departments:** Installed rain gutters and snow birds on the Sewer Departments maintenance garage at the WWTP.
- Load tested generators. August 25, 2022
- Monthly Safety Meeting – August 17, 2022
- PM's on all the pumps and motors at PSB, City Hall and MSC

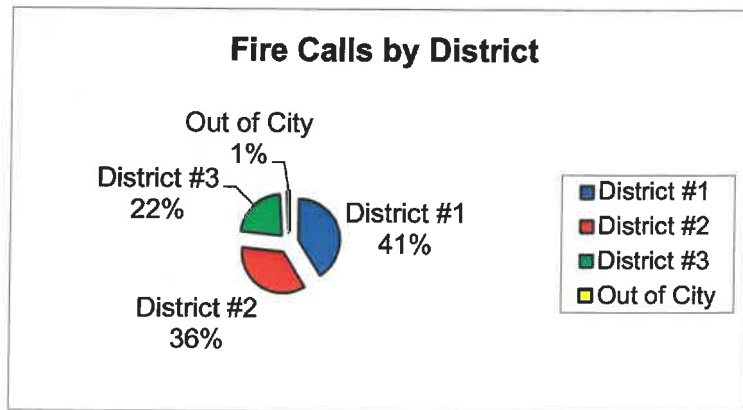
File Attachments for Item:

. Fire Department monthly report for August, 2022

REPORT OF THE FIRE CHIEF FOR THE MONTH OF AUGUST, 2022
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 126 Fire Alarms:

Responses by District:	
District #1	41
District #2	41
District #3	42
Out of City	2
	<hr/> 126



Number of Alarms:
 First Alarms Answered 126

Calls Listed Below:

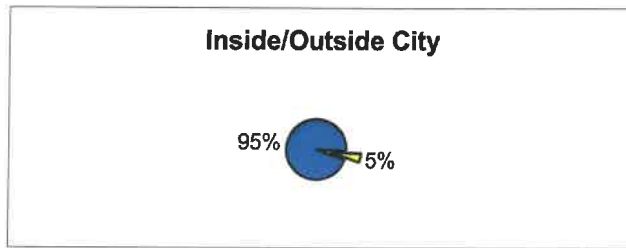
Property Use:	
Public Assembly	2
Educational	1
Institutional	8
Residential	58
Stores and Offices	1
Manufacturing	0
Industrial	0
Storage	1
Special Properties	55
	<hr/> 126

Type of Situation:	
Fire or Explosion	9
Overpressure, Rupture	2
Rescue Calls	66
Hazardous Conditions	15
Service Calls	7
Good Intent Calls	15
False Calls	12
	<hr/> 126

Fire Service Fees for Inspections and Permits Billed in August:	\$150.00
Fire Service Fees for Inspections and Permits Paid in August:	\$400.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$550.00

Cumberland Fire Department Responded to 551 Emergency Medical Calls:

In City Calls	519
Out of City Calls	<u>32</u>
Total	551



Total Ambulance Fees Billed by
Medical Claim-Aid in August: \$149,589.00

Ambulance Fees Billed Fiscal Year to Date: \$278,622.00

Ambulance Fees Paid:
Revenue Received in August: \$122,147.15

Revenue:
FY2023 Ambulance Fees Paid in FY2023: \$73,689.52

All Ambulance Fees Paid in FY2023: \$224,250.36
(Includes total ambulance fees, previous and current fiscal years, paid in FY2023.)

Cumberland Fire Department Provided 6 Paramedic Assist Calls:

0 Paramedic Assist Calls within Allegany County	
<u>6 Paramedic Assist Calls outside of Allegany County</u>	
6	

Fort Ashby VFD, WV	2
Ridgeley VFD, WV	3
Wiley Ford VFD, WV	<u>1</u>
	6

Cumberland Fire Department Provided 26 Mutual Aid Calls:

21 Mutual Aid Calls within Allegany County	
<u>5 Mutual Aid Calls outside of Allegany County</u>	
26	

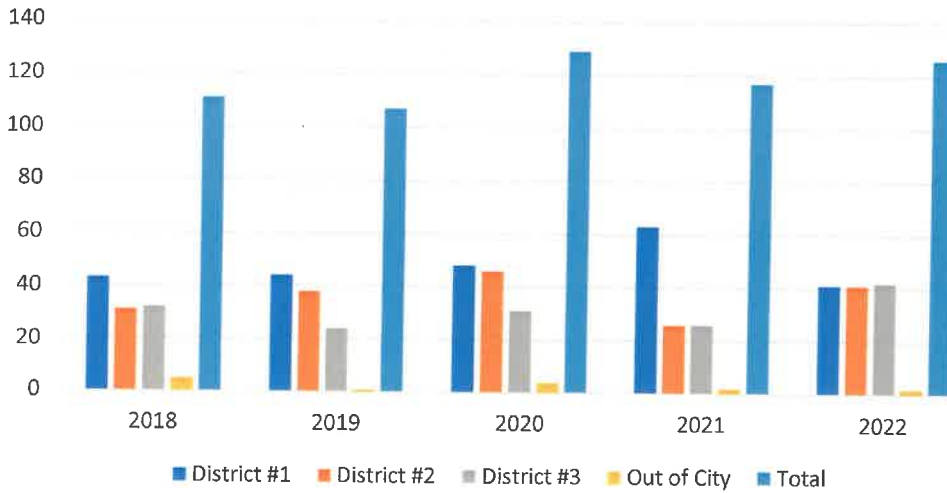
Bowman's Addition VFD	14
Cresaptown VFD	<u>7</u>
	21

Ridgeley VFD, WV	5
	<u>26</u>

Fire Calls in the Month of August for a Five-Year Period

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
District #1	43	44	48	63	41
District #2	31	38	46	26	41
District #3	32	24	31	26	42
Out of City	<u>5</u>	<u>1</u>	<u>4</u>	<u>2</u>	<u>2</u>
Total	111	107	129	117	126

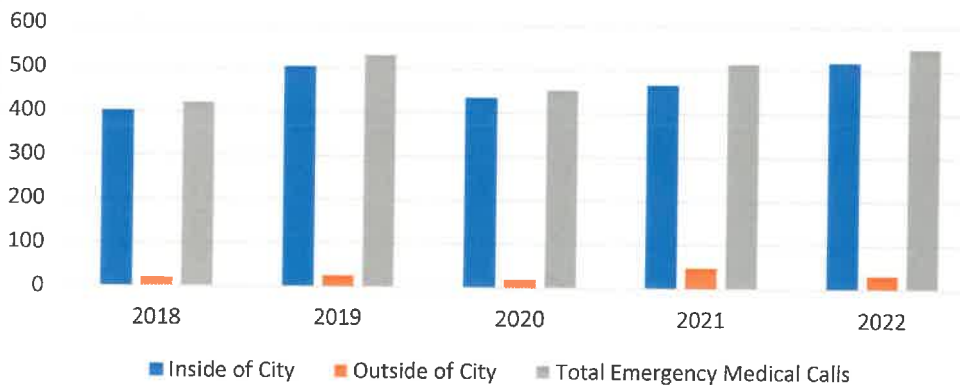
Fire Calls for a 5-Year Period



Ambulance Calls in the Month of August for a Five-Year Period

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Inside of City	402	504	435	466	519
Outside of City	<u>19</u>	<u>27</u>	<u>18</u>	<u>49</u>	<u>32</u>
Total Emergency Medical Calls	421	531	453	515	551

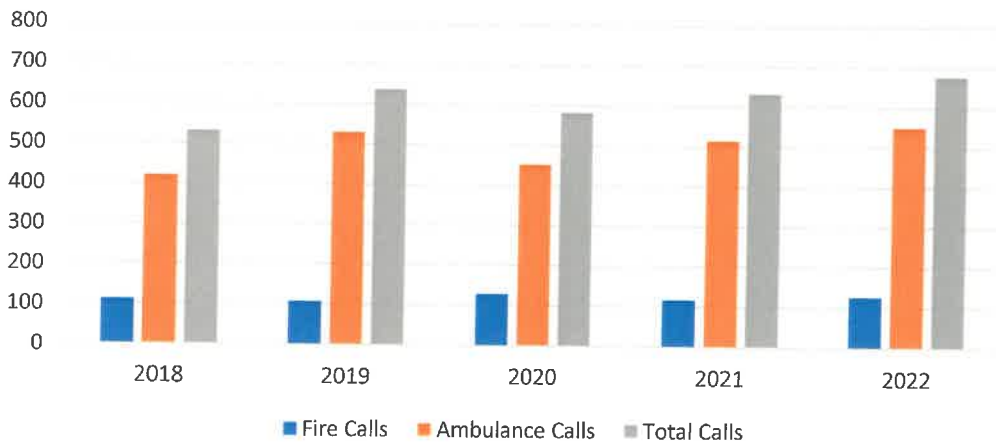
Ambulance Calls for a 5-Year Period



Fire and Ambulance Calls in the Month of August for a Five-Year Period

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Fire Calls	111	107	129	117	126
Ambulance Calls	<u>421</u>	<u>531</u>	<u>453</u>	<u>515</u>	<u>551</u>
Total Calls	532	638	582	632	677

Fire and Ambulance Calls for a 5-Year Period



Training

Tabulations are not currently available.

Fire Prevention Bureau

Complaints Received	3
Conferences Held	20
Correspondence	48
Inspections Performed	9
Investigations Conducted	1
Plan Reviews	12
Public Education	1
Burning Permits Issued	8

Personnel

Equipment Operator Gregory A. Sites retired effective August 1, 2022, after 29 years of service to the City of Cumberland.

Captain Cody M. Pearce was promoted to the position of Battalion Chief effective August 21, 2022. Mr. Pearce filled this vacancy due to Stephen Grogg's promotion to Deputy Chief.

Lieutenant Garrett T. Parsons was promoted to the position of Captain effective August 21, 2022. Mr. Parsons filled this vacancy due to Cody Pearce's promotion to Battalion Chief.

Equipment Operator Steven R. Adams was promoted to the position of Lieutenant effective August 21, 2022. Mr. Adams filled this vacancy due to Garrett Parsons' promotion to Captain.

Firefighter Jeffrey N. Kalp was promoted to the position of Lieutenant effective August 26, 2022. Mr. Kalp filled this vacancy due to Lieutenant Dennis Steiding's pending retirement.

Firefighter Christopher E. Biser was promoted to the position of Equipment Operator effective August 25, 2022. Mr. Biser filled this vacancy due to EO Gregory Sites' August 1, 2022 retirement.

Trenton R. Rodriguez began employment as a Probationary Firefighter effective August 15, 2022. He filled the Firefighter opening due to EO Gregory Sites' vacancy created on July 9, 2022.

Samuel L. Arnone began employment as a Probationary Firefighter effective August 16, 2022. He filled the Firefighter opening created by Deputy Chief Stephen Grogg's promotion.

Lieutenant Dennis L. Steiding's FMLA was terminated effective July 31, 2022, and his retirement is pending.

Statistics Compiled by Julie A Davis, Fire Administrative Officer

File Attachments for Item:

. Police Department monthly report for August 2022



City of Cumberland Department of Police

Monthly Report
August 2022



City of Cumberland Department of Police

Monthly Report

August 2022

Part 1 Crimes for the Month

	2021		2022			2021		2022			2021		2022	
Aggravated Assaults	20	14	B & E (All)	12	8	Murder	0	0	Rape	1	1			
Robbery	1	4	Theft - Felony	1	0	Theft - Vehicle	2	3						

Selected Criminal Complaints for the Month

	2021		2022			2021		2022			2021		2022	
Theft - Misdemeanor	20	26	Theft - Petty	21	24	Domestic Assaults	31	24	CDS	37	33			
Disturbances	147	156	DOP/Vandalism	20	25	Indecent Exposure	1	5	Sex Off - Other	2	1			
Suicide	0	0	Suicide - Attmpt.	1	1	Tampering M/V	0	0	Abuse - Child	1	2			
Trespassing	22	33	Assault on Police	3	4	Assault Other	43	30						

Selected Miscellenous Incidents for the Month

	2021		2022			2021		2022			2021		2022	
Alcohol Volations	7	3	Juvenile Compl.	25	18	Missing Persons	9	2	School Resource	131	71			
School Threat	0	0	Sex Off. Regist.	3	4	Truancy	2	0	Death Investigation	5	4			

Selected Traffic Incidents for the Month

	2021		2022			2021		2022			2021		2022	
DWI	4	10	Hit & Run	19	28	M/V Crash	37	56	Traffic Stop	300	347			

Selected Service Calls for the Month

	2021		2022			2021		2022			2021		2022	
Alarms	45	30	Assist Motorist	51	30	Check Well-Being	122	160	Foot Patrol	78	84			
Assist Other Agency	66	84	Bike Patrol	1	7	Special Events	3	8	Suspicious Activity	72	83			

Current Incident Status for the Month

	2021		2022			2021		2022			2021		2022	
Open	20	108	Arrest	270	230	Closed	2039	2027	Suspended	50	73			



City of Cumberland Department of Police

Monthly Report

August 2022

Arrests Totals for the Month

	2021		2022		2021		2022		2021		2022	
M/V Citations	47	45	M/V SERO	4	0	M/V Warnings	250	301	Arrest on View Adult	37	45	
Arrest On Crim. Cit.	19	18	Arrest Summons	25	27	Arrest Warrant Adult	60	54	Adult Crim.	156	149	
Arrest Summon (Chrg)	21	22	Arrest Warrant (Chrg)	19	17	Juvenile Crim.	23	17	Arrest on View Juv	19	15	
Arrest Warrant JUV	0	1	Emer. Petition	57	53	Fingerprinting	2	0	RunAway & Miss Per.	8	2	
Civil Citation	19	3										

Total Incidents Reported :
2021
2022
2,379
2,438

Chuck Ternent - Chief of Police

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

August 2022

SWORN PERSONNEL: 48 SWON OFFICERS

Administration	6 officers
Squad D1	8 officers
Squad N1	8 officers
Squad D2	7 officers
Squad N2	9 officers
C3I/C3IN	4 officers
School Resource	1 officer
Academy	2 recruits
Medical/Modified Duty	3 officers

CIVILIAN EMPLOYEES: 6 full time, 8 part time

CPD Office Associate	1 full time
CPD Records Clerk	1 full time
CPD Records Clerk	1 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 part time**
MPA Supervisor	1 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: 1,049
COMP TIME USED: 169.75
SICK TIME USED: 162.5

YEAR TO DATE (beginning 07/01/22): 2,115
YEAR TO DATE (beginning 07/01/22): 357.75
YEAR TO DATE (beginning 07/01/22): 267.5

OVERTIME REPORT

OVERTIME WORKED: 149
HOSPITAL SECURITY: 48
COURT TIME WORKED: 264

YEAR TO DATE (beginning 07/01/22): 364.5
YEAR TO DATE (beginning 07/01/22): 120
YEAR TO DATE (beginning 07/01/22): 660

File Attachments for Item:

. Utilities Division Flood/Water/Sewer monthly reports for July and August, 2022

Watershed

Moved excavator from new dump site at park to old site to move concrete
 Graded dirt at old site @ park
 Hauled D5 to the CPD shooting range to install yardage markers on range
 Mowed & weedeated 3 fields @ dam gate & spillway
 Hauled fill dirt to CPD shooting range from old fill site
 CPD shooting range (several weeks)
 Serviced 398 to start mowing
 Mowed field & bank inside fence at dam
 Removed down trees at dam
 Checked all gates for tree damage
 Checked on access of Christmas tree on Bluebird Ln
 Refueled equipment - Fayette St job
 SOS - 25 & 27 Penn Ave
 Cleaned, organized and restocked 379
 Cleaned, greased and serviced 317
 Removed trash around Lake Koon
 Took 396 back to dam/390 back to park
 Graded dirt at new dump site @ park (several days)
 Moved concrete at old dump site @ park
 Assisted Colin with putting rod ends on Agco
 Dam - Mowed around fence, spoils pile & field below spoils pile
 Mowed emergency access rd & Ice house rd
 Painted blowoff & valve box @ dam
 Mowed & weedeated Lake Gordon Rd
 Hammered out concrete test hole where new building will be installed - warehouse
 Worked on new building site @ warehouse (several days)
 Assisted with removing tree on Greene St
 Brush hogged boat dock - Lake Koon
 Dam - mowed Lake Koon boat ramp/Lake Koon spillway/36" main from WFP to barn
 Repaired fan belt/air conditioning unit/fuel pump lifter - 398

Projects

Projects					0
GRAND TOTAL					1403

July 2022 Monthly Report

FLOOD MAINTENANCE

Test run pumps and run gates
Check sewage regulators
Safety meeting
Mowed West levee ditch and Rt. 28 ditch
Mowed Moose, parklets, narrows, viaduct, Bullpen, Furlows
Mill Race, Kelly Blvd. Dentist Office
Mowed Rt. 28 Levee, West Levee, and all fields
Cut and spray weeds on flood wall
Perform other maintenance work as required

SEWER BRANCH

Calls answered	4
Service lines opened	0
Owner's trouble	4
Traced lines/main	303
Mains Repairs/ Replace	7
Sewer taps installed/replaced	0
Cleaned catch basins	20
Cleanouts installed	1
Televised sewer mains	0 FEET
Televised sewer lines	0
Call outs/ overtime	5 callouts/ 13.50 hours overtime
Weekly check of overflows, pits	4
Catch basin repair/rebuild	0
Flushed mains	0 Feet

Gallons of water used	2,000 Gals.
605 Vac-con truck	2,000 Gals.
608 Flush truck	0 Gals.
Safety meeting	

Constitution Park repaired C/O
 Decatur St. repaired sewer main (Belt)
 900 Eastgate Ct. replaced 24" storm
 pipe
 Decatur St. repaired 6" service line
 (Belt)
 Fayette St. repaired sewer main
 700 Lafayette Ave. repaired sewer
 main
 Fayette St. repaired sewer main
 (water)
 Central Ave. replaced sewer ring and
 lid
 Fayette St. camera storm conduit (Sycamore Trees)
 919 and 921 Lexington Ave. camera sewer main locate
 taps for
 Plumber.

 625 Leiper St. camera service line to
 check for roots.
 Fayette St. camera main to locate
 taps and laterals.

Watershed

Worked on new building @ warehouse (several days)
 Refueled equipment - Avondale Ave project (several times)
 Refueled D5 & 311
 Hauled dirt & blacktop from warehouse to park fill site
 Adjusted tracks on D5 and greased it
 Removed old metal poles from shooting range
 Removed down tree at dam
 Cleaned loader
 Picked up 382 at Rice Tires
 Moved dirt at new dump site
 Refueled skid-steer @ Fayette St job
 Graded dirt at new dump site (several days)
 Greased excavator
 Hauled loader to shop
 Hauled excavator to park fill site
 Hauled D5 from new fill site to old fill site
 Assisted 306 with shut downs - Decatur Heights
 Placed clean stone @ shooting range
 Installed range numbers at shooting range
 Got OD at dam for Beit
 Hauled wheel loader from warehouse to dam
 Line locates - Eastman Rd
 Removed down trees at barn on main - dam
 Replaced hydraulic hose on 317
 Found 36" adapter to tie the 36" main into the 24" main - Deactur St
 Detached and removed 5500 gallon hypo tank at dam
 Removed tree from emergency access road
 Removed trees from access road and main line - Smouses Mill
 Showed Brody valves on main line from plant to 220
 Showed Brody all fire roads
 Put hooks in shooting lanes at police gun range
 Mowed both mains from plant to Ware Farm/weedeated around valves & line marker/Cut limbs back

Projects

Projects					0
GRAND TOTAL					1485

August 2022 Monthly Report

FLOOD MAINTENANCE

Test run pumps and run gates
Check sewage regulators
Safety meeting
Mowed West levee ditch and Rt. 28 ditch
Mowed Moose, parklets, narrows, viaduct, Bullpen, Furlows
Mill Race, Kelly Blvd. Dentist Office
Mowed Rt. 28 Levee, West Levee, and all fields
Cut and spray weeds on flood wall
Herbicide spray
Perform other maintenance work as required

SEWER BRANCH

Calls answered	4
Service lines opened	0
Owner's trouble	4
Traced lines/main	326
Mains Repairs/ Replace	3
Sewer taps installed/replaced	0
Cleaned catch basins	4
Cleanouts installed	2
Televised sewer mains	0 FEET
Televised sewer lines	0
Call outs/ overtime	7 callouts/ 30.50 hours overtime
Weekly check of overflows, pits	4
Catch basin repair/rebuild	0

Flushed mains	2,245 Feet
Gallons of water used	7,500 Gals.
605 Vac-con truck	3,000 Gals.
608 Flush truck	4,500 Gals.
Safety meeting	

238 N Centre St. repaired 6" sewer service line
8 S. Allegant St. repaired 6" sewer service line
Avondale Ave. repaired 17' 8" sewer main
Shades Ln. uncovered 2 manholes
238 N. Centre St. camera main to locate service line
612 Sylvan Ave camera main and service line to locate C/O
Shades Ln. camera main to locate sewer tap
44 Memorial Ave camera main and service line to locate sewer
problem
Hydro 2 sites sewer
Hydro 6 sites water
Clean scum wells WWTP
Checked CSO sites

File Attachments for Item:

1. Approval of the Work Session Minutes of May 17, 2022, the Special Session Minutes of May 23, 2022, and the Regular Session Minutes of June 21

Mayor and City Council of Cumberland

WORK SESSION

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

Tuesday, May 17, 2022; 5:56 p.m.

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

ALSO PRESENT: Jeffrey Silka, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Ken Tressler, Director of Administrative Services; Lee Borrer, Community Development Specialist; Matt Idleman, Deputy Director of Engineering

I. SPLASH PAD

Mr. Idleman provided a design packet for the splash pad from the consultants. He advised that this shows what the splash pad could look like, and said it's up to free imagination if M&CC has any other ideas, and said there are catalogs available to look at. He advised that the design provided today is right around the City's price range, and said it's about \$100K of actual equipment on the surface, along with \$200K of piping, pumps, etc. He also provided a site plan, saying it's completely customizable.

Mr. Idleman advised that the next step – once the design is confirmed and it gets approval – is to order materials. He stated that he doesn't know the lead time yet. He advised that the fence will be replaced, and said it will be extended out so you can get from one side of the pool to the other, which is an issue right now.

Mr. Tressler stated that they're concerned with getting the materials ordered, to start by fall and end in the spring of next year so that it can be open for the summer season. He added that the money needs to be used by April of next year.

Mayor Morriss stated that the splash pad is a great addition, but said the key to it is upgrading the pool area and existing buildings, too. Mr. Tressler stated that the both the fence and the deck need addressed.

There was discussion about ADA options that will be added. Mr. Idleman said the ADA upgrades won't include the concession stand, and Mr. Cohen stated that only new construction has to be compliant with ADA.

Council seemed to like the design presented. Councilwoman Marchini stated that in her opinion, ideally the splash pad would be outside the fence so that all could enjoy it. Mr. Idleman said that he agrees and it would be great in another part of town, but said it would be hard to make it work within the confines of the pool area.

There was discussion about having a splash pad at Canal Place at some point. Mayor Morriss stated it would be good to partner with the CPPDA on a splash pad in the future, but stated that for now, this is a step in the right direction.

II. AGENDA REVIEW – MAY 17, 2022

Mayor Morriss went over Ms. Borrer’s presentation, Director’s Reports, and Minutes. Councilman George questioned the Public Works report that stated 7 handicap signs were removed in April and zero added. He also questioned the increase in fire calls for District 3 in April, and said he will get with Chief Adams. The Councilman mentioned the Police Report, and said that in April, aside from petty theft, all crime categories and total incidents were down, and gave kudos to the work the police are doing. He added a congratulations as well for the Columbia Street drug bust this past week.

Mr. Silka suggested that people may be requesting to have handicap signs removed, and said there is a reason and he will check on it.

Mayor Morriss called for questions or comments on any item on the Consent Agenda. Being none, Mr. Silka reviewed Ordinance 3915 in New Business, and advised that Ordinance 3915 rejects the original bid of Del & Del Allegany Properties, LLC for 107/109 S. Allegany Street, and accepts the next highest bid of C Corp Leasing for the amount of \$5K.

III. MAYOR AND CITY COUNCIL UPDATES

Councilwoman Marchini advised that the DDC hired a contractual Events Planner. She said that there’s a lot going on downtown this spring and summer, and stated that the windows contest has been very popular. She provided events and dates:

Delville Pub Crawl	May 24
Centre St. Block Party	June 11
Jazz Crawl	June 25
Queen City Funk & Soul	July 8

Councilwoman Marchini also advised that Sandi Saville will no longer be president of the DDC, but said she plans to stay involved. She added that the nominating committee has recommended Doug Schwab as president, Larry Jackson as vice-president, and Ed Huber will remain as treasurer. She said they are still looking for a secretary.

Councilwoman Marchini advised that with HPC, they are looking to create guidelines for murals in the historic district, and said they re-received the grant for historic planning, and also received another grant for training.

Mayor Morriss gave kudos to the staff for working with the DelFest organization and helping to make the Pub Crawl event happen.

Councilman Cioni stated that they will hopefully get the P&R board to ok spending \$4K from the Bauer Fund on Long Field to reimburse Dapper Dan for some of the work.

Mayor Morriss asked if there were any new developments with a handicap-accessible swing at Constitution Park. Councilman Cioni advised that everyone is on-board with that, and said they were hoping to partner with the Hooley Plunge people, and put up a plaque in memory of Dr. McCagh. He added that they were going to take it to their board, and said he will get back to Council when he hears anything.

There was discussion about naming ballfields and parks for people. Mayor Morriss suggested adding the additional name to the field or park without taking the original name away, or maybe having rotating names. He suggested having the P&R board work through that.

Councilman George stated that the P&Z Commission will not be meeting next week as there is nothing on the agenda.

Councilman Frazier stated that the HRDC meets this Thursday, and said they are taking applications for the Head Start program. He also stated that they had a workshop for tenants at the Union Rescue Mission, and said the landlords meeting at the Virginia Avenue HRDC facility every 2nd Wednesday. Mayor Morriss said that information needs to get out to the public.

Councilman Frazier mentioned that he was approached with the idea of having plaques on the buildings downtown providing information on the history of the building, when the mall upgrades are completed.

Mayor Morriss thanked Council for participating in the Day of Caring and Sharing, and gave kudos to County United Way and Let's Beautify Cumberland. He added that there were 49 projects, and 450 people came out to volunteer.

The Mayor mentioned that this Saturday at 2:00 PM will be the Casper Taylor Bridge dedication, and this Sunday will be Taco de Mayo at the CPPDA.

Councilman George suggested that in the Regular Session having a moment of silence after the Pledge of Allegiance for the passing of former Mayor Frank Nethken, Lee Schwartz of The Book Center, and Dick Paulman, director of the Department of Allegany County Social Services for many years. Councilman George advised that he has just been appointed to that board beginning in June.

IV. ADJOURNMENT

With no further business at hand, the work session adjourned at 6:25 p.m.

Respectfully submitted,

Marjorie A. Woodring
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 Joseph P. George
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

MINUTES

M&CC Special Public Meeting
City Hall

DATE: May 23, 2022

I. OPEN SESSION – 4:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Councilman Richard J. "Rock" Cioni
Councilman Joseph P. George
Councilwoman Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey F. Silka, City Administrator; Marjorie A. Woodring, City Clerk

Mayor Morriss noted that the Closed Session that was scheduled for 4:00 p.m. was not held.

IV. 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 remove Order 27,008 from the Consent Agenda was made by Councilwoman Marchini, seconded by Councilman Cioni, and was passed on a vote of 4-0. Motion to approve Order 27,009 was made by Councilman George, seconded by Councilwoman Marchini, and was passed on a vote of 4.0.

Order 27,008 - authorizing execution of an Indemnification Agreement with DeFest, LLC to release and indemnify DeFest, LLC from any claims arising from the Davisson Brothers Band concert to be held on Hanover Street on May 24, 2022.

Mr. Silka advised that this order should be removed from the agenda due to the City being able to secure insurance for this event; therefore, the indemnification agreement is not necessary.

Order 27,009 - lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within certain areas of the downtown on Tuesday, May 24, 2022, from 4:30 p.m. through 10:00 p.m., for the DelVille Pub March; notwithstanding that open glass containers shall not be permitted.

V. Public Comments

No public comments

All public comments are limited to 5 minutes per person

VI. Adjournment

With no further business at hand, the meeting adjourned at 4:18 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

MINUTES

Regular M&CC Public Meeting
City Hall Council Chambers, 57 N. Liberty St., Cumberland, MD

DATE: June 21, 2022

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey F. Silka, City Administrator; Marjorie A. Woodring, City Clerk; Shannon Adams, Fire Chief; Lt. Andy Tichnell, Criminal Supervisor

IV. Statement of Closed Meeting

1. Statement of closed meeting held June 21, 2022

Mayor Morriss announced that a closed session had been held on June 21, 2022 at 4:30 p.m. and read into the record a summary of that session which is attached hereto and made a part of these minutes as required under Section 3-306 (c) (2) of the General Provisions Article of the Annotated Code of Maryland.

V. Presentations

1. Recognition of Employee Retirements

Mayor Morriss recognized each retiree, and their supervisors spoke of the years of service in their position(s). Mayor and Council, along with supervisors, expressed their appreciation.

Robert Fryer 20 years of service
Roger Collins 22 years of service
Anna Landis 38 years of service
William Patch 45 years of service

VI. Director's Reports

Motion to approve the reports was made by Councilman Frazier, seconded by Councilwoman Marchini, and was passed on a vote of 5-0.

(A) Engineering

1. Engineering Division monthly report for May, 2022

(B) Public Works

1. Maintenance Division monthly report for May, 2022

(C) Fire

1. Fire Department monthly report for May, 2022

(D) Police

1. Police Department monthly report for May, 2022

(E) Utilities - Flood, Water, Sewer

1. Utilities Division Flood/Water/Sewer monthly report for May, 2022

VII. Approval of Minutes

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

1. Approval of the Work Session Minutes of February 15, 2022, the Work, Closed, and Regular Session Minutes of March 1, 2022, the Closed Session Minutes of March 8, 2022, and the Work and Regular Session Minutes of March 15, 2022

VII. Unfinished Business

(A) Ordinances

1. **Ordinance No. 3921** (*2nd and 3rd readings*) - authorizing execution of a deed to convey certain surplus property that is the former site of the Memorial Hospital to the Cumberland Economic Development Corporation.

SECOND READING: The ordinance was submitted in title only for its second reading.

Motion to accept the second reading and move to the third after comment was made by Councilwoman Marchini, seconded by Councilman Frazier, and was passed on a vote of 5-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 5-0.

IX. New Business

(A) Resolutions

1. **Resolution R2022-04** - approving an application to the MD Department of Housing and Community Development for Community Legacy 2022 Projects totaling up to \$150,412.57

Mr. Silka advised that this is just a recommendation, not an acceptance of funding.

The resolution was read in title only and Mayor Morriss called for questions or comments, of which there were none. **Motion** to accept the resolution was made by Councilwoman Marchini, seconded by Councilman Cioni, and was passed on a vote of 3-0, with Councilman George and Mayor Morriss abstaining.

2. **Resolution R2022-05** - approving an application to the MD Department of Housing and Community Development for 2022 Strategic Demolition Funds in the amount up to \$500,000.

Mr. Silka advised that this funding is for upper story redevelopment of the McMullen Building.

The resolution was read in title only and Mayor Morriss called for questions or comments, of which there were none. **Motion** to accept the resolution was made by Councilman Cioni, seconded by Councilwoman Marchini, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

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

Order 27,022 - authorizing execution of a Consent Agreement with Potomac Edison Company providing terms by which the City shall be allowed to cross and/or occupy Potomac Edison transmission rights-of-way with a combined sewer overflow (CSO) pipeline in conjunction with the 78" Parallel Pipeline from Mill Race to CSO Storage Project (19-16-S).

Mr. Silka advised that this authorizes Potomac Edison's right-of-way agreement to the City.

Order 27,023 - authorizing execution of a Resilient Maryland Program Grant Agreement with the MD Energy Administration (MEA) regarding the City's receipt of up to \$100,000 to complete a study to analyze the feasibility and public benefit of a potential microgrid for the City; and to authorize the City Comptroller to accept the grant funding.

Order 27,024 - declaring certain Fire Department equipment to be surplus and authorizing it to be scrapped or donated.

Mr. Silka advised that this equipment is from the old firehouse that is being closed down, and said the various equipment is 30-40 years old.

Order 27,025 - authorizing the City Comptroller to commit and pay \$20,000 a year for three (3) years to the Canal Place Concert Series Project.

Mr. Silka advised that this is multiple agencies coming together to match a grant for which the Arts Council is applying, for 3 years of concerts.

Order 27,026 - adopting a revised City of Cumberland Fund Balance Policy, effective June 21, 2022.

Mr. Silka advised that this updates the language to make it current.

Order 27,027 - authorizing the Mayor to execute a services agreement with Turnbull, Hoover & Kahl, P.A. for the provision of audit services for Fiscal Years 2022-2024 for the amounts not to exceed \$114,975 for Year 1, \$121,975 for Year 2, and \$128,975 for Year 3.

Mr. Silka advised that this is recommended by the Comptroller and the Director of Administrative Services.

Order 27,028 - authorizing the City Administrator to execute all FY23 Employment Agreements for part-time employees.

Order 27,029 - authorizing the City Administrator to execute all Seasonal Employment Agreements for the 2022 spring/summer season.

Order 27,030 - authorizing execution of Outdoor Dining Leases for the use of the public right-of-way for outside cafe dining for one (1) year with Mezzos, City Lights American Grill and Bar, Embassy Theater Corp., Uncle Jack's Pizzeria and Pub, and Baltimore Street Grill.

X. Public Comments

Tifani Fisher, President, 184 N. Centre Street, Allegany County NAACP, thanked M&CC and employees who attended their Juneteenth event. Ms. Fisher spoke about her previous public comment two years ago regarding the Carver Center not being used. She mentioned that she had heard that funding was received to set up a board, and discussed issues with her not being on the board.

Ms. Fisher talked about other issues regarding access and the Carver Center, and stated that the NAACP has an entire plan of programming and financial stability, grant writers, educators, and organizations willing to lease parts of the building.

Ms. Fisher discussed issues with how the board was filled, and issues she has with Mayor Morriss. She also talked about the history of the Carver building, and stated the building didn't belong to the city, but to the community, in particular the black and brown community. She stated the NAACP has asked several times to meet with the Mayor and the board, with no response.

Tiffany Frazier, 630 Lincoln Street, Allegany County NAACP, also spoke about the Carver Center and about working together as key stakeholders. She discussed not being involved in planning and decision making for the Carver Center, and said the black community should not be brought in only to discuss the services they shall receive. She also stated that she has reached out on several occasions and has been dismissed by M&CC, and spoke about a request for information that she was told would take 3 months to receive.

Ms. Frazier discussed concerns about access to information and about a public meeting that was held without the NAACP's input. She also spoke about accountability, online access and stated that the NAACP engages the community, makes connections and working relationships, and said they can provide valuable input and contributions. She stated that their exclusion doesn't align with objectives and goals of public leaders. She requested documents pertaining to Carver and data in writing. Ms. Frazier discussed doing better with the black community, advised M&CC to see the NAACP's input, and said they provide solutions. Lastly, she mentioned misinformation and miscommunication barriers, and said they need broken down.

Mayor Morriss advised that the M&CC are not the Carver Center board, although he and Councilman Frazier sit on the board. He said, although, that he City is interested and wants to collaborate and make the Carver Center a true community center, and said the City wants to work with all.

The Mayor stated that he wanted to get some facts straight, and said he had a list of emails from Ms. Fisher showing his responses. He stated that he provided the names of the Carver board members. He advised that the board contained 12 members, and said the initial board included 5 people of color. He advised that he was speaking as Mayor and also as the President of the Carver board.

Mayor Morriss advised Ms. Fisher that he had initially wanted to put her on the board, but said one of the requests from the former board was that she not be a part of that board. He advised that is why Carmen Jackson, representative of the NAACP and former president, is on the board, and said Councilman Frazier, who is also a member of the NAACP, also sits on the board.

The Mayor advised Ms. Fisher that he will deal with the board, and said they will determine what information they want to give her. He advised that they are a private board, and are not subject to the Public Information Act.

Mayor Morriss advised that they want the NAACP to participate, and said one of the first steps is to reach out to local leaders such as Ms. Fisher and Ms. Frazier, to hear their vision for the Carver Center. He advised they have a subcommittee that wants to meet with people individually to hear what they want to offer in their community, then they will work on the ultimate visions. He added that's the way the board decided to do it.

The Mayor advised Ms. Fisher to bring a written proposal of partners, the square footage they will need, how much rent they're willing to pay, and the types of activities, and it will be considered. He added that he is really proud of the board they have appointed, and said the members are all very qualified. He mentioned their ability to reach out to the community, set up programs, and find grants.

Councilman Frazier advised that he is a member of the black community, does sit on the board, and said they will not do anything that is going to harm the Carver Center. He advised that they are still a long way from being fully organized. He stated that it bothers him that they are saying negative things, and said there are 4 black members on the board (originally 5 – David Smith resigned) that are looking out for the black community. He said they will make sure it serves that community, and will make sure the history remains.

All public comments are limited to 5 minutes per person

XI. Adjournment

With no further business at hand, the meeting adjourned at 6:58 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

File Attachments for Item:

1. Charter Amendment Resolution No. 151 (*2nd and 3rd readings*) - to rescind Charter Amendment No. 147 and repeals any effects upon the Charter by its passage, and to repeal Charter Sections 192-203 pertaining to the Mayor and City Council's authority over the Memorial Hospital.

CHARTER AMENDMENT RESOLUTION NO. 151

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY CONTAINED IN ARTICLE 11-E OF THE CONSTITUTION OF THE STATE OF MARYLAND AND SECTION 4-304 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND ENTITLED "A RESOLUTION TO RESCIND CHARTER AMENDMENT 147 AND REPEAL ANY AFFECTS UPON THE CHARTER EFFECTED BY ITS PASSAGE AND TO REPEAL THE FOLLOWING SECTIONS OF THE CHARTER OF THE CITY OF CUMBERLAND (1991 EDITION): SECTION 192 PERTAINING TO THE MEMORIAL HOSPITAL BOARD OF GOVERNORS; SECTION 193 OF THE SAID CHARTER PERTAINING TO SELECTION OF LAND AND PREPARATION OF PLANS; CONTRACTS FOR CONSTRUCTION; SALE OF BONDS; EXPENDITURE OF PROCEEDS FROM BONDS; SECTION 194 PERTAINING TO THE DEDICATION OF THE HOSPITAL; SECTION 195 PERTAINING TO RULES AND REGULATIONS FOR THE OPERATION OF THE HOSPITAL; SECTION 196 PERTAINING TO CHARGES FOR HOSPITALIZATION; SALARIES OF EMPLOYEES; RULES AND REGULATIONS GOVERNING CONDUCT OF PHYSICIANS, NURSES, EMPLOYEES; SECTION 197 PERTAINING TO FISCAL AFFAIRS OF THE HOSPITAL; SECTION 198 PERTAINING TO THE SUBMISSION OF SEMIANNUAL FINANCIAL REPORTS; SECTION 199 PERTAINING TO LIMITATION OF LIABILITY OF BOARD OF GOVERNORS AND OF CITY; SECTION 200 PERTAINING TO THE ACCEPTANCE OF GIFTS AND BEQUESTS BENEFITTING THE HOSPITAL; SECTION 201 PERTAINING TO THE REPEAL OF INCONSISTENT ACTS; SECTION 202 PERTAINING TO THE ABOLITION OF THE AFORESAID BOARD OF GOVERNORS UPON THE LEASING OF THE HOSPITAL; AND SECTION 203 PERTAINING TO THE LEASING OF THE HOSPITAL."

WHEREAS, Charter Amendment Resolution No. 147 pertaining to the repeal of Sections 192-203, inclusive, of the Charter of the City of Cumberland was passed on March 5, 2019;

WHEREAS, those sections of the City Charter pertained to the subject matter identified in the title to this Resolution:

WHEREAS, those sections of the Charter should have been repealed effective April 24, 2019;

WHEREAS, the General Assembly passed legislation which became effective July 1, 2018, amending Section 4-305(a) and (b) of the Local Government Article and requiring that local legislative bodies hold public hearings on proposed charter amendments after providing at least twenty-one (21) days' advance notice;

WHEREAS, a public meeting was not held on Charter Amendment Resolution No. 147 and, therefore, it did not effect the amendment of the Charter intended by its terms, i.e., the repeal of Sections 192-203; and

WHEREAS, Memorial Hospital has been demolished and, as a practical result, Sections 192-203 of the City Charter have no practical application.

NOW THEREFORE:

SECTION 1: BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that Charter Amendment Resolution No. 147 is rescinded and any changes to the Charter effected by its passage are repealed;

SECTION 2: AND BE IT FURTHER RESOLVED, that the date of the passage of this Resolution is _____, 2022, and the amendment of the Charter of the City of Cumberland hereby enacted shall become effective on _____, 2022, unless a proper petition for a referendum hereon shall be filed as provided by Section 4-304 of the Local Government Article of the Annotated Code of Maryland. A complete and exact copy of this Resolution shall be continuously posted on the North Centre Street entrance of City Hall, Cumberland, Maryland, until _____, 2022, and the title of this Resolution shall be published in a newspaper of general circulation in the City of Cumberland no less than four times, at weekly intervals, before the aforesaid date.

SECTION 3: AND BE IT FURTHER RESOLVED, that the Mayor and City Council of Cumberland is hereby specifically directed to carry out the provisions of Section

2 hereof regarding the giving of notice by posting and publication of this Resolution, approving the same, and, as evidence of said compliance, the City Clerk shall cause to be affixed to this Resolution a certificate of the publication in the newspaper in which the summary of this Resolution (i.e., its title) shall have been published, and the Mayor, if there is no petition for referendum, shall declare the Charter Amendment made to be effective on the effective date herein provided for, which is _____, 2022, by affixing his signature hereto in the space provided below the effective date hereof.

SECTION 4: AND BE IT FURTHER RESOLVED, that if a proper petition for referendum on the Charter Amendment herein proposed is filed, the Mayor and other proper officials of the City of Cumberland shall comply with applicable law, including, but not limited to, Subtitle 3 of Title 4 of the aforesaid Local Government Article.

SECTION 5: AND BE IT FURTHER RESOLVED, no later than ten (10) days after the Charter Amendment effected by this Resolution becomes effective, either as herein provided or following a referendum, the Mayor shall mail a copy of this Resolution to the Department of Legislative Services of Maryland, said mailing to include a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a certificate showing the number of Councilpersons voting for and against it, and a report on the votes cast for or against the amendments hereby enacted at any referendum hereon, and the effective date of the Charter Amendment.

THIS RESOLUTION PASSED THIS ____ DAY OF _____, 2022.

Raymond M. Morris, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

The Charter Amendment enacted by the foregoing Resolution became effective this ____ day of _____, 2019.

Raymond M. Morris, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY, that the foregoing Resolution, amending the Charter of the City of Cumberland, Maryland, was passed the ____ day of _____, 2022, with ____ votes in affirmation and ____ votes in the negative.

Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY that:

1. Notice of the public hearing identified hereinbefore was provided by publication in the Cumberland Times- News on the ____ day of _____, 2022 and by posting on posted on the North Centre Street entrance of City Hall, Cumberland, Maryland the date of the public hearing and that a true and correct copy of said publication notice is attached hereto.
2. The title of this Resolution was published in the Cumberland Times-News on

_____,
 _____,
 _____ and
 _____,

as evidenced by the true and correct copy of the Cumberland Times-News certificate of publication attached hereto, and that it was posted on the North Centre Street entrance of City Hall, Cumberland, Maryland commencing on the day the title of this Resolution was first published in the Cumberland Times-News, 2022, and continuing through the date this Resolution became effective.

3. The foregoing is a true and exact copy of the Charter Amendment Resolution No. _____ passed by the Mayor and City Council of Cumberland, Maryland, in Regular Session on the ____ day of _____, 2022.
4. A petition for a referendum was not filed within the forty-nine (49) days following the date of the passage of the foregoing Resolution and, therefore, it became effective on the ____ day of _____, 2022.

Marjorie A. Woodring, City Clerk

File Attachments for Item:

2. Charter Amendment No. 150 (*2nd and 3rd readings*) - to rescind Charter Amendment No. 146 and repeal any effects upon the Charter by its passage, and to repeal and reenact with amendments Charter Section 24 pertaining to the publication of ordinances, when ordinances take effects, and the admissibility of codification in evidence

CHARTER AMENDMENT RESOLUTION NO. 150

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY CONTAINED IN ARTICLE 11-E OF THE CONSTITUTION OF THE STATE OF MARYLAND AND SECTION 4-304 OF THE LOCAL GOVERNMENT ARTICLE, ENTITLED "A RESOLUTION TO RESCIND CHARTER AMENDMENT RESOLUTION NO. 146 AND REPEAL ANY AFFECTS UPON THE CHARTER EFFECTED BY ITS PASSAGE AND TO REPEAL AND REENACT WITH AMENDMENTS SECTION 24 OF THE CHARTER OF THE CITY OF CUMBERLAND, MARYLAND (1991 EDITION), PERTAINING TO THE PUBLICATION OF ORDINANCES, WHEN ORDINANCES TAKE EFFECT, AND THE ADMISSIBILITY OF CODIFICATION IN EVIDENCE."

WHEREAS, Charter Amendment Resolution No. 146 pertained to repealing and reenacting with amendments Section 24 of the Charter of the City of Cumberland was passed on March 5, 2019;

WHEREAS, Section 24 of the Charter pertains to the publication of ordinances, when ordinances take effect, and the admissibility of codification in evidence;

WHEREAS, the amendment of Section 24 of the Charter should have become effective April 24, 2019;

WHEREAS, the General Assembly passed legislation which became effective July 1, 2018, amending Section 4-305(a) and (b) of the Local Government Article and requiring that local legislative bodies hold public hearings on proposed charter amendments after providing at least twenty-one (21) days' advance notice;

WHEREAS, a public meeting was not held on Charter Amendment Resolution No. 146 and, therefore, it did not effect the amendment of the Charter intended by its terms;

WHEREAS, Section 4-306 of the said Local Government Article provides that after a charter amendment resolution is proposed or adopted, it can only be rescinded by means of another charter amendment;

WHEREAS, the purpose of this Resolution is (i) to rescind Charter Amendment Resolution No. 146 and repeal any amendment to Section 24 of the Charter which may

have been effected pursuant to its passage and (ii) to repeal and reenact Section 24 of the Charter as was the intent upon the passage of Charter Amendment Resolution No. 146; and

WHEREAS, a public hearing on the subject matter of this Charter Amendment Resolution was held on the ___ day of _____, 2022, public notice of that hearing was provided by means of publication in the Cumberland Times-News on the ____ day of _____, 2022, more that twenty-one (21) days in advance of that hearing, and by posting on the North Centre Street entrance of City Hall, Cumberland, Maryland starting on the ____ day of _____, 2022, and continuing through the date of the said hearing.

NOW, THEREFORE:

SECTION 1: BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that Charter Amendment Resolution No. 146 is rescinded and any changes to the Charter effected by its passage are repealed;

SECTION 2: AND BE IT FURTHER RESOLVED: that Section 24 of the Charter of the City of Cumberland is repealed and reenacted with amendments to read as follows:

Section 24. - Publication of summary of ordinances in newspaper; posting ordinances on city web site required; when ordinances to take effect.

The mayor and city council of said city shall be vested with the power and charged with the duty of making all laws and ordinances not inconsistent with the Constitution and laws of the state, touching every object, matter and subject within the local government instituted by this article.

A summary of every ordinance imposing any penalty, fine, imprisonment or forfeiture for a violation of its provisions shall, as soon as practicable after the passage thereof, be published in a newspaper of general circulation in the city for two (2) consecutive days. The summary shall include the effective date of the ordinance, its subject matter and reference to the fact that its entire text is posted on the city's web site. The entire text of all ordinances shall, as soon as practicable after their passage, be posted on the city's web site until such time as the text is incorporated into the city code, as maintained on-line. Ordinances passed by the mayor and city council shall take effect and be in force from and after the date of their passage, unless it shall therein otherwise expressly be provided. All ordinances of the city, when posted on the city's web site and bearing in their terms the words "be it ordained by the Mayor and City Council of Cumberland," or words of like import, shall be

prima facie evidence of their authority, and shall be admitted and received in all courts and places, without further proof.

[Note: A text edited version showing the changes made is attached hereto as Exhibit A.]

SECTION 3: AND BE IT FURTHER RESOLVED, that the date of the passage of this Resolution is _____, 2022, and the amendment of the Charter of the City of Cumberland hereby enacted shall become effective on _____, 2022, unless a proper petition for a referendum hereon shall be filed as provided by Section 4-304 of the Local Government Article of the Annotated Code of Maryland. A complete and exact copy of this Resolution shall be continuously posted on the North Centre Street entrance of City Hall, Cumberland, Maryland, until _____, 2022, and the title of this Resolution shall be published in a newspaper of general circulation in the City of Cumberland no less than four (4) times, at weekly intervals, before the aforesaid date.

SECTION 4: AND BE IT FURTHER RESOLVED, that the Mayor and City Council of Cumberland is hereby specifically directed to carry out the provisions of Section 3 hereof regarding the giving of notice by posting and publication of this Resolution, approving the same, and, as evidence of said compliance, the City Clerk shall cause to be affixed to this Resolution a certificate of the publication in the newspaper in which the summary of this Resolution (i.e., its title) shall have been published, and the Mayor, if there is no petition for referendum, shall declare the Charter Amendment made to be effective on the effective date herein provided for, which is _____, 2022, by affixing his signature hereto in the space provided below the effective date hereof.

SECTION 4: AND BE IT FURTHER RESOLVED, that if a proper petition for referendum on the Charter Amendment herein proposed is filed, the Mayor and other proper officials of the City of Cumberland shall comply with applicable law, including, but not limited to, Subtitle 3 of Title 4 of the aforesaid Local Government Article.

SECTION 5: AND BE IT FURTHER RESOLVED, no later than ten (10) days after the Charter Amendment effected by this Resolution becomes effective, either as herein provided or following a referendum, the Mayor shall mail a copy of this Resolution to the Department of Legislative Services of Maryland, said mailing to include a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a

certificate showing the number of Councilpersons voting for and against it, and a report on the votes cast for or against the amendments hereby enacted at any referendum hereon, and the effective date of the Charter Amendment.

THIS RESOLUTION PASSED THIS ____ DAY OF _____, 2022.

Raymond M. Morris, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

The Charter Amendment enacted by the foregoing Resolution became effective this ____ day of _____, 2022.

Raymond M. Morris, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY, that the foregoing Resolution, amending the Charter of the City of Cumberland, Maryland, was passed the ____ day of _____, 2022, with ____ votes in affirmation and ____ votes in the negative.

Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY that:

1. Notice of the public hearing identified hereinbefore was provided by publication in the Cumberland Times- News on the ____ day of _____, 2019 and by posting on posted on the North Centre Street entrance of City Hall, Cumberland, Maryland the date of the public hearing and that a true and correct copy of said publication notice is attached hereto.

2. The title of this Resolution was published in the Cumberland Times-News on

_____,
_____,
_____ and
_____.

as evidenced by the true and correct copy of the Cumberland Times-News certificate of publication attached hereto, and that it was posted on the North Centre Street entrance of City Hall, Cumberland, Maryland commencing on the day the title of this Resolution was first published in the Cumberland Times-News, 2022, and continuing through the date this Resolution became effective.

3. The foregoing is a true and exact copy of the Charter Amendment Resolution No. ____ passed by the Mayor and City Council of Cumberland, Maryland, in Regular Session on the ____ day of _____, 2022.

4. A petition for a referendum was not filed within the forty-nine (49) days following the date of the passage of the foregoing Resolution and, therefore, it became effective on the ____ day of _____, 2022.

Marjorie A. Woodring, City Clerk

EXHIBIT A

[Note: Additions to the Charter are capitalized and in bold print and deletions are stricken through.]

Section 24. Publication OF SUMMARY of ordinances in newspapers; POSTING OF ORDINANCES ON CITY WEB SITE required; ~~exceptions; when ordinances to take effect; admissibility of codification in evidence.~~

The mayor and city council of said city shall be vested with the power and charged with the duty of making all laws and ordinances not inconsistent with the Constitution and laws of the state, touching every object, matter and subject within the local government instituted by this article.

~~Every~~ **A SUMMARY OF EVERY** ordinance imposing any penalty, fine, imprisonment or forfeiture for a violation of its provisions shall, as soon as practicable after the passage thereof, be published in ~~every issue of each of two newspapers published in said city for three (3) days successively (excluding Sundays), providing the amendments and corrections made in digesting and revision for publication in book form need not be so published.~~ **A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY FOR TWO (2) CONSECUTIVE DAYS. THE SUMMARY SHALL INCLUDE THE EFFECTIVE DATE OF THE ORDINANCE, ITS SUBJECT MATTER AND REFERENCE TO THE FACT THAT ITS ENTIRE TEXT IS POSTED ON THE CITY'S WEB SITE. THE ENTIRE TEXT OF ALL ORDINANCES SHALL, AS SOON AS PRACTICABLE AFTER THEIR PASSAGE, BE POSTED ON THE CITY'S WEB SITE UNTIL SUCH TIME AS THE TEXT IS INCORPORATED INTO THE CITY CODE, AS MAINTAINED ON-LINE.** Ordinances passed by the mayor and city council ~~and requiring publication~~ shall take effect and be in force from and after the date of their passage, unless it shall therein otherwise expressly be provided. All ordinances of the city, when ~~printed and published,~~ **POSTED ON THE CITY'S WEB SITE** and bearing on the title page **PAGES** thereof the words "~~Ordained and published~~ **BE IT ORDAINED** by the Mayor and City Council of Cumberland," or words of like import, shall be prima facie evidence of their authority, and shall be admitted and received in all courts and places, without further proof.

File Attachments for Item:

3. Charter Amendment Resolution No. 149 (*2nd and 3rd readings*) - to rescind Charter Amendment No. 145 and repeal any effects upon the Charter by its passage, and to repeal Ssection 75 of the Charter, which prohibits the carrying of concealed weapons in accordance with Section 4-101 of the Criminal Law Article of the Annotated Code of Maryland

CHARTER AMENDMENT RESOLUTION NO. 149

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY CONTAINED IN ARTICLE 11-E OF THE CONSTITUTION OF THE STATE OF MARYLAND AND SECTION 4-304 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND ENTITLED “A RESOLUTION TO RESCIND CHARTER AMENDMENT 145 AND REPEAL ANY AFFECTS UPON THE CHARTER EFFECTED BY ITS PASSAGE AND TO REPEAL SECTION 75 OF THE CHARTER OF THE CITY OF CUMBERLAND, MARYLAND (1991 EDITION) PERTAINING TO CARRYING CONCEALED WEAPONS.”

WHEREAS, Charter Amendment Resolution No. 145 pertaining to the repeal of Section 75 of the Charter of the City of Cumberland was passed on March 5, 2019;

WHEREAS, Section 75 of the City Charter pertains to the prohibition against carrying concealed weapons;

WHEREAS, Section 75 of the Charter should have been repealed effective April 24, 2019;

WHEREAS, the General Assembly passed legislation which became effective July 1, 2018, amending Section 4-305(a) and (b) of the Local Government Article and requiring that local legislative bodies hold public hearings on proposed charter amendments after providing at least twenty-one (21) days’ advance notice;

WHEREAS, a public meeting was not held on Charter Amendment Resolution No. 145 and, therefore, it did not effect the amendment of the Charter intended by its terms, i.e., the repeal of Section 75;

WHEREAS, the prohibition against carrying concealed weapons is set forth in state law (Section 4-101 of the Criminal Law Article of the Annotated Code of Maryland, as amended from time to time);

WHEREAS, the prohibitions and penalties provided for in Section 75 of the Charter are preempted by the aforesaid state law and should be removed from the Charter as was intended by the passage of Charter Amendment Resolution No. 145.

NOW THEREFORE:

SECTION 1: BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that Charter Amendment Resolution No. 145 is rescinded and any changes to the Charter effected by its passage are repealed;

SECTION 2: AND BE IT FURTHER RESOLVED, that the date of the passage of this Resolution is _____, 2022, and the amendment of the Charter of the City of Cumberland hereby enacted shall become effective on _____, 2022, unless a proper petition for a referendum hereon shall be filed as provided by Section 4-304 of the Local Government Article of the Annotated Code of Maryland. A complete and exact copy of this Resolution shall be continuously posted on the North Centre Street entrance of City Hall, Cumberland, Maryland, until _____, 2022, and the title of this Resolution shall be published in a newspaper of general circulation in the City of Cumberland no less than four times, at weekly intervals, before the aforesaid date.

SECTION 3: AND BE IT FURTHER RESOLVED, that the Mayor and City Council of Cumberland is hereby specifically directed to carry out the provisions of Section 2 hereof regarding the giving of notice by posting and publication of this Resolution, approving the same, and, as evidence of said compliance, the City Clerk shall cause to be affixed to this Resolution a certificate of the publication in the newspaper in which the summary of this Resolution (i.e., its title) shall have been published, and the Mayor, if there is no petition for referendum, shall declare the Charter Amendment made to be effective on the effective date herein provided for, which is _____, 2022, by affixing his signature hereto in the space provided below the effective date hereof.

SECTION 4: AND BE IT FURTHER RESOLVED, that if a proper petition for referendum on the Charter Amendment herein proposed is filed, the Mayor and other proper officials of the City of Cumberland shall comply with applicable law, including, but not limited to, Subtitle 3 of Title 4 of the aforesaid Local Government Article.

SECTION 5: AND BE IT FURTHER RESOLVED, no later than ten (10) days after the Charter Amendment effected by this Resolution becomes effective, either as herein provided or following a referendum, the Mayor shall mail a copy of this Resolution to the Department of Legislative Services of Maryland, said mailing to include a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a

certificate showing the number of Councilpersons voting for and against it, and a report on the votes cast for or against the amendments hereby enacted at any referendum hereon, and the effective date of the Charter Amendment.

THIS RESOLUTION PASSED THIS ____ DAY OF _____, 2022.

Raymond M. Morris, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

The Charter Amendment enacted by the foregoing Resolution became effective this ____ day of _____, 2022.

Raymond M. Morris, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY, that the foregoing Resolution, amending the Charter of the City of Cumberland, Maryland, was passed the ____ day of _____, 2022, with ____ votes in affirmation and ____ votes in the negative.

Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY that:

1. Notice of the public hearing identified hereinbefore was provided by publication in the Cumberland Times- News on the ____ day of _____, 2022, and by posting on posted on the North Centre Street entrance of City Hall, Cumberland, Maryland the date of the public hearing and that a true and correct copy of said publication notice is attached hereto.

2. The title of this Resolution was published in the Cumberland Times-News on

_____,
_____,
_____ and
_____.

as evidenced by the true and correct copy of the Cumberland Times-News certificate of publication attached hereto, and that it was posted on the North Centre Street entrance of City Hall, Cumberland, Maryland commencing on the day the title of this Resolution was first published in the Cumberland Times-News, 2022, and continuing through the date this Resolution became effective.

3. The foregoing is a true and exact copy of the Charter Amendment Resolution No. ____ passed by the Mayor and City Council of Cumberland, Maryland, in Regular Session on the ____ day of _____, 2022.

4. A petition for a referendum was not filed within the forty-nine (49) days following the date of the passage of the foregoing Resolution and, therefore, it became effective on the ____ day of _____, 2022.

Marjorie A. Woodring, City Clerk

File Attachments for Item:

1. Ordinance 3926 (*2nd and 3rd readings*) - authorizing the transfer of 471 Baltimore Avenue to Bechance LLC for the purchase price of \$100

ORDINANCE NO. 3926

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED "AN ORDINANCE TO ACCEPT BID FOR THE PURCHASE OF A PARCEL OF REAL PROPERTY IN THE CITY OF CUMBERLAND KNOWN AS 471 BALTIMORE AVENUE AND TO AUTHORIZE THE CONVEYANCE OF THIS PROPERTY TO BECHANCE LLC, SUBJECT TO THE TERMS SET FORTH HEREINAFTER, AND TO AUTHORIZE THE EXECUTION OF A DEED TO EFFECT THAT CONVEYANCE."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 471 Baltimore Avenue, Cumberland MD (the "Property");

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

WHEREAS, the Property was included in the solicitation for bids known as the "2020 Request for Bids Surplus Properties Round I" but was not bid upon in the original solicitation for bids;

WHEREAS, the City has since received a bid for the Property through the City's "Ongoing Surplus Property Sale" and staff is recommending that the Mayor and City Council award the bid for the property known as 471 Baltimore Avenue to Bechance LLC ("Purchaser") for the amount of \$100.00 (One Hundred Dollars); and

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

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council accept the bid of Bechance LLC for the sum of \$100.00 (One Hundred Dollars) subject to the following terms and conditions:

- A. Purchaser shall pay all recordation and transfer taxes required to record the deed effecting the conveyance of the Property successfully bid upon;
- B. Each purchaser shall pay the \$60.00 deed recordation fee charged by the court.
- C. Purchaser will pay the City and County real estate taxes due from the date of the deed through the remainder of the tax year and will assume responsibility for the payment of those taxes thereafter. The amount of pro-rated City and County taxes will be conveyed to the purchaser and shall be paid by cashier's check, personal check, or money order.
- D. The Properties will be conveyed to the Purchaser by means of a quitclaim deed containing no warranties or representations of any kind, the form of which is set forth in the Exhibit A attached hereto;
- E. The City will record the deed for the Purchaser, who in turn shall pay the City's \$100.00 deed recordation fee.
- F. The purchase price, the pro-rated City taxes, and the City's \$100.00 recording fee shall be paid by bank check, cashiers check or money order made payable to "City of Cumberland" and shall be hand-delivered or mailed to:

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

County taxes and County recording fees shall be paid by bank check, cashiers check or money order made payable to "Allegany County" and shall be hand-delivered or mailed to:

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

A purchaser's deed shall be released upon the payment of these sums and final recordation of the deed.

- G. Failure to remit the aforesaid payments to the City Clerk within sixty (60) days from the date of the passage of this Ordinance shall result in the rejection of a purchaser's bid, unless said deadline is extended by the City Administrator or City Solicitor for good cause shown.

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

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

Passed this _____ day of _____, 2022.

Raymond M. Morriss, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

EXHIBIT A

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this ____ day of _____, 2022, by and between **Mayor and City Council of Cumberland** (the “Grantor”), a Maryland municipal corporation, and _____ (the “Grantee”), _____, party of the second part.

WITNESSETH:

That for and in consideration of the sum of _____ cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the Grantor does hereby grant, bargain and sell, release, confirm and convey unto the Grantee, _____ [personal representatives, administrators, heirs or successors] and assigns, forever in fee simple:

IT BEING the same property which was conveyed from _____ to the Grantor by deed dated _____ and recorded among the Land Records of Allegany County, Maryland in Book _____, Page _____.

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

TO HAVE AND TO HOLD the above-described property unto the Grantee, _____ [personal representatives, administrators, heirs or successors] and assigns in fee simple forever.

PROVIDED, HOWEVER, that this deed shall be null and void and of no force and effect if it is not recorded within ninety (90) days of its date.

WITNESS/ATTEST:

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Marjorie A. Woodring, City Clerk

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

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

I HEREBY CERTIFY, that on this ____ day of _____, 2022, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Raymond M. Morriss**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$ _____ and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

MICHAEL SCOTT COHEN

File Attachments for Item:

. **Resolution R2022-07 ANN***X* (*1st reading*) - to annex land located along the east side of Messick Road and the north side of Starlight Drive and Limestone Road in Allegany County, MD, Election District No. 16, consisting of 37.69 acres +/- and owned by the Cumberland Economic Development Corporation

- ANNEXATION RESOLUTION NO. R2022-07 ANNEX -

A RESOLUTION OF MAYOR AND CITY COUNCIL OF CUMBERLAND, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, ENLARGING ITS CORPORATE BOUNDARIES BY ANNEXING LAND CONTIGUOUS TO AND ADJOINING UPON THE SAID BOUNDARIES, THE SAID LAND BEING LOCATED ALONG THE EAST SIDE OF MESSICK ROAD AND THE NORTH SIDE OF STARLIGHT DRIVE AND LIMESTONE ROAD IN ALLEGANY COUNTY, MARYLAND ELECTION DISTRICT NO. 16 AND CONSISTING OF 37.69 ACRES, MORE OR LESS, THE SAID LAND BEING MORE PARTICULARLY DESCRIBED IN THE METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT A AND SHOWN ON ALLEGANY COUNTY PLAT RECORDS PLAT NO. 2503, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT B, BEING THE LAND DESCRIBED IN THE DEED FROM AVIRETT DEVELOPMENT COMPANY, LLC TO CUMBERLAND ECONOMIC DEVELOPMENT CORPORATION DATED MARCH 30, 2022 AND RECORDED AMONG THE LAND RECORDS OF ALLEGANY COUNTY, MARYLAND IN BOOK 2774, PAGE 491, AND BEING IDENTIFIED IN THE RECORDS OF THE MARYLAND STATE DEPARTMENT OF ASSESSMENTS AND TAXATION AS ALLEGANY COUNTY TAX ACCOUNT NO. 16-002348, THEREBY AMENDING THE CHARTER OF THE SAID MUNICIPAL CORPORATION AND PROVIDING FOR THE CONDITIONS AND CIRCUMSTANCES APPLICABLE TO THE PROPOSED CHANGES IN THE AFORESAID CORPORATE BOUNDARIES AND THE AMENDMENT OF THE AFORESAID CHARTER.

WHEREAS, pursuant to the authority of Article XI-E of the Constitution of the State of Maryland and Sections 4-401, et seq., of the Local Government Article of the Annotated Code of Maryland, it is the intention of the Mayor and City Council of the City of Cumberland, Maryland to introduce and pass a resolution providing that present corporate limits of Mayor and City Council of Cumberland (the "City") as described in the Charter of the City of Cumberland (1991 Edition) be enlarged to include therein property within Allegany County, Maryland, as more particularly described in the metes and bounds description attached hereto as Exhibit A and as shown on Allegany County Plat Records Plat No. 2503, a copy of which is attached hereto as Exhibit B, (the said property hereinafter being referred to as the "Annexation Parcel"), which is contiguous and adjoining to the existing corporate limits of the City.

WHEREAS, the Annexation Parcel is located on the east side of Messick Road and the north side of Starlight Drive and Limestone Road, consists of 37.69 acres, more or less, and is described in the deed from Avirett Development Company, LLC to Cumberland Economic Development Corporation dated March 30, 2022 and recorded among the Land Records Of Allegany County, Maryland in Book 2774, Page 491, and is

identified in the records of the Maryland State Department of Assessments and Taxation as Allegany County Tax Account No. 16-002348.

WHEREAS, the annexation which is the subject of this Resolution does not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the City, real property proposed to be within the corporate limits of the City as a result of the proposed annexation, or any combination of such properties.

WHEREAS, in accordance with Md. Local Gov't. Code Ann. § 4-403(b)(2), the City has obtained consent for the proposed annexation from the owners of not less than 25 percent of the assessed valuation of the real property located in the Annexation Parcel.

WHEREAS, no persons reside within the Annexation Parcel;

WHEREAS, Cumberland Economic Development Corporation, the sole owner of land subject to taxation in the area to be annexed, has consented to the proposed annexation under the terms of the letter from Matthew Miller, Executive Director of Cumberland Economic Development Corporation to Mayor and City Council of Cumberland dated August 9, 2022, a copy of which is attached hereto and incorporated by reference herein as Exhibit C.

WHEREAS, the Mayor and City Council of the City of Cumberland, Maryland have determined to initiate this Resolution to enlarge and extend the limits of the City to include the Annexation Parcel and to make applicable to that area all laws which are now in force and effect or which may hereafter be enacted by the Mayor and City Council of Cumberland, Maryland.

WHEREAS, in furtherance of the foregoing, upon the introduction of this Resolution, the City Administrator shall have caused a notice of the proposed enlargement of the City's corporate boundaries to be published not less than four (4) times, at weekly intervals, in the *Cumberland Times News*, a newspaper of general circulation in the City of Cumberland, Maryland, said notice describing the proposed enlargement (i.e., the Annexation Parcel) and conditions and circumstances applicable thereto and specifying the time, date and place at which the public hearing on the proposed annexation was held. Said public hearing was held on the _____ day of _____, 2022, at 6:15 p.m. in City Hall, Cumberland, Maryland, said date having been more than fifteen (15) days after the final publication of the newspaper notice.

WHEREAS, in furtherance of the foregoing, upon the introduction of this Resolution, the City Administrator

shall have caused notice to have been given to commercial property owners in the Annexation Parcel of all personal property taxes and fees to be imposed by the City and the date, time, and place of the aforesaid public hearing.

WHEREAS, immediately upon the first publication of the newspaper notice, the City Administrator caused a copy of it to be provided to the Board of County Commissioners of Allegany County, Maryland, the Allegany County Planning and Zoning Department, and the Maryland Department of Planning.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND:

SECTION 1. That there is hereby annexed into the corporate boundaries of Mayor and City Council of Cumberland, having been previously identified herein as the City, all that land contiguous and adjoining its current boundaries in Allegany County, Maryland located along the east side of Messick Road and the north side of Starlight Drive and Limestone Road in Election District No. 16, consisting of 37.69 acres, more or less, as more particularly and fully described in the deed from Avirett Development Company, LLC to Cumberland Economic Development Corporation dated March 30, 2022, and recorded among the Land Records Of Allegany County, Maryland in Book 2774, Page 491, by the metes and bounds description attached

hereto as Exhibit A and as shown on Plat No. 2503 of the Allegany County Plat Records, a copy of which is attached hereto as Exhibit B, the said land having been previously identified herein as the Annexation Parcel.

SECTION 2. The Annexation Parcel shall be zoned I-G (Industrial-General).

SECTION 3. The annexation of the Annexation Parcel shall be made subject to the terms and conditions set forth in the Annexation Plan attached hereto as Exhibit D.

SECTION 4. All provisions of the Constitution of Maryland, all laws of the State of Maryland applicable to the City of Cumberland, and all duly adopted provisions of the Charter of the City of Cumberland, the Code of the City of Cumberland and the ordinances of the City of Cumberland shall be, and hereby are, extended and made applicable to the Annexation Parcel and the inhabitants therein. Nothing herein or elsewhere in the Resolution shall affect the power of the Mayor and City Council of the City of Cumberland, Maryland to amend or to repeal any Charter provision, City Code provision or ordinance existing at the date of passage of this Resolution, or to enact and ordain any ordinance they are authorized to enact or ordain.

SECTION 5. This Resolution shall be and become effective the forty-sixth (46th) day after its passage unless

a petition for referendum in accordance with Md. Local Gov't. Code Ann. §§ 4-408 to 4-413 is submitted to the City Administrator within forty-five (45) days following its passage.

SECTION 6. Promptly, but no later than ten (10) days, after the effective date of this Resolution, the City Administrator of the City of Cumberland shall send a copy of this Resolution together with the new boundaries of the City of Cumberland to the City Clerk, the Clerk of the Circuit Court for Allegany County, Maryland and, as required by Md. Local Gov't. Code Ann. § 4-414, the Department of Legislative Services. Thereafter, the City Clerk shall hold this Resolution and make it available for inspection during all business hours.

INTRODUCED the ____ day of _____, 2022.

PASSED under our hands and seals at the City Hall, Cumberland, Maryland, this ____ day of _____, 2022, with the corporate seal of the City of Cumberland hereto attached, duly attested by the City Clerk.

Mayor and City Council of
Cumberland

Raymond M. Morriss, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

First Publication Date: _____

Second Publication Date: _____

Third Publication Date: _____

Fourth Publication Date: _____

EXHIBIT A

ALL that piece or parcel of land being part of lands found as Avirett Development Company, LLC found in Liber 699, Folio 792 among the Land Records of Allegany County, Maryland, said lands being remainder lands as found on the Easterly side of Messick Road and Northerly side of Starlite Drive and Limestone Road, Cumberland, Allegany County, Maryland

BEGINNING for the same at a 5/8 inch iron bar with cap set at a steel T-Bar along the Easterly limits of Messick Road at the common Westerly corner with lands now or formerly Casey L. and Caitlin M. Shetler found in Liber 2516, Folio 484; thence binding with the common line with said Shetler

- 1) South 79 degrees 36 minutes 15 seconds East 220.23 feet to a 5/8 inch iron bar with cap set at the common corner with said Shetler lands and lands now or formerly John D. and Amy S. Shuman found in Liber 583, Folio 530; thence binding with the common lines with said Shuman lands the next seven bearings and distances
- 2) South 79 degrees 36 minutes 17 seconds East 29.44 feet to an 1 inch iron pipe found; thence with remnants of old wire fence the next 6 bearings and distances
- 3) South 78 degrees 43 minutes 48 seconds East 150.94 feet to a 5/8 inch iron bar found at the base of a fence rail; thence
- 4) South 70 degrees 32 minutes 29 seconds East 133.21 feet to a fence rail found; thence
- 5) South 67 degrees 48 minutes 49 seconds East 148.44 feet to a fence rail found; thence
- 6) South 63 degrees 33 minutes 06 seconds East 277.99 feet to a fence rail found; thence
- 7) South 64 degrees 41 minutes 01 seconds East 283.78 feet to a fence rail found; thence
- 8) South 60 degrees 11 minutes 57 seconds East 346.92 feet to a 5/8 inch iron bar with cap set at the base of fence post at the common Northerly corner with lands now or formerly Donald R. and Sandra J. Rose found in Liber 642, Folio 168; thence binding with common lines with said Rose lands the next two bearings and distances

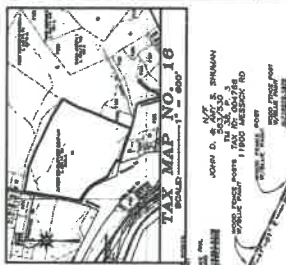
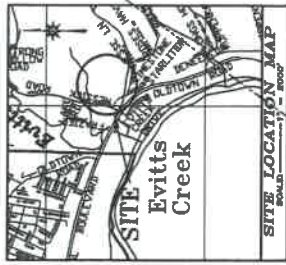
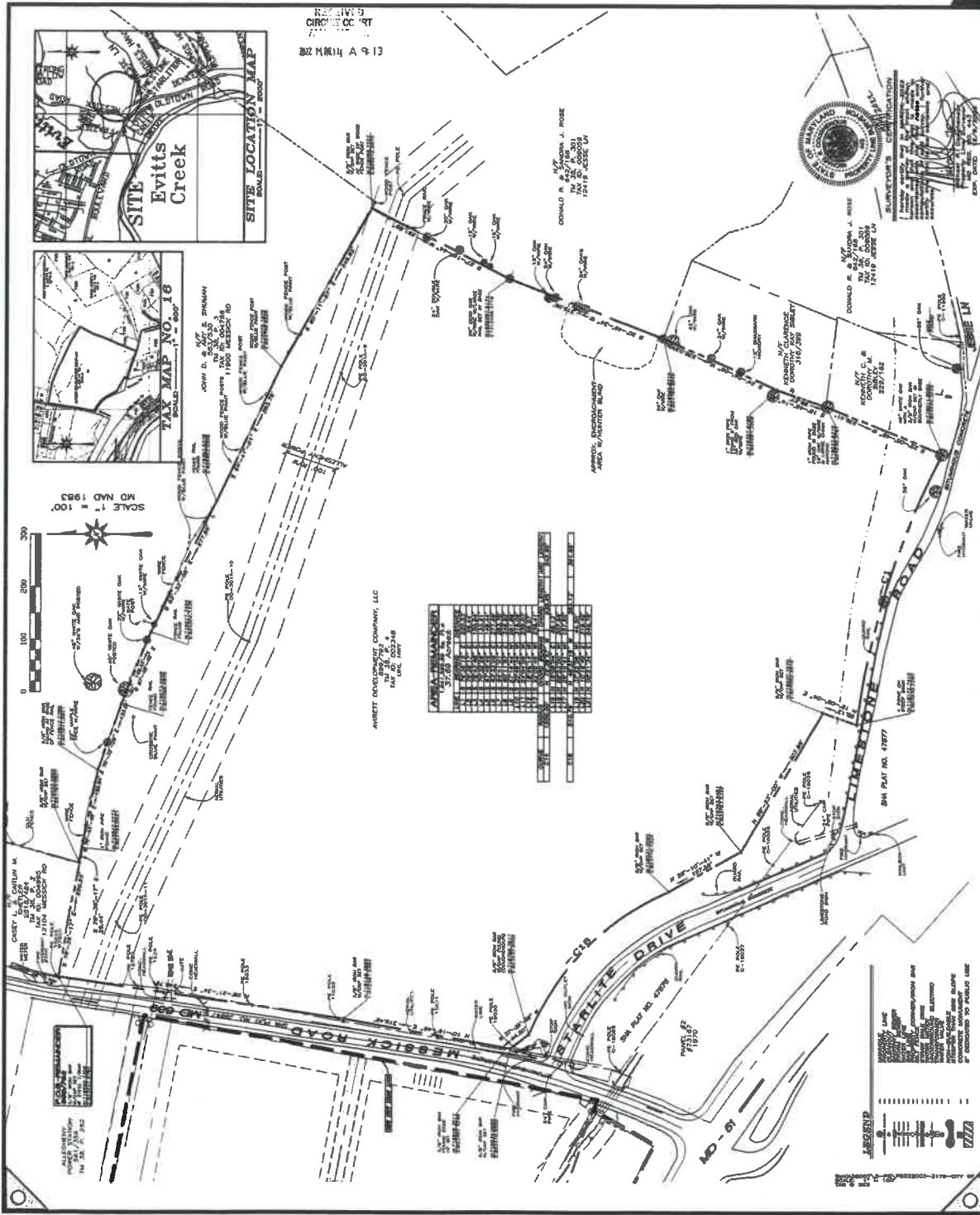
- 9) South 27 degrees 16 minutes 44 seconds West 291.89 feet to a 20 inch dead oak with wire and large nail set in base; thence
- 10) South 20 degrees 49 minutes 34 seconds West 315.06 feet to a 24 inch oak with wire at the common Northerly corner with lands now or formerly Kenneth Clarence and Dorothy Kay Sibley found in Liber 316, Folio 399; thence binding with said Sibley lands the next two bearings and distances
- 11) South 24 degrees 04 minutes 06 seconds West 239.03 feet to a 1 inch iron pipe found ± 5 feet from a 36 inch red oak with wire; thence
- 12) South 18 degrees 46 minutes 14 seconds West 99.27 feet to a 1 inch iron pipe found at the base of an 18 inch oak with wire and a large chain hanging at the common Northerly corner with lands now or formerly Kenneth C. and Dorothy M. Sibley found in Liber 229, Folio 162; thence binding with the common line with said Sibley
- 13) South 22 degrees 05 minutes 45 seconds West 239.41 feet to a 40 inch white oak with a 5/8 inch iron bar with cap set at the Southerly base, said 40 inch white oak being found along the Northerly limits of Limestone Road; thence binding with the said Northerly limits of said Limestone Road
- 14) With a curve to the left with a radius of 1500.00 feet and a Chord Bearing and Distance of North 72 degrees 38 minutes 57 seconds West 539.65 feet to a point on the steep bank; thence binding with the Maryland State Highway limits of said Limestone Road and Starlite Drive found on Plat Nos. 47876 and 47877 the next five bearing and distances
- 15) North 19 degrees 08 minutes 04 seconds East 68.13 feet to a 5/8 inch iron bar with cap set; thence
- 16) North 59 degrees 23 minutes 00 seconds West 307.96 feet to a 5/8 inch iron bar with cap set; thence
- 17) North 29 degrees 10 minutes 41 seconds West 157.55 feet to a 5/8 inch iron bar with cap set; thence
- 18) With a curve to the left with a radius of 510.76 feet and a Chord Bearing and Distance of North 45 degrees 37 minutes 19 seconds West 382.13 feet; thence

- 19) North 37 degrees 25 minutes 58 seconds West 44.50 feet to a 5/8 inch iron bar set at the intersection of the Northerly limits of Starlite Drive and the Easterly limits of said Messick Road; thence binding with the said Easterly right-of-way limits of Messick Road the next two bearings and distances
- 20) North 10 degrees 16 minutes 45 seconds East 319.42 feet to a 5/8 inch iron bar with cap set; thence
- 21) North 08 degrees 21 minutes 34 seconds East 549.78 feet to the point of beginning

Containing 1,641,565.89 square feet± or 37.69 acres± as surveyed by Coughenour Surveying March, 2022

IT BEING the same property described in the deed from Avirett Development Company, LLC to Cumberland Economic Development Corporation dated March 30, 2022, and recorded among the Land Records Of Allegany County, Maryland in Book 2774, Page 491.

No. 2503



RECEIVED
CIRCUIT COURT
MARCH 9 2013



DATE	REVISIONS

COUGHENOUR SURVEYING
 coughenour@verizon.net P.O. BOX 50000 BALTIMORE, MD 21250
 TELEPHONE NO. 301-777-7222 • CELL 301-997-9881

PREPARED FOR:
 CUMBERLAND ECONOMIC DEVELOPMENT CORPORATION
 ATTN: MATT MILLER, EXECUTIVE DIRECTOR
 CUMBERLAND, MD 21602

PROPERTY SURVEY
 FOR
CITY OF CUMBERLAND

LOCATED AT
MESSICK ROAD, STARLITE DRIVE, AND LIMESTONE ROAD
 ALLEGANY COUNTY
 CUMBERLAND
 MARYLAND

ELECTION DISTRICT NO. 16

DRAWING NUMBER:
1 of 1

PROJECT NUMBER:
222003-3179

MSA S1234-1971

P247061

A:\S\106444-PS\222003-3179-CITY OF CUMBERLAND

Apr-13-2012 9:52:00am

EXHIBIT C

CUMBERLAND ECONOMIC DEVELOPMENT CORPORATION
3 Pershing Street, Suite 105, Cumberland MD 21502
(301) 722-4173

Date: 8/9/2022

Mayor and City Council of Cumberland
c/o Michael Scott Cohen
City Solicitor
213 Washington Street
Cumberland, MD 21502

Re: Annexation of 37.69 Acre Parcel (Tax ID No. 16-002348) Located Messick Road,
Cumberland, MD

Dear Mayor and City Council:

We have been informed that the City of Cumberland is ready to proceed with the annexation of the above-referenced parcel of land which is solely owned the Cumberland Economic Development Corporation ("CEDC"). The purpose of this letter is to advise you that the CEDC formally requests that the City annex this parcel into its municipal boundaries.

It is CEDC's understanding that, upon annexation, the subject parcel will become a part of the City and shall be subject to all of its ordinances, orders and regulations. It is also CEDC's understanding that the parcel will be zoned I-G (Industrial-General) upon annexation.

You may rely upon the consent to annexation set forth herein unless and until the CEDC provides the City with written notice of its intent to withdraw it. Such notice would be provided to the City Solicitor at the address set forth above.

I thank you for your consideration.

Best,



Matthew Miller
Executive Director
Cumberland Economic Development Corporation



EXHIBIT D

ANNEXATION PLAN PERTAINING TO THE PROPOSED ANNEXATION OF
LAND BY THE CITY OF CUMBERLAND, MARYLAND

August 16, 2022

Pursuant to the provisions of Section 4-415 of the Land Use Article of the Annotated Code of Maryland, as amended, the following document constitutes a proposed Annexation Plan for the area proposed to be annexed into the corporate boundary of the City of Cumberland, Maryland, a municipal corporation, existing under and by virtue of the Laws of the State of Maryland. Municipal services will be provided to the area to be annexed on the same terms and conditions as provided to the other residents of the City of Cumberland. The property will be eligible to receive all city services upon the effective date of its annexation by the city. A copy of the Annexation Resolution is enclosed with this Annexation Plan.

Area To Be Annexed

The area to be annexed contains one parcel of land, found as Avirett Development Company, LLC, which encompasses approximately 37.69 acres, as described in the deed from Avirett Development Company, LLC to Cumberland Economic Development Corporation dated March 30, 2022 and recorded among the Land records of Allegany County, Maryland in Book 2774, Page 491. Said lands being remainder lands as found on the Easterly side of Messick Road and Northerly side of Starlite Drive and Limestone Road, Cumberland, Allegany County, Maryland, and being further identified as Allegany County Tax Account Number 16-002348. The entire area to be annexed is situated contiguous to and adjoining the corporate limits of the City of Cumberland and is more fully described and depicted in the Resolutions of Annexations.

Land Use and Zoning

The area to be annexed is currently zoned as Commercial land use by Allegany County. The property is located adjacent to highway commercial uses extending along MD Highway 51 within the City of Cumberland. The subject parcel is designated as a Priority Funding Area within Allegany County by the Maryland Department of Planning and is also located within the boundaries of the City and County's Enterprise Zone. A future industrial park is planned for the property. Accordingly, the City will designate the property as I-G (Industrial General), under Chapter 25 (Zoning) of the Cumberland City Code. It is the City's determination that the zoning classification as designated by the County and the proposed zoning in the City are consistent. The City's proposed zoning is also consistent with adjoining parcels along MD Highway 51 that are currently located within the City limits.

PUBLIC FACILITIES
SCHOOLS

Allegany County, Maryland maintains the schools and it is not anticipated that any significant impact will occur to the Allegany County Public schools, which are located in the City of Cumberland. The property will not be developed for residential uses.

HEALTH FACILITIES

There is one hospital in the City of Cumberland, which are operated by the UPMC Western Maryland Health System. The City of Cumberland Fire Department provides full-time emergency medical services and provides an ambulance to service the property at Station #2, located at the intersection of Race Street and E. Third Street, which is within 1.5 miles of the property to be annexed.

LIBRARY

The annexation will have no adverse impact upon the library services provided by the two county owned libraries in the City. The property will not be developed for residential uses.

FIRE

The scope of this annexation will have no adverse impact upon the full-time City of Cumberland Fire Department. The city maintains a fire station (Station #2) at 300 E. Third Street, which is within 1.5 miles of the property to be annexed.

PUBLIC SAFETY – POLICE

The City of Cumberland maintains a public police department with 51 sworn officers and 56 total employees. The annexation will have no adverse impact upon the department's public safety function.

RECREATIONAL FACILITIES

The annexation will have no adverse impact upon the City's Park and Recreation facilities. The property will not be developed for residential uses.

PUBLIC UTILITIES

The proposed area of annexation is not currently provided public water and sewer service with the City of Cumberland. The property is located within a Priority Funding Area. The City is working to acquire a grant to provide financial assistance for the specific public facility improvements that are being undertaken by the City to ensure adequate service to the property. Additional details are outlined below.

WATER SUPPLY

The city-owned Water Treatment Facility located in Bedford County, PA supplies water to the City and the immediate surrounding area. The facility consists of a total capacity of 3.2 billion gallons in reservoirs in a 4,000-acre watershed. A 20-inch water main crosses the property parallel to Highway 51, which provides water service to the Mexico Farms neighborhood farther to the South. The City is planning to construct a 12" line to service the proposed Industrial Park for the property. The city has adequate reserve capacity in the water system to service the proposed annexation.

SEWERAGE

As mentioned above, this site does not currently have water or sewer service, and the City will be undertaking work to construct the planned 18" sewer line to serve the proposed Industrial Park. Sufficient capacity exists within the system to accommodate the development of the property. Recent upgrades to existing infrastructure in the area have been completed to address other system deficiencies that the City had experienced in the neighboring area.

**DESCRIPTION FOR REMAINDER LANDS OF
LIBER 699, FOLIO 792 – EAST SIDE OF MESSICK ROAD**

ALL that piece or parcel of land being part of lands found as Avirett Development Company, LLC found in Liber 699, Folio 792 found among the Land Records of Allegany County, Maryland, said lands being remainder lands as found on the Easterly side of Messick Road and Northerly side of Starlite Drive and Limestone Road, Cumberland, Allegany County, Maryland

BEGINNING for the same at a 5/8 inch iron bar with cap set at a steel T-Bar along the Easterly limits of Messick Road at the common Westerly corner with lands now or formerly Casey L. and Caitlin M. Shetler found in Liber 2516, Folio 484; thence binding with the common line with said Shetler

- 1) South 79 degrees 36 minutes 15 seconds East 220.23 feet to a 5/8 inch iron bar with cap set at the common corner with said Shetler lands and lands now or formerly John D. and Amy S. Shuman found in Liber 583, Folio 530; thence binding with the common lines with said Shuman lands the next seven bearings and distances
- 2) South 79 degrees 36 minutes 17 seconds East 29.44 feet to an 1 inch iron pipe found; thence with remnants of old wire fence the next 6 bearings and distances
- 3) South 78 degrees 43 minutes 48 seconds East 150.94 feet to a 5/8 inch iron bar found at the base of a fence rail; thence
- 4) South 70 degrees 32 minutes 29 seconds East 133.21 feet to a fence rail found; thence
- 5) South 67 degrees 48 minutes 49 seconds East 148.44 feet to a fence rail found; thence
- 6) South 63 degrees 33 minutes 06 seconds East 277.99 feet to a fence rail found; thence
- 7) South 64 degrees 41 minutes 01 seconds East 283.78 feet to a fence rail found; thence
- 8) South 60 degrees 11 minutes 57 seconds East 346.92 feet to a 5/8 inch iron bar with cap set at the base of fence post at the common Northerly corner with lands now or formerly Donald R. and Sandra J. Rose found in Liber 642, Folio 168; thence binding with common lines with said Rose lands the next two bearings and distances

- 9) South 27 degrees 16 minutes 44 seconds West 291.89 feet to a 20 inch dead oak with wire and large nail set in base; thence
- 10) South 20 degrees 49 minutes 34 seconds West 315.06 feet to a 24 inch oak with wire at the common Northerly corner with lands now or formerly Kenneth Clarence and Dorothy Kay Sibley found in Liber 316, Folio 399; thence binding with said Sibley lands the next two bearings and distances
- 11) South 24 degrees 04 minutes 06 seconds West 239.03 feet to a 1 inch iron pipe found ± 5 feet from a 36 inch red oak with wire; thence
- 12) South 18 degrees 46 minutes 14 seconds West 99.27 feet to a 1 inch iron pipe found at the base of an 18 inch oak with wire and a large chain hanging at the common Northerly corner with lands now or formerly Kenneth C. and Dorothy M. Sibley found in Liber 229, Folio 162; thence binding with the common line with said Sibley
- 13) South 22 degrees 05 minutes 45 seconds West 239.41 feet to a 40 inch white oak with a 5/8 inch iron bar with cap set at the Southerly base, said 40 inch white oak being found along the Northerly limits of Limestone Road; thence binding with the said Northerly limits of said Limestone Road
- 14) With a curve to the left with a radius of 1500.00 feet and a Chord Bearing and Distance of North 72 degrees 38 minutes 57 seconds West 539.65 feet to a point on the steep bank; thence binding with the Maryland State Highway limits of said Limestone Road and Starlite Drive found on Plat Nos. 47876 and 47877 the next five bearing and distances
- 15) North 19 degrees 08 minutes 04 seconds East 68.13 feet to a 5/8 inch iron bar with cap set; thence
- 16) North 59 degrees 23 minutes 00 seconds West 307.96 feet to a 5/8 inch iron bar with cap set; thence
- 17) North 29 degrees 10 minutes 41 seconds West 157.55 feet to a 5/8 inch iron bar with cap set; thence
- 18) With a curve to the left with a radius of 510.76 feet and a Chord Bearing and Distance of North 45 degrees 37 minutes 19 seconds West 382.13 feet; thence
- 19) North 37 degrees 25 minutes 58 seconds West 44.50 feet to a 5/8 inch iron bar set at the intersection of the Northerly limits of Starlite Drive and the Easterly limits

of said Messick Road; thence binding with the said Easterly right-of-way limits of Messick Road the next two bearings and distances

- 20) North 10 degrees 16 minutes 45 seconds East 319.42 feet to a 5/8 inch iron bar with cap set; thence
- 21) North 08 degrees 21 minutes 34 seconds East 549.78 feet to the point of beginning

Containing 1,641,565.89 square feet± or 37.69 acres± as surveyed by Coughenour Surveying March, 2022.

Avirett-city of cumb.des2022

9 March 2022

File Attachments for Item:

. **Order 27,085** - authorizing the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Allegany County Health Department to receive grant funding in the amount of \$3,000 for officers to work overtime conducting overdose follow-ups in conjunction with UPMC Western Maryland, AHEC West and Department of Social Services Peers.

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

ORDER NO. 27,085

DATE: September 20, 2022

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

THAT, the Chief of Police be and is hereby authorized to enter into a Memorandum of Understanding (M.O.U.) with the Allegany County Health Department on behalf of the City of Cumberland Police Department to receive grant funding in the amount of Three Thousand Dollars and No Cents (\$3,000.00), for overtime support for officers to conduct overdose follow-ups in conjunction with UPMC Western Maryland, AHEC West, and the Department of Social Services Peers, for the period retroactive to September 6, 2022 to June 23, 2032.

Raymond M. Morriss, Mayor

MEMORANDUM OF UNDERSTANDING

between

ALLEGANY COUNTY HEALTH DEPARTMENT

12503 Willowbrook Road SE
Cumberland, MD 21502

and

CUMBERLAND CITY POLICE DEPARTMENT

20 Bedford Street
Cumberland, MD 21502

This agreement is funded through grant monies made available from award number F755N, Overdose Data to Action Grant, for fiscal year 2023, award period September 6, 2022 to June 23, 2023. The Allegany County Health Department agrees to pay the Cumberland City Police Department up to a total of \$3,000.00 to conduct overdose follow-ups, by June 23, 2023, with the goal of reducing overdose deaths in the community.

Cumberland City Police Department agrees to the following:

1. Partners with UPMC Western Maryland Peers, AHEC West Peers, Department of Social Services Peers and Allegany County Parole and Probation to collaborate together on making contact with non-fatal overdose victims within 24-48 hours after release from hospital/institution or post-incident to offer treatment options;
2. Leave informational packets with victim, family or at residence;
3. Report monthly to Allegany County Health Department the number of follow-up attempts;
4. Due to the unpredictable timing and number of follow-up incidents, an officer will be guaranteed a 2-hour minimum overtime callout; and
5. Can utilize other law enforcement agencies, when unavailable to make contact.

The Cumberland City Police Department agrees to submit monthly reports, (attached), and invoices, (including overtime vouchers), for the above stated services on a monthly basis. Invoices and reports should only reflect the services and expenses from this grant award and should not be combined with any other Health Department grant funding, (if applicable).

Deadline for monthly reports and invoices are the 5th of every month. **Exception: the last report and invoice must be submitted no later than June 23, 2023.**

The activities of this agreement must be completed by June 23, 2023 and the final report and invoices must be completed by June 23, 2023. The Allegany County Health Department will remit reimbursement only after the above services are purchased and/or rendered and proper invoices, with overtime vouchers, are submitted.

Date: _____
Chuck Ternent,
Chief of Police
Cumberland City Police Department



Date: 9/6/22
Jenelle Mayer,
Health Officer,
Allegany County Health Department

Council Agenda Summary

Meeting Date: September 20, 2022

Key Staff Contact: Lt. Andrew Tichnell/Chief Chuck Ternent

Item Title: FY23 Health Department Opioid Overdose Follow-Up Grant

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

Authorize the Chief of Police to enter into a Memorandum of Understanding with the Allegany County Health Department to receive grant funding in the amount of \$3,000 for officers to work overtime conducting overdose follow-ups in conjunction with UPMC Western Maryland, AHEC West and Department of Social Services Peers.

Amount of Award: \$3,000

Budget number:

Grant, bond, etc. reference: Grant – reimbursable overtime

File Attachments for Item:

. **Order 27,086** - authorizing the Chief of Police to accept a FY23 Police Recruitment and Retention Grant in the amount of \$59,800.00 awarded by the Governor's Office for Crime Control and Prevention (GOCCP) who recognizes the state-wide shortage of police candidates and has offered funds to help local agencies recruit and retain police officers.

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

ORDER NO. 27,086

DATE: September 20, 2022

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

THAT the Chief of Police be and is hereby authorized to accept a GOCCP Grant for FY23 entitled "Police Recruitment and Retention" in the amount of Fifty-nine Thousand, Eight Hundred Dollars and No Cents (\$59,800.00) to assist in recruitment and retention, and to help pay incentives designed to attract and maintain qualified officers.

Raymond M. Morriss, Mayor

Grant: PRAR-2023-0005



GOVERNOR'S COORDINATING OFFICES

Community Initiatives · Service & Volunteerism · Performance Improvement
Crime Prevention, Youth, & Victim Services · Small, Minority, & Women Business Affairs
Banneker-Douglass Museum · Volunteer Maryland · Deaf & Hard of Hearing

September 08, 2022

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

RE: PRAR-2023-0005

Dear Chief Tement:

I am pleased to inform you that your grant application submitted by **Cumberland Police Department**, entitled "**Police Recruitment and Retention**," in the amount of \$59,800.00 has received approval under the Police Recruitment and Retention program. Enclosed is the grant award packet containing information and forms necessary to initiate the project.

The grant will fund the program described below:

The Cumberland City Police Department 2023 Police Recruitment and Retention (PRAR) assists in developing and implementing strategies intended to enhance recruitment and retention activities for the Cumberland City Police Department. This program provides incentives designed to attract and retain qualified law enforcement employees. The program funds will provide incentives to retain, recruit and hire.

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

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

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kunle Adeyemo', written in black ink.

Kunle Adeyemo, Esq.
Executive Director

cc: Lieutenant Eric Bonner



9/8/2022

Governor's Office of Crime Control and Prevention



Control Number:

43786

Regional Monitor:

Jones, Quentin

Fiscal Specialist:

Lee, Dorothy

Grant Award & Acceptance Form

Grant Award Number:	PRAR-2023-0005	
Sub-recipient:	Cumberland Police Department	
Project Title:	Police Recruitment and Retention	
Implementing Agency:	Cumberland Police Department	
Award Period:	07/01/2022 - 06/30/2023	CFDA: State General Fund

Funding Summary	Grant Funds	100.0 %	\$59,800.00
	Cash Match	0.0 %	\$0.00
	In-Kind Match	0.0 %	\$0.00
	Total Project Funds		\$59,800.00

This Grant Award is hereby made for financial assistance by the Governor's Office of Crime Control and Prevention in accordance with the


Police Recruitment and Retention Grant Program (BCCI)

This Grant Award is subject to the General Conditions and any Special Conditions attached to this award, as well as all statutes and requirements of the State of Maryland.

This Grant Award incorporates all the information, conditions, representations and Certified Assurances contained in the grantee's application.

The Grant Award shall become effective as of the start date of the award, unless otherwise specified, and upon submission to the Grants Management System, within twenty-one (21) calendar days, of a fully executed original of this document signed by the duly authorized official of the sub-recipient unit of government or sub-recipient agency receiving this Grant Award. Copies and faxes are not acceptable.

FOR THE STATE OF MARYLAND:



Executive Director

Governor's Office of Crime Control and Prevention

SUB-RECIPIENT ACCEPTANCE:

Signature of Authorized Official

Typed Name And Title

Date

To submit, sign in blue ink and scan and upload the document to the grant award Documents section in the Grants Management System.



Regional Monitor:
Fiscal Specialist:

Jones, Quentin
Lee, Dorothy

Governor's Office of Crime Control and Prevention

Budget Notice

Grant Award Number:	PRAR-2023-0005	
Sub-recipient:	Cumberland Police Department	
Project Title:	Police Recruitment and Retention	
Implementing Agency:	Cumberland Police Department	
Award Period:	07/01/2022 - 06/30/2023	CFDA: State General Fund

Funding Summary	Grant Funds	100.0 %	\$59,800.00
	Cash Match	0.0 %	\$0.00
	In-Kind Match	0.0 %	\$0.00
	Total Project Funds		\$59,800.00

Other

Description	Funding	Quantity	Unit Cost	Total Budget
Physical Fitness retention bonus	Grant Funds	46	\$300.00	\$13,800.00
Sworn officer retention referral bonus	Grant Funds	6	\$500.00	\$3,000.00
Sworn officer with a bachelors degree new hire	Grant Funds	6	\$1,000.00	\$6,000.00
Sworn officers who successfully graduate the academy	Grant Funds	6	\$1,000.00	\$6,000.00
Sworn officers with a bachelors degree retention bonus	Grant Funds	16	\$1,000.00	\$16,000.00
Sworn officers with an associates degree retention bonus	Grant Funds	9	\$1,000.00	\$9,000.00
Veteran new hire bonus	Grant Funds	6	\$1,000.00	\$6,000.00
Other Total:				\$59,800.00

Approved: 

 Governor's Office of Crime Control and Prevention Authorized Representative

Effective Date: 9/7/2022

Council Agenda Summary

Meeting Date: September 20, 2022

Key Staff Contact: Lt. Eric Bonner/Chief Chuck Ternent

Item Title: FY23 Police Recruitment & Retention Grant (PRAR)

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

Authorize the Chief of Police to accept the FY22 Police Recruitment and Retention Grant in the amount of \$59,800 awarded by the Governor's Office for Crime Control and Prevention (GOCCP) who recognizes the state-wide shortage of police candidates and has offered funds to help local agencies recruit and retain police officers.

Amount of Award: \$59,800

Budget number:

Grant, bond, etc. reference: Grant

File Attachments for Item:

. **Order 27,087** - accepting the quote from Environmental Systems Research Institute (ESRI) for its GIS program for a 3-year license agreement in the amount not-to-exceed \$27,500 for each year, for a total not-to-exceed \$82,500 by the end of FY25

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

ORDER NO. 27,087

DATE: September 20, 2022

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

THAT, the quote from Environmental Systems Research Institute, Inc., 380 New York Street, Redlands, CA, 92373-8100 for a 3-year license agreement for its GIS program be and is hereby accepted in the amount not-to-exceed Twenty-seven Thousand, Five Hundred Dollars and no Cents (\$27,500.00) for each year, for a total cost not-to-exceed Eighty-two Thousand, Five Hundred Dollars and No Cents (\$82,500.00) by the end of FY25.

Raymond M. Morriss, Mayor

Budget No. 001.052.48201

Quotation # Q-461820

Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853 Fax: (909) 307-3049
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

Date: August 26, 2022
Customer # 124104 Contract #

City of Cumberland
Engineering Dept
57 N Liberty St
Cumberland, MD 21502

*To expedite your order, please attach a copy of this quotation to your purchase order.
Quote is valid from: 8/26/2022 To: 11/24/2022*

ATTENTION: Amy Baker
PHONE: 301-759-6605 x6605
EMAIL: amy.baker@cumberlandmd.gov

Material	Qty	Term	Unit Price	Total
168177	1	Year 1	\$27,500.00	\$27,500.00
Populations of 0 to 25,000 Small Government Term Enterprise License Agreement				
168177	1	Year 2	\$27,500.00	\$27,500.00
Populations of 0 to 25,000 Small Government Term Enterprise License Agreement				
168177	1	Year 3	\$27,500.00	\$27,500.00
Populations of 0 to 25,000 Small Government Term Enterprise License Agreement				

Subtotal:	\$82,500.00
Sales Tax:	\$0.00
Estimated Shipping and Handling (2 Day Delivery):	\$0.00
Contract Price Adjust:	\$0.00
Total:	\$82,500.00

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:
Rob Hayward

Email:
rhayward@esri.com

Phone:
703-506-9515 x8111

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

Esri Use Only:

Cust. Name _____
Cust. # _____
PO # _____
Esri Agreement # _____



**SMALL ENTERPRISE AGREEMENT
COUNTY AND MUNICIPALITY GOVERNMENT
(E214-1)**

This Agreement is by and between the organization identified in the Quotation ("**Customer**") and **Environmental Systems Research Institute, Inc. ("Esri")**.

This Agreement sets forth the terms for Customer's use of Products and incorporates by reference (i) the Quotation and (ii) the Master Agreement. Should there be any conflict between the terms and conditions of the documents that comprise this Agreement, the order of precedence for the documents shall be as follows: (i) the Quotation, (ii) this Agreement, and (iii) the Master Agreement. This Agreement shall be governed by and construed in accordance with the laws of the state in which Customer is located without reference to conflict of laws principles, and the United States of America federal law shall govern in matters of intellectual property. The modifications and additional rights granted in this Agreement apply only to the Products listed in Table A.

**Table A
List of Products**

Uncapped Quantities

Desktop Software and Extensions (Single Use)

ArcGIS Desktop Advanced
ArcGIS Desktop Standard
ArcGIS Desktop Basic
ArcGIS Desktop Extensions: ArcGIS 3D Analyst, ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst, ArcGIS Publisher, ArcGIS Network Analyst, ArcGIS Schematics, ArcGIS Workflow Manager, ArcGIS Data Reviewer

Enterprise Software and Extensions

ArcGIS Enterprise and Workgroup (Advanced and Standard)
ArcGIS Monitor
ArcGIS Enterprise Extensions: ArcGIS 3D Analyst, ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst, ArcGIS Network Analyst, ArcGIS Schematics, ArcGIS Workflow Manager

Enterprise Additional Capability Servers

ArcGIS Image Server

Developer Tools

ArcGIS Engine
ArcGIS Engine Extensions: ArcGIS 3D Analyst, ArcGIS Spatial Analyst, ArcGIS Engine Geodatabase Update, ArcGIS Network Analyst, ArcGIS Schematics
ArcGIS Runtime (Standard)
ArcGIS Runtime Analysis Extension

Limited Quantities

One (1) Professional subscription to ArcGIS Developer
Two (2) ArcGIS CityEngine Single Use Licenses
50 ArcGIS Online Viewers
50 ArcGIS Online Creators
10,000 ArcGIS Online Service Credits
50 ArcGIS Enterprise Creators
2 ArcGIS Insights in ArcGIS Enterprise
2 ArcGIS Insights in ArcGIS Online
5 ArcGIS Tracker for ArcGIS Enterprise
5 ArcGIS Tracker for ArcGIS Online
2 ArcGIS Parcel Fabric User Type Extensions (Enterprise)
2 ArcGIS Utility Network User Type Extensions (Enterprise)
2 ArcGIS Trace Network User Type Extensions (Enterprise)

OTHER BENEFITS

Number of Esri User Conference registrations provided annually	2
Number of Tier 1 Help Desk individuals authorized to call Esri	2
Maximum number of sets of backup media, if requested*	2
Five percent (5%) discount on all individual commercially available instructor-led training classes at Esri facilities purchased outside this Agreement	

*Additional sets of backup media may be purchased for a fee

Customer may accept this Agreement by signing and returning the whole Agreement with (i) the Quotation attached, (ii) a purchase order, or (iii) another document that matches the Quotation and references this Agreement ("**Ordering Document**"). **ADDITIONAL OR CONFLICTING TERMS IN CUSTOMER'S PURCHASE ORDER OR OTHER DOCUMENT WILL NOT APPLY, AND THE TERMS OF THIS AGREEMENT WILL GOVERN.** This Agreement is effective as of the date of Esri's receipt of an Ordering Document, unless otherwise agreed to by the parties ("**Effective Date**").

Term of Agreement: Three (3) years

This Agreement supersedes any previous agreements, proposals, presentations, understandings, and arrangements between the parties relating to the licensing of the Products. Except as provided in Article 4—Product Updates, no modifications can be made to this Agreement.

Accepted and Agreed:

(Customer)

By: _____
Authorized Signature

Printed Name: _____

Title: _____

Date: _____

CUSTOMER CONTACT INFORMATION

Contact: _____

Telephone: _____

Address: _____

Fax: _____

City, State, Postal Code: _____

E-mail: _____

Country: _____

Quotation Number (if applicable): _____

1.0—ADDITIONAL DEFINITIONS

In addition to the definitions provided in the Master Agreement, the following definitions apply to this Agreement:

"Case" means a failure of the Software or Online Services to operate according to the Documentation where such failure substantially impacts operational or functional performance.

"Deploy", "Deployed" and "Deployment" mean to redistribute and install the Products and related Authorization Codes within Customer's organization(s).

"Fee" means the fee set forth in the Quotation.

"Maintenance" means Tier 2 Support, Product updates, and Product patches provided to Customer during the Term of Agreement.

"Master Agreement" means the applicable master agreement for Esri Products incorporated by this reference that is (i) found at <https://www.esri.com/en-us/legal/terms/full-master-agreement> and available in the installation process requiring acceptance by electronic acknowledgment or (ii) a signed Esri master agreement or license agreement that supersedes such electronically acknowledged master agreement.

"Product(s)" means the products identified in Table A—List of Products and any updates to the list Esri provides in writing.

"Quotation" means the offer letter and quotation provided separately to Customer.

"Technical Support" means the technical assistance for attempting resolution of a reported Case through error correction, patches, hot fixes, workarounds, replacement deliveries, or any other type of Product corrections or modifications.

"Tier 1 Help Desk" means Customer's point of contact(s) to provide all Tier 1 Support within Customer's organization(s).

"Tier 1 Support" means the Technical Support provided by the Tier 1 Help Desk.

"Tier 2 Support" means the Esri Technical Support provided to the Tier 1 Help Desk when a Case cannot be resolved through Tier 1 Support.

2.0—ADDITIONAL GRANT OF LICENSE

2.1 Grant of License. Subject to the terms and conditions of this Agreement, Esri grants to Customer a personal, nonexclusive, nontransferable license solely to use, copy, and Deploy quantities of the Products listed in Table A—List of Products for the Term of Agreement (i) for the applicable Fee and (ii) in accordance with the Master Agreement.

2.2 Consultant Access. Esri grants Customer the right to permit Customer's consultants or contractors to use the Products exclusively for Customer's benefit. Customer will be solely responsible for compliance by consultants and contractors with this Agreement and will ensure that the consultant or contractor discontinues use of Products upon completion of work for Customer. Access to or use of Products by consultants or contractors not exclusively for Customer's benefit is prohibited. Customer may not permit its consultants or contractors to install Software or Data on consultant, contractor, or third-party computers or remove Software or Data from Customer locations, except for the purpose of hosting the Software or Data on Contractor servers for the benefit of Customer.

3.0—TERM, TERMINATION, AND EXPIRATION

3.1 Term. This Agreement and all licenses hereunder will commence on the Effective Date and continue for the duration identified in the Term of Agreement, unless this Agreement is terminated earlier as provided herein. Customer is only authorized to use Products during the Term of Agreement. For an Agreement with a limited term, Esri does not grant Customer an indefinite or a perpetual license to Products.

3.2 No Use upon Agreement Expiration or Termination. All Product licenses, all Maintenance, and Esri User Conference registrations terminate upon expiration or termination of this Agreement.

3.3 Termination for a Material Breach. Either party may terminate this Agreement for a material breach by the other party. The breaching party will have thirty (30) days from the date of written notice to cure any material breach.

3.4 Termination for Lack of Funds. For an Agreement with government or government-

owned entities, either party may terminate this Agreement before any subsequent year if Customer is unable to secure funding through the legislative or governing body's approval process.

3.5 Follow-on Term. If the parties enter into another agreement substantially similar to this Agreement for an additional term, the effective date of the follow-on agreement will be the day after the expiration date of this Agreement.

4.0—PRODUCT UPDATES

4.1 Future Updates. Esri reserves the right to update the list of Products in Table A—List of Products by providing written notice to Customer. Customer may continue to use all Products that have been Deployed, but support and upgrades for deleted items may not be available. As new Products are incorporated into the standard program, they will be offered to Customer via written notice for incorporation into the Products schedule at no additional charge. Customer's use of new or updated Products requires Customer to adhere to applicable additional or revised terms and conditions in the Master Agreement.

4.2 Product Life Cycle. During the Term of Agreement, some Products may be retired or may no longer be available to Deploy in the identified quantities. Maintenance will be subject to the individual Product Life Cycle Support Status and Product Life Cycle Support Policy, which can be found at <https://support.esri.com/en/other-resources/product-life-cycle>. Updates for Products in the mature and retired phases may not be available. Customer may continue to use Products already Deployed, but Customer will not be able to Deploy retired Products.

5.0—MAINTENANCE

The Fee includes standard maintenance benefits during the Term of Agreement as specified in the most current applicable Esri Maintenance and Support Program document (found at <https://www.esri.com/en-us/legal/terms/maintenance>). At Esri's sole discretion, Esri may make patches, hot fixes, or updates available for download. No Software other

than the defined Products will receive Maintenance. Customer may acquire maintenance for other Software outside this Agreement.

a. Tier 1 Support

1. Customer will provide Tier 1 Support through the Tier 1 Help Desk to all Customer's authorized users.
2. The Tier 1 Help Desk will be fully trained in the Products.
3. At a minimum, Tier 1 Support will include those activities that assist the user in resolving how-to and operational questions as well as questions on installation and troubleshooting procedures.
4. The Tier 1 Help Desk will be the initial point of contact for all questions and reporting of a Case. The Tier 1 Help Desk will obtain a full description of each reported Case and the system configuration from the user. This may include obtaining any customizations, code samples, or data involved in the Case.
5. If the Tier 1 Help Desk cannot resolve the Case, an authorized Tier 1 Help Desk individual may contact Tier 2 Support. The Tier 1 Help Desk will provide support in such a way as to minimize repeat calls and make solutions to problems available to Customer's organization.
6. Tier 1 Help Desk individuals are the only individuals authorized to contact Tier 2 Support. Customer may change the Tier 1 Help Desk individuals by written notice to Esri.

b. Tier 2 Support

1. Tier 2 Support will log the calls received from Tier 1 Help Desk.
2. Tier 2 Support will review all information collected by and received from the Tier 1 Help Desk including preliminary documented troubleshooting provided by the Tier 1 Help Desk when Tier 2 Support is required.
3. Tier 2 Support may request that Tier 1 Help Desk individuals provide verification of information, additional information, or answers to additional questions to

supplement any preliminary information gathering or troubleshooting performed by Tier 1 Help Desk.

4. Tier 2 Support will attempt to resolve the Case submitted by Tier 1 Help Desk.
5. When the Case is resolved, Tier 2 Support will communicate the information to Tier 1 Help Desk, and Tier 1 Help Desk will disseminate the resolution to the user(s).

6.0—ENDORSEMENT AND PUBLICITY

This Agreement will not be construed or interpreted as an exclusive dealings agreement or Customer's endorsement of Products. Either party may publicize the existence of this Agreement.

7.0—ADMINISTRATIVE REQUIREMENTS

7.1 OEM Licenses. Under Esri's OEM or Solution OEM programs, OEM partners are authorized to embed or bundle portions of Esri products and services with their application or service. OEM partners' business model, licensing terms and conditions, and pricing are independent of this Agreement. Customer will not seek any discount from the OEM partner or Esri based on the availability of Products under this Agreement. Customer will not decouple Esri products or services from the OEM partners' application or service.

7.2 Annual Report of Deployments. At each anniversary date and ninety (90) calendar days prior to the expiration of this Agreement, Customer will provide Esri with a written report detailing all Deployments. Upon request, Customer will provide records sufficient to verify the accuracy of the annual report.

8.0—ORDERING, ADMINISTRATIVE PROCEDURES, DELIVERY, AND DEPLOYMENT

8.1 Orders, Delivery, and Deployment

- a. Upon the Effective Date, Esri will invoice Customer and provide Authorization Codes to activate the nondestructive copy protection program that enables Customer to download,

operate, or allow access to the Products. If this is a multi-year Agreement, Esri may invoice the Fee up to thirty (30) calendar days before the annual anniversary date for each year.

- b. Undisputed invoices will be due and payable within thirty (30) calendar days from the date of invoice. Esri reserves the right to suspend Customer's access to and use of Products if Customer fails to pay any undisputed amount owed on or before its due date. Esri may charge Customer interest at a monthly rate equal to the lesser of one percent (1.0%) per month or the maximum rate permitted by applicable law on any overdue fees plus all expenses of collection for any overdue balance that remains unpaid ten (10) days after Esri has notified Customer of the past-due balance.

- c. Esri's federal ID number is 95-2775-732.

- d. If requested, Esri will ship backup media to the ship-to address identified on the Ordering Document, FOB Destination, with shipping charges prepaid. Customer acknowledges that should sales or use taxes become due as a result of any shipments of tangible media, Esri has a right to invoice and Customer will pay any such sales or use tax associated with the receipt of tangible media.

8.2 Order Requirements. Esri does not require Customer to issue a purchase order. Customer may submit a purchase order in accordance with its own process requirements, provided that if Customer issues a purchase order, Customer will submit its initial purchase order on the Effective Date. If this is a multi-year Agreement, Customer will submit subsequent purchase orders to Esri at least thirty (30) calendar days before the annual anniversary date for each year.

- a. All orders pertaining to this Agreement will be processed through Customer's centralized point of contact.

- b. The following information will be included in each Ordering Document:

- (1) Customer name; Esri customer number, if known; and bill-to and ship-to addresses
- (2) Order number
- (3) Applicable annual payment due

9.0—MERGERS, ACQUISITIONS, OR DIVESTITURES

If Customer is a commercial entity, Customer will notify Esri in writing in the event of (i) a consolidation, merger, or reorganization of Customer with or into another corporation or entity; (ii) Customer's acquisition of another entity; or (iii) a transfer or sale of all or part of Customer's organization (subsections i, ii, and iii, collectively referred to as "**Ownership Change**"). There will be no decrease in Fee as a result of any Ownership Change.

- 9.1 If an Ownership Change increases the cumulative program count beyond the maximum level for this Agreement, Esri reserves the right to increase the Fee or terminate this Agreement and the parties will negotiate a new agreement.
- 9.2 If an Ownership Change results in transfer or sale of a portion of Customer's organization, that portion of Customer's organization will transfer the Products to Customer or uninstall, remove, and destroy all copies of the Products.
- 9.3 This Agreement may not be assigned to a successor entity as a result of an Ownership Change unless approved by Esri in writing in advance. If the assignment to the new entity is not approved, Customer will require any successor entity to uninstall, remove, and destroy the Products. This Agreement will terminate upon such Ownership Change.

Council Agenda Summary

Meeting Date: 9/20/2022

Key Staff Contact: Amy Baker

Item Title:

Environmental Systems Research Institute 3 Year License Agreement

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

The City of Cumberland's Engineering Department utilizes the services provided by the Environmental Systems Research Institute (ESRI) for its GIS program. In order to utilize this service, the engineering department needs to accept a 3-year license agreement. Each year will cost \$27,500.00 for a total of \$82,500.00 by the end of FY25.

Amount of Award: \$27,500 (FY23), \$27,500 (FY24), \$27,500 (FY25)

Budget number: 001.052.48201

Grant, bond, etc. reference: City Funds

File Attachments for Item:

. **Order 27,088** - authoring the City Administrator to execute Change Order No. 1 for City Project 31-17-W, "Construction Inspector for Decatur St. 24" Crosstown Water Main Replacement", to add 160 additional hours at a cost of \$25/hour for a total not-to-exceed cost of \$4,000.00, bringing the new contract value to \$36,000.00

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

ORDER NO. Order 27,088

DATE: September 20, 2022

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

THAT, the City Administrator be and is hereby authorized to execute Change Order No. 1 to the original contract with James T. Wilson, Construction Inspector for City Project "Decatur Street 24" Crosstown Water Main Replacement" (31-17-W), to extend Mr. Wilson's contract by an additional 160 hours, at a rate of \$25 per hour, for a total not-to-exceed Four Thousand Dollars and No Cents (\$4,000.00), due to the original contract expiring before the project is finished.

Raymond M. Morriss, Mayor

<i>James T. Wilson-Construction Inspector</i>	Contract Price
Original Contract Price	\$32,000.00
Change Order No. 1	\$ 4,000.00
New Contract Price	\$36,000.00

Budget: 002.299EE.63000
MDE Grant Funds, DWSRF Loans



Derrick Grimm <derrick.grimm@cumberlandmd.gov>

Contract Extension for Decatur Street Inspector

3 messages

Robert Smith <robert.smith@cumberlandmd.gov>

Tue, Sep 13, 2022 at 3:11 PM

To: Jeff Silka <jeff.silka@cumberlandmd.gov>, Ken Tressler <ken.tressler@cumberlandmd.gov>, Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>

Cc: Derrick Grimm <derrick.grimm@cumberlandmd.gov>, Matt Idleman <matt.idleman@cumberlandmd.gov>

Gents - The Decatur Street Project has hit some snags that have extended the term of the contract. most notably, the connection of the 36" transmission main to the new 24" water main. The contract documents did not correctly state what type of pipe material the existing 36" main consisted of, so the contractor did not have the correct material on hand to perform the connection. After weeks of research into what connection materials are available for connecting concrete to ductile iron, we found suitable fitting products last week and I directed the contractor to get them on order.

The new connections will occur on 9/26 & 9/27, followed by a final 24" connection the week of 10/4. The final paving operations and fencing work will occur the week of 10/10, which should complete the project.

We currently have sufficient funds to pay for our resident inspector until 10/4. I'm writing to request a contract adjustment to extend our inspection until 11/1. This would require extending Mr. Wilson by 160 hours, which would allow us to pay him through the end of construction and an additional 2.5 weeks to aid in reviewing as-built documents, checking punch list items and supporting project closeout efforts. At \$25/hr, this would equate to \$4,000. Please let me know if this is acceptable, as this would require 100% City Funds to do so. Thanks.

Robert Smith, P.E.

Director of Engineering and Utilities

City of Cumberland

57 N. Liberty Street

Cumberland, MD 21502


Office 301-759-6600

Direct 301-759-6601

Cell 301-268-1180

FAX 301-759-6608

email: robert.smith@cumberlandmd.gov

 **M&CC 26985.pdf**
29K**Jeff Silka** <jeff.silka@cumberlandmd.gov>

Tue, Sep 13, 2022 at 3:19 PM

To: Robert Smith <robert.smith@cumberlandmd.gov>

Cc: Ken Tressler <ken.tressler@cumberlandmd.gov>, Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>, Derrick Grimm <derrick.grimm@cumberlandmd.gov>, Matt Idleman <matt.idleman@cumberlandmd.gov>

I will go with the money folks, but, I see only benefit to extend the contract and protect our interests.

Jeffrey F. Silka**City Administrator****City of Cumberland****57 N. Liberty Street****Cumberland, MD 21502****Office (301) 759-6424****Cell (240) 609-9303**

[Quoted text hidden]

Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>

Tue, Sep 13, 2022 at 3:21 PM

To: Jeff Silka <jeff.silka@cumberlandmd.gov>

9/14/22, 3:14 PM

City of Cumberland, MD Mail - Contract Extension for Decatur Street Inspector

Cc: Robert Smith <robert.smith@cumberlandmd.gov>, Ken Tressler <ken.tressler@cumberlandmd.gov>, Derrik Grimm <derrick.grimm@cumberlandmd.gov>, Matt Idleman <matt.idleman@cumberlandmd.gov>

I concur with extending the contract and protecting the City's interests.

Best regards,

Mark

[Quoted text hidden]

Council Agenda Summary

Meeting Date: 9/20/2022

Key Staff Contact: Robert Smith, PE

Item Title:

Change Order #1 Construction Inspector for Decatur Street 24" Crosstown Water Main Replacement, City Project 31-17-W

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

The City of Cumberland has hired a Construction Inspector, Jim Wilson, to provide onsite technical advice on a day to day basis. Currently, the contract will expire before the project is finished due to delays in the construction. The City would like to extend Jim Wilson's contract by an additional 160 hours (at \$25/hr) for a total of \$4,000.00. The original M&CC Order 26,985 set this contract value at \$32,000.00 and this increase will make the new contract value \$36,000.00 and a total of 1,440 hours on the job.

Amount of Award: \$4,000.00

Budget number: 002.299EE.63000

Grant, bond, etc. reference: MDE Grant Funds, DWSRF Loans

File Attachments for Item:

. **Order 27,089** - authorizing the City Administrator to execute a Cost Share Agreement with MDOT - SHA for construction inspection services related to City Project 9-18-BR, "Rehabilitation of Bridge A-C-06 Baltimore St. over Wills Creek", with the City's portion estimated at \$44,698.53, which is 20% of the total estimated cost of \$223,492.65

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

ORDER NO. 27,089

DATE: September 20, 2022

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

THAT, the City Administrator be and is hereby authorized to execute a Cost Share Agreement with the Maryland Department of Transportation State Highway Administration (MDOT-SHA), for construction inspection services related to City Project 9-18-BR, "Rehabilitation of Bridge A-C-06 Baltimore Street over Wills Creek" with the City's portion estimated at Forty-four Thousand, Six Hundred Ninety-eight Dollars and Fifty-three Cents (\$44,698.53), which is 20% of the total estimated cost of Two Hundred Twenty-three Thousand, Four Hundred Ninety-two Dollars and Sixty-five Cents (\$223,492,65).

Raymond M. Morriss, Mayor

July 28, 2022

RE: Contract No. AL499ZM2
F.A.P. No. F.A.P. No. STBG-210-(23)E
City of Cumberland Contract No. 9-18-BR
Rehabilitation and Replacement of Superstructure for Bridge
No. A-C-06 on Baltimore Street over Wills Creek in Cumberland

Mr. Robert Smith, P.E.
Director of Engineering and Utilities
City of Cumberland
57 W. Liberty Street
Cumberland, MD 21502

Dear Mr. Smith:

In response to your letter dated July 26, 2022, the Maryland Department of Transportation State Highway Administration (MDOT SHA) agrees to provide inspection services for the above-referenced contract. Please complete, sign, and return the attached Cost Sharing Agreement. We will then forward this document to the MDOT SHA Office of Finance for approval.

If you have any questions, please contact me at 301-729-8410, toll-free 1-800-760-7138, or via e-mail at dmiller2@sha.state.md.us.

Sincerely,



Devin Miller
Assistant District Engineer, Construction

Enclosure

cc: Mr. Stephen A. Bucy, P.E., Director, Office of Construction, MDOT SHA
Mr. Dan McKenzie, Area Engineer, District 6, MDOT SHA
Mr. Guy Talerico, Chief, Federal Aid Programming, MDOT SHA
Contract File



STATE HIGHWAY ADMINISTRATION

COST SHARING AGREEMENT

Purpose: Documentation of Costs for Services Provided on Behalf of Counties, Municipalities and Others

Description of work: Use of SHA Open-End Consultant for Construction Inspection Services
Contract No. AL499ZM2
F.A.P. No. STBG-210-23)E
City of Cumberland Contract No. 9-18-BR
Rehabilitation and Replacement of Superstructure for Bridge No. A-C-06
on Baltimore Street over Wills Creek in Cumberland

1. I, Robert Smith, P.E. Director of Engineering and Utilities, Date

being authorized to act on behalf of: City of Cumberland, Name of Local Government or Other Party

Billing address: 57 N. Liberty Street, Cumberland, MD 21502

do assure that:

- 2. The requesting organization does not have adequate forces to perform this service and requests the State Highway Administration: (check one)
a. () Manage the entire project.
b. (X) Provide services as described above or in the supplemental Attachment A.
3. A written agreement exists between the State Highway Administration and the requesting organization, which agreement clearly indicates responsibility for project costs. (If no agreement exists, proceed to 4 and 4a. or 4b.)

Date of Agreement: or

Date of Master Agreement: and

Date of Supplemental Letter:

- 4. The total estimated costs of this project is \$223,492.65, which includes the payroll fringe benefit expenses on direct labor and the Administrative and General Overhead Expenses at the prevailing rates, which will be invoiced at (check one)
a. (X) 20% of the total actual cost of this project, not to exceed the estimated total cost by more than 15% without prior notification and agreement
or
b. () not to exceed \$

COST SHARING AGREEMENT

5. Estimated funds are available and will be paid by the requesting organization, other than Counties, Municipalities and other State Agencies:
 - By advance deposit for the total estimated costs. Refunds to the advance deposit will be issued at the completion of the project.
6. Estimated funds are available and will be paid by the Counties, Municipalities and other State Agencies (check one):
 - a. (X) By payment of all costs expended to date within 30 days of receipt of SHA's progress billings.
 - b. () By payment of all costs in excess of federal recovery either as an advance deposit or 30 days of receipt of SHA's progress billings
7. Requesting organizations (including other State Agencies) other than Counties and Municipalities will be billed monthly.
8. Counties and Municipalities will be billed as follows:
 - A project / local share which does not exceed \$60,000 will be billed quarterly
 - A project / local share which exceeds \$60,000 will be billed monthly.
9. Should the County or Municipality default in remitting payment to the State for their portion of the work, their Highway User Revenue Funds will be reduced accordingly.
10. Costs incurred in excess of the advance deposit, if applicable, will be billed monthly.

Authorized Representative of
Requesting Organization

Date

District Engineer

Date

July 28, 2022

Contract No. AL499ZM2
F.A.P. No. STBG-210-(23)E
City of Cumberland Contract No. 9-18-BR
Rehabilitation and Replacement of Superstructure for Bridge No. A-C-06
on Baltimore Street over Wills Creek in Cumberland

Inspection Cost Estimate

Contract Time: 485 Calendar Days (69 weeks)

Labor - (Straight Time)

Consultant Transportation Engineering Technician 4 (AMT)

\$26.20 / hour x 157.01% overhead = \$67.34 / hour

\$67.34 x 40 hours / week x 69 weeks = **\$185,858.40**

Labor - (Potential Overtime)

Consultant Transportation Engineering Technician 4 (AMT)

\$67.34 / hour x 1.50 = \$101.01 / hour

\$101.01 / hour x 150 calendar days x 2 hours = **\$30,303.00**

Travel Expenses

Consultant Transportation Engineering Technician 4 (AMT)

\$21.25 / day * x 5 days / week x 69 weeks = **\$7,331.25**

(* 24-mile round trip @ \$0.625 / mile
+ 10 job miles)

TOTAL

\$223,492.65

Council Agenda Summary

Meeting Date: 9/20/2022

Key Staff Contact: Robert Smith, PE

Item Title:

Cost Share Agreement with MDOT SHA for Construction Inspection Services for the Rehabilitation of Bridge No. A-C-06 on Baltimore Street over Wills Creek

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

The City would like to enter into a cost share agreement with MDOT SHA for the Construction Inspection Services related to the City Project 9-18-BR, Rehabilitation of Bridge A-C-06 Baltimore Street Over Wills Creek. The City's cost share portion estimated at \$44,698.53, which is 20% of the total estimated cost of \$223,492.65.

Amount of Award: \$44,698.53

Budget number: 115.099Y.63000

Grant, bond, etc. reference: City Funds

File Attachments for Item:

. **Order 27,090** - accepting the bid from Southern States Cooperative, which was the only bidder, for the purchase of heating oil for the Water Reclamation Facility and the Water Filtration Plant, in the most current price (August 6, 2022) of \$79,752.50 for 23,000 gallons

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

ORDER NO. 27,090

DATE: September 20, 2022

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

THAT the bid from Southern States Cooperative, 811 N. Mechanic Street, Cumberland, Maryland, 21502 for the purchase of heating oil for the Water Reclamation Facility and the Water Filtration Plant, in the amount of Seventy-nine Thousand, Seven Hundred Fifty-two Dollars and Fifty Cents (\$79,752.50) for 23,000 gallons, being the current cost as of August 3, 2022, be and is hereby accepted.

Raymond M. Morriss, Mayor

Budgets: 002.230.20700
003.310.20700

CITY OF
CUMBERLAND
MARYLAND



PROJECT INFORMATION	
Project Title:	Water Reclamation Facility & Water Filtration Plant No. 2 Heating Oil
City Project:	2022-17-UTIL
Contract Length:	302 Calendar Days
BID OPENING	
Date & Time:	August 10, 2022 2:30 PM EDT
Location:	Council Chambers, City Hall Cumberland, MD 21502

CERTIFIED BID TABULATION
BIDDER
Southern States Cumberland Coop
811 N. Mechanic Street Cumberland, MD 21502

Southern States Cumberland Coop

PART 1 BID						
BID ITEM NO.	Petroleum Product	Estimated Quantity of Gallons	Brand Name	Cost Per Gallon	Mark Up Per Gallon	Total Amount as of 8/3/22
1	No. 2 Heating Oil	23,000	Southern States Richmond VA	\$ 3.37	\$ 0.0975	\$ 79,752.50

BID SUMMARY	
Southern States Cumberland Coop	
Bid	✓
AoQtB	✓
LPC	City
ARVF	✓
TOTAL BID	\$ 79,752.50

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



Derrick Grimm
Contracts Administration Officer

Council Agenda Summary

Meeting Date: 9/20/2022

Key Staff Contact: Derrik Grimm

Item Title:

Water Reclamation Facility & Water Filtration Plant No. 2 Heating Oil

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

The City is authorized to purchase heating oil from Southern States Cumberland Co-op as they were the only supplier to list and offer their services. As of 8/3/22 the price to supply 23,000 gallons to our WRF & WFP would be \$79,752.50.

Amount of Award: Estimated \$79,752.50

Budget number: 002.230.20700 & 003.310.20700

Grant, bond, etc. reference: City Funds

File Attachments for Item:

. **Order 27,091** - accepting the bid of Carl Belt, Inc. for City Project "Rehabilitation of Bridge No A-C-06 Baltimore Street over Wills Creek" (9-18-BR) in the not-to-exceed lump sum cost of \$4,704,910.25, contingent upon MDOT approval

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

ORDER NO. 27,091

DATE: September 20, 2022

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

THAT, the bid of Carl Belt, Inc., 11521 Milnor Avenue, Cumberland, MD, 21502 for City Project "Rehabilitation of Bridge No. A-C-06 Baltimore Street over Wills Creek (09-18-BR) be and is hereby accepted in the not-to-exceed lump sum cost of Four Million, Seven Hundred Four Thousand, Nine Hundred and Ten Dollars and Twenty-five Cents (\$4,704,910.25), and

BE IT FURTHER ORDERED that, this will be contingent upon MDOT approval.

Raymond M. Morriss, Mayor

Company	Amount
Carl Belt, Inc.	\$4,704,910.25
Triton Construction	\$5,875,000.00
Orders Construction Co.	\$1,967,960.00

Budget: 115.099Y.63000

PROJECT INFORMATION	
Project Title:	Rehabilitation of Bridge No. A-C-06 Baltimore Street over Wills Creek
City Project:	9-18-BR
Contract Length:	485 Calendar Days
BID OPENING	
Date & Time:	August 31, 2022 2:30 PM EDT
Location:	Council Chambers, City Hall Cumberland, MD 21502

CERTIFIED BID TABULATION		
BIDDER	BIDDER	BIDDER
Carl Belt, Inc.	Triton	Orders Construction Company, Inc
11521 Milnor Ave. Cumberland, MD 21502	PO Box 1360 1944 Winfield Road Saint Albans, WV 25177	501 6th Avenue, P.O. Box 1448 St. Albans, WV 25177

BIDS AND ALTERNATES						Carl Belt, Inc.		Triton		Orders Construction Company, Inc	
BID NO.	Code	DESCRIPTION OF BID	UNITS	QTY.	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	
BASE BID											
1001	104500	Temporary Traffic Barrier Two-Sided End Treatment and Crash Cushion Type E for 25 mph, Any Width	EA	3	\$ 3,990.00	\$ 11,970.00	\$ 4,800.00	\$ 14,400.00	\$ 5,200.00	\$ 15,600.00	
1002	104514	Remove & Reset Temp Traff Barr 2-Sided End Trtment and Crash Cushion Type E, Any Bays, Any Width	EA	2	\$ 1,890.00	\$ 3,780.00	\$ 2,400.00	\$ 4,800.00	\$ 2,600.00	\$ 5,200.00	
1003	104516	Repair Temp Traff Barr Two-Sided End Treatment and Crash Cushion Type E, Any Type	EA	3	\$ 2,625.00	\$ 7,875.00	\$ 3,500.00	\$ 10,500.00	\$ 3,800.00	\$ 11,400.00	
1004	110100	Clearing & Grubbing	LS	1	\$ 86,335.00	\$ 86,335.00	\$ 36,159.00	\$ 35,159.00	\$ 150,000.00	\$ 150,000.00	
1005	100000	Engineers Office	LS	1	\$ 82,122.00	\$ 82,122.00	\$ 2,500.00	\$ 2,500.00	\$ 2,900.00	\$ 2,900.00	
1006	114006	5 Inch Yellow Pavement Marking Paint	LF	315	\$ 1.05	\$ 330.75	\$ 1.50	\$ 472.50	\$ 1.70	\$ 535.50	
1007	114011	5 Inch White Pavement Marking Paint	LF	315	\$ 1.05	\$ 330.75	\$ 1.50	\$ 472.50	\$ 1.70	\$ 535.50	
1008	114216	5 Inch Yellow Removable Pavement Line Markings	LF	4300	\$ 1.16	\$ 4,988.00	\$ 2.05	\$ 8,815.00	\$ 1.40	\$ 6,020.00	
1009	114221	5 Inch White Removable Pavement Line Markings	LF	4130	\$ 1.16	\$ 4,790.80	\$ 2.05	\$ 8,466.50	\$ 1.40	\$ 5,782.00	
1010	114246	24 Inch White Removable Pavement Line Markings	LF	144	\$ 5.75	\$ 828.00	\$ 13.00	\$ 1,872.00	\$ 6.80	\$ 979.20	
1011	114271	Removal of Removable Letters, Symbols, Arrows, and Numbers	EA	1	\$ 334.00	\$ 334.00	\$ 250.00	\$ 250.00	\$ 750.00	\$ 750.00	
1012	114276	Removal of Removable Pavement Marking Lines-Any Width	LF	8574	\$ 1.60	\$ 13,718.40	\$ 0.75	\$ 6,430.50	\$ 0.75	\$ 6,430.50	
1013	114280	Removal of Existing Pavement Line Markings, Any Width	LF	1000	\$ 1.60	\$ 1,600.00	\$ 4.00	\$ 4,000.00	\$ 2.30	\$ 2,300.00	
1014	114302	8 Inch Black Out Tape Lines	LF	5000	\$ 2.20	\$ 11,000.00	\$ 4.00	\$ 20,000.00	\$ 2.70	\$ 13,500.00	
1015	114304	12 Inch Black Out Tape Lines	LF	48	\$ 4.50	\$ 216.00	\$ 10.00	\$ 480.00	\$ 5.50	\$ 264.00	
1016	114306	Removal of Black Out Tape Lines-Any Width	LF	5048	\$ 1.60	\$ 8,076.80	\$ 0.75	\$ 3,786.00	\$ 0.75	\$ 3,786.00	
1017	120500	Maintenance of Traffic	LS	1	\$ 21,965.00	\$ 21,965.00	\$ 95,300.00	\$ 95,300.00	\$ 150,000.00	\$ 150,000.00	
1018	120555	Graded Aggregate Base for Maintenance of Traffic	TON	50	\$ 94.00	\$ 4,700.00	\$ 55.00	\$ 2,750.00	\$ 75.00	\$ 3,750.00	
1019	120562	Asphalt for Maintenance of Traffic	TON	10	\$ 295.00	\$ 2,950.00	\$ 250.00	\$ 2,500.00	\$ 420.00	\$ 4,200.00	
1020	120625	Temporary Traffic Signs High Performance Wide Angle Retroreflective Sheeting	SF	1128	\$ 57.50	\$ 64,860.00	\$ 24.00	\$ 27,072.00	\$ 33.00	\$ 37,224.00	
1021	120700	Temporary Concrete Single Face Traffic Barrier for Maintenance of Traffic	LF	135	\$ 89.00	\$ 12,015.00	\$ 90.00	\$ 12,150.00	\$ 270.00	\$ 36,450.00	
1022	120710	Reset Temporary Concrete Traffic Barrier Single Face	LF	135	\$ 49.50	\$ 6,682.50	\$ 25.00	\$ 3,375.00	\$ 76.00	\$ 10,260.00	
1023	120715	Reset Precast Temporary Concrete Traffic Barrier for Maintenance of Traffic	LF	55	\$ 96.00	\$ 5,280.00	\$ 5.80	\$ 319.00	\$ 50.00	\$ 2,750.00	
1024	120717	Reflective Barrier Markers	EA	12	\$ 106.00	\$ 1,272.00	\$ 35.00	\$ 420.00	\$ 23.00	\$ 276.00	
1025	120743	Type III Barricade for Maintenance of Traffic	EA	11	\$ 735.00	\$ 8,085.00	\$ 250.00	\$ 2,750.00	\$ 490.00	\$ 5,390.00	
1026	120763	Vertical Panels	EA	2	\$ 138.00	\$ 276.00	\$ 75.00	\$ 150.00	\$ 81.00	\$ 162.00	
1027	120784	Temporary Orange Construction Fence	LF	300	\$ 6.00	\$ 1,800.00	\$ 8.00	\$ 2,400.00	\$ 10.00	\$ 3,000.00	
1028	120820	Drums for Maintenance of Traffic	EA	65	\$ 18.00	\$ 1,170.00	\$ 80.00	\$ 5,200.00	\$ 87.00	\$ 5,655.00	
1029	120860	Portable Variable Message Sign	UD	100	\$ 233.00	\$ 23,300.00	\$ 80.00	\$ 8,000.00	\$ 87.00	\$ 8,700.00	
1030	121150	Precast Temporary 32 Inch F Shape Concrete Traffic Barrier	LF	125	\$ 86.00	\$ 10,750.00	\$ 30.00	\$ 3,750.00	\$ 150.00	\$ 18,750.00	
1031	130840	Construction Stakeout	LS	1	\$ 78,650.00	\$ 78,650.00	\$ 19,500.00	\$ 19,500.00	\$ 64,000.00	\$ 64,000.00	
1032	130875	Mobilization and Demobilization	LS	1	\$ 389,000.00	\$ 389,000.00	\$ 587,500.00	\$ 587,500.00	\$ 530,000.00	\$ 530,000.00	
2001	201031	Class 1-A Excavation	CY	20	\$ 360.00	\$ 7,200.00	\$ 95.00	\$ 1,900.00	\$ 150.00	\$ 3,000.00	
2002	201040	Geosynthetic Stabilized Subgrade using Graded Aggregate Base	CY	20	\$ 180.00	\$ 3,600.00	\$ 140.00	\$ 2,800.00	\$ 230.00	\$ 4,600.00	
2003	203030	Test Pit Excavation	CY	11	\$ 205.00	\$ 2,255.00	\$ 475.00	\$ 5,225.00	\$ 110.00	\$ 1,210.00	

PROJECT INFORMATION	
Project Title:	Rehabilitation of Bridge No. A-C-06 Baltimore Street over Wills Creek
City Project:	9-18-BR
Contract Length:	485 Calendar Days
BID OPENING	
Date & Time:	August 31, 2022 2:30 PM EDT
Location:	Council Chambers, City Hall Cumberland, MD 21502

CERTIFIED BID TABULATION		
BIDDER	BIDDER	BIDDER
Carl Belt, Inc.	Triton	Orders Construction Company, Inc
11521 Milnor Ave. Cumberland, MD 21502	PO Box 1360 1944 Winfield Road Saint Albans, WV 25177	501 6th Avenue, P.O. Box 1448 St. Albans, WV 25177

2004	210011	Removal of Existing Combination Curb & Gutter	LF	98	\$ 36.00	\$ 3,528.00	\$ 25.00	\$ 2,450.00	\$ 57.00	\$ 5,586.00
2005	210025	Removal of Existing Pavement	CY	62	\$ 54.00	\$ 3,348.00	\$ 75.00	\$ 4,650.00	\$ 100.00	\$ 6,200.00
2006	210026	Removal of Existing Sidewalk	CY	26	\$ 64.00	\$ 1,664.00	\$ 80.00	\$ 2,080.00	\$ 210.00	\$ 5,460.00
2007	210030	Removal of Existing Masonry	CY	6	\$ 265.00	\$ 1,590.00	\$ 150.00	\$ 900.00	\$ 550.00	\$ 3,300.00
3001	301088	Stabilized Construction Entrance	EA	3	\$ 1,865.00	\$ 5,595.00	\$ 1,800.00	\$ 5,400.00	\$ 5,300.00	\$ 15,900.00
3002	301210	Removal of Existing Pipe	LF	117	\$ 124.00	\$ 14,508.00	\$ 30.00	\$ 3,510.00	\$ 370.00	\$ 43,290.00
3003	301320	Clean Existing Pipe Any Size	LF	77	\$ 21.00	\$ 1,617.00	\$ 24.00	\$ 1,848.00	\$ 62.00	\$ 4,774.00
3004	301324	Clean Existing Drainage Structures	EA	1	\$ 1,620.00	\$ 1,620.00	\$ 505.00	\$ 505.00	\$ 2,700.00	\$ 2,700.00
3005	302418	18 Inch Reinforced Concrete Pipe, Class IV	LF	92	\$ 160.00	\$ 14,720.00	\$ 350.00	\$ 32,200.00	\$ 370.00	\$ 34,040.00
3006	372124	Triple WR Inlet – Minimum Depth	EA	1	\$ 12,000.00	\$ 12,000.00	\$ 9,352.00	\$ 9,352.00	\$ 24,000.00	\$ 24,000.00
3007	372125	Triple WR Inlet – Vertical Depth	LF	4	\$ 1,300.00	\$ 5,200.00	\$ 851.00	\$ 3,404.00	\$ 590.00	\$ 2,360.00
3008	374035	Standard 20 Ft. COG Inlet – Minimum Depth	EA	2	\$ 11,570.00	\$ 23,140.00	\$ 10,250.00	\$ 20,500.00	\$ 21,000.00	\$ 42,000.00
3009	374045	Standard COG Inlet – Vertical Depth	LF	10	\$ 650.00	\$ 6,500.00	\$ 630.00	\$ 6,300.00	\$ 240.00	\$ 2,400.00
3010	387185	18 Inch Clear Water Diversion Pipe (CWDP)	LF	69	\$ 190.00	\$ 13,110.00	\$ 221.00	\$ 15,249.00	\$ 160.00	\$ 11,040.00
3011	388063	Portable Sediment Tank	EA	2	\$ 6,200.00	\$ 12,400.00	\$ 3,800.00	\$ 7,600.00	\$ 12,000.00	\$ 24,000.00
3012	388080	Removable Pumping Station	EA	1	\$ 5,600.00	\$ 5,600.00	\$ 4,150.00	\$ 4,150.00	\$ 22,000.00	\$ 22,000.00
3013	388151	Temporary Asphalt Berm	LF	57	\$ 26.00	\$ 1,482.00	\$ 11.00	\$ 627.00	\$ 74.00	\$ 4,218.00
3014	390535	Super Silt Fence	LF	70	\$ 33.00	\$ 2,310.00	\$ 15.00	\$ 1,050.00	\$ 22.00	\$ 1,540.00
3015	300000	Trench Drain TD-6	LS	1	\$ 112,900.00	\$ 112,900.00	\$ 275,000.00	\$ 275,000.00	\$ 340,000.00	\$ 340,000.00
3016	300000	Maintenance of Surface and Storm Drain Flow	LS	1	\$ 6,250.00	\$ 6,250.00	\$ 50,000.00	\$ 50,000.00	\$ 11,000.00	\$ 11,000.00
4001	410010	Maintenance of Traffic For Bridge Patching Operation	EA	10	\$ 376.00	\$ 3,760.00	\$ 535.00	\$ 5,350.00	\$ 7,600.00	\$ 76,000.00
4002	410015	Patching For Maintenance of Existing Bridge Deck	SF	30	\$ 129.00	\$ 3,870.00	\$ 385.00	\$ 11,550.00	\$ 410.00	\$ 12,300.00
4003	410020	Protection of Existing Structures	LS	1	\$ 184,700.00	\$ 184,700.00	\$ 15,000.00	\$ 15,000.00	\$ 54,000.00	\$ 54,000.00
4004	410205	Removal of Portions of Existing Structure	LS	1	\$ 199,000.00	\$ 199,000.00	\$ 755,000.00	\$ 755,000.00	\$ 400,000.00	\$ 400,000.00
4005	417105	Class 3 Excavation	CY	430	\$ 232.35	\$ 99,910.50	\$ 1.00	\$ 430.00	\$ 280.00	\$ 120,400.00
4006	431110	Substructure Concrete for Bridge	LS	1	\$ 289,400.00	\$ 289,400.00	\$ 405,000.00	\$ 405,000.00	\$ 440,000.00	\$ 440,000.00
4007	433155	Superstructure Concrete for Bridge	LS	1	\$ 679,400.00	\$ 679,400.00	\$ 680,000.00	\$ 680,000.00	\$ 910,000.00	\$ 910,000.00
4008	433157	Concrete Parapet	LS	1	\$ 146,470.00	\$ 146,470.00	\$ 90,000.00	\$ 90,000.00	\$ 160,000.00	\$ 160,000.00
4009	456115	Crack Repair to Substructure by Sealing	LF	250	\$ 107.00	\$ 26,750.00	\$ 70.00	\$ 17,500.00	\$ 230.00	\$ 57,500.00
4010	459110	Fabricated Structural Steel	LS	1	\$ 1,096,250.00	\$ 1,096,250.00	\$ 1,180,000.00	\$ 1,180,000.00	\$ 1,120,000.00	\$ 1,120,000.00
4011	459310	Steel Stud Shear Developers	LS	1	\$ 8,400.00	\$ 8,400.00	\$ 25,000.00	\$ 25,000.00	\$ 11,000.00	\$ 11,000.00
4012	480105	Water Service Line on Bridge	LS	1	\$ 162,000.00	\$ 162,000.00	\$ 280,000.00	\$ 280,000.00	\$ 370,000.00	\$ 370,000.00
4013	480115	Telephone Service Line on Bridge	LS	1	\$ 4,950.00	\$ 4,950.00	\$ 30,000.00	\$ 30,000.00	\$ 75,000.00	\$ 75,000.00
4014	480120	Gas Service Line on Bridge	LS	1	\$ 29,700.00	\$ 29,700.00	\$ 9,000.00	\$ 9,000.00	\$ 61,000.00	\$ 61,000.00
4015	400000	Concrete Repair to Substructure by Patching	SF	450	\$ 236.25	\$ 106,312.50	\$ 242.00	\$ 108,900.00	\$ 480.00	\$ 216,000.00
4016	400000	Water Main Replacement	LF	100	\$ 545.35	\$ 54,535.00	\$ 260.00	\$ 26,000.00	\$ 540.00	\$ 54,000.00
4017	400000	Wingwall	LS	1	\$ 214,800.00	\$ 214,800.00	\$ 647,500.00	\$ 647,500.00	\$ 460,000.00	\$ 460,000.00
4018	400000	Railroad Right of Entry	LS	1	\$ 24,135.00	\$ 24,135.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
5001	504530	Superpave Asphalt Mix 12.5mm for Surface, PG 645-22, Level-2	TON	90	\$ 236.00	\$ 21,240.00	\$ 228.00	\$ 20,520.00	\$ 400.00	\$ 36,000.00

PROJECT INFORMATION	
Project Title:	Rehabilitation of Bridge No. A-C-06 Baltimore Street over Wills Creek
City Project:	9-18-BR
Contract Length:	485 Calendar Days
BID OPENING	
Date & Time:	August 31, 2022 2:30 PM EDT
Location:	Council Chambers, City Hall Cumberland, MD 21502

CERTIFIED BID TABULATION					
BIDDER		BIDDER		BIDDER	
Carl Belt, Inc.		Triton		Orders Construction Company, Inc	
11521 Milnor Ave. Cumberland, MD 21502		PO Box 1360 1944 Winfield Road Saint Albans, WV 25177		501 6th Avenue, P.O. Box 1448 St. Albans, WV 25177	


5002	504580	Superpave Asphalt Mix 25.0mm for Base, PG 64S-22, Level-2	TON	56	\$ 197.00	\$ 11,032.00	\$ 236.00	\$ 13,216.00	\$ 440.00	\$ 24,640.00
5003	508012	Fine Milling Asphalt Pavement 1-Inch to 2.5-Inch Depth	SY	364	\$ 22.00	\$ 8,008.00	\$ 25.00	\$ 9,100.00	\$ 64.00	\$ 23,296.00
5004	520113	6 Inch Graded Aggregate Base Course	SY	437	\$ 32.25	\$ 14,093.25	\$ 23.00	\$ 10,051.00	\$ 42.00	\$ 18,354.00
5005	549103	5 Inch Yellow Contrast Pavement Marking Tape	LF	222	\$ 9.00	\$ 1,998.00	\$ 12.00	\$ 2,664.00	\$ 13.00	\$ 2,886.00
5006	549403	5 Inch Yellow Thermoplastic Pavement Markings	LF	145	\$ 9.00	\$ 1,305.00	\$ 8.00	\$ 1,160.00	\$ 13.00	\$ 1,885.00
5007	549419	24 Inch White Thermoplastic Pavement Markings	LF	18	\$ 26.25	\$ 472.50	\$ 35.00	\$ 630.00	\$ 38.00	\$ 684.00
5008	500000	8 Inch Conventionally Reinforced Portland Cement Concrete Pavement Mix 6	SY	253	\$ 175.50	\$ 44,401.50	\$ 200.00	\$ 50,600.00	\$ 550.00	\$ 139,150.00
6001	634312	Type A Combination Curb and Gutter Any Height or Depth	LF	100	\$ 52.50	\$ 5,250.00	\$ 91.00	\$ 9,100.00	\$ 63.00	\$ 6,300.00
6002	655105	5 Inch Concrete Sidewalk	SF	1610	\$ 20.20	\$ 32,522.00	\$ 12.70	\$ 20,447.00	\$ 20.00	\$ 32,200.00
6003	655120	Detectable Warning Surface for Curb Ramps	SF	20	\$ 58.00	\$ 1,160.00	\$ 53.00	\$ 1,060.00	\$ 70.00	\$ 1,400.00
7001	704345	Placing Furnished Topsoil 4 Inch Depth	SY	92	\$ 42.00	\$ 3,864.00	\$ 40.00	\$ 3,680.00	\$ 43.00	\$ 3,956.00
7002	705565	Refertilizing	SY	92	\$ 10.50	\$ 966.00	\$ 10.00	\$ 920.00	\$ 11.00	\$ 1,012.00
7003	708220	Turfgrass Sod Establishment	SY	92	\$ 42.00	\$ 3,864.00	\$ 40.00	\$ 3,680.00	\$ 43.00	\$ 3,956.00
7004	709130	Type D Soil Stabilization Matting	SY	137	\$ 26.25	\$ 3,596.25	\$ 25.00	\$ 3,425.00	\$ 27.00	\$ 3,699.00
7005	700000	Garden Area Landscaping	LS	1	\$ 19,200.00	\$ 19,200.00	\$ 30,000.00	\$ 30,000.00	\$ 16,000.00	\$ 16,000.00
8001	801003	Concrete for Light Foundation	CY	1	\$ 4,525.00	\$ 4,525.00	\$ 1,600.00	\$ 1,600.00	\$ 1,700.00	\$ 1,700.00
8002	802501	No. 6 AWG Stranded Bare Copper Ground Wire	LF	365	\$ 5.35	\$ 1,952.75	\$ 3.40	\$ 1,241.00	\$ 3.70	\$ 1,350.50
8003	805135	3 Inch Schedule 80 Rigid PVC Conduit- Trenched	LF	90	\$ 32.30	\$ 2,907.00	\$ 35.00	\$ 3,150.00	\$ 38.00	\$ 3,420.00
8004	805140	4 Inch Schedule 80 Rigid PVC Conduit- Trenched	LF	40	\$ 41.00	\$ 1,640.00	\$ 45.00	\$ 1,800.00	\$ 49.00	\$ 1,960.00
8005	807203	Up to 200 Amp Base Mounted Metered Service Pedestal	EA	1	\$ 10,395.00	\$ 10,395.00	\$ 2,500.00	\$ 2,500.00	\$ 2,700.00	\$ 2,700.00
8006	811003	Furnish and Install Electrical Manhole	EA	1	\$ 3,400.00	\$ 3,400.00	\$ 3,250.00	\$ 3,250.00	\$ 3,500.00	\$ 3,500.00
8007	832016	Cable -1 Conductor, No 6 AWG, Type USE, 600V	LF	1240	\$ 3.25	\$ 4,030.00	\$ 3.00	\$ 3,720.00	\$ 3.30	\$ 4,092.00
8008	832019	Cable -1 Conductor, No 10 AWG, Type THWN/THHN, 600V	LF	240	\$ 2.20	\$ 528.00	\$ 2.00	\$ 480.00	\$ 2.20	\$ 528.00
8009	834001	Connector Kit -Type I	EA	4	\$ 109.00	\$ 436.00	\$ 100.00	\$ 400.00	\$ 110.00	\$ 440.00
8010	834002	Connector Kit -Type II	EA	8	\$ 132.00	\$ 1,056.00	\$ 107.00	\$ 856.00	\$ 120.00	\$ 960.00
8011	834003	Connector Kit -Type III	EA	4	\$ 138.00	\$ 552.00	\$ 130.00	\$ 520.00	\$ 140.00	\$ 560.00
8012	834004	Connector Kit -Type IV	EA	4	\$ 138.00	\$ 552.00	\$ 125.00	\$ 500.00	\$ 140.00	\$ 560.00
8013	837001	Ground Rod -3/4 Inch Diameter x 10 Foot Length	EA	3	\$ 211.00	\$ 633.00	\$ 180.00	\$ 540.00	\$ 200.00	\$ 600.00
8014	800000	Pedestrian LED Luminaire	EA	6	\$ 1,900.00	\$ 11,400.00	\$ 2,720.00	\$ 16,320.00	\$ 3,000.00	\$ 18,000.00
8015	800000	12 Foot Aluminum Light Pole	EA	6	\$ 3,400.00	\$ 20,400.00	\$ 2,400.00	\$ 14,400.00	\$ 2,600.00	\$ 15,600.00

Carl Belt, Inc.		Triton		Orders Construction Company, Inc	
Bid	✓	Bid	✓	Bid	✓
AoQtB	✓	AoQtB	✓	AoQtB	✓
LPC	County	LPC	N/A	LPC	N/A
ARVF	✓	ARVF	✓	ARVF	✓
Bid Bond	✓	Bid Bond	✓	Bid Bond	✓
TOTAL BID	\$ 4,704,910.25	\$ 5,875,000.00		\$ 6,694,756.20	

PROJECT INFORMATION	
Project Title:	Rehabilitation of Bridge No. A-C-06 Baltimore Street over Wills Creek
City Project:	9-18-BR
Contract Length:	485 Calendar Days
BID OPENING	
Date & Time:	August 31, 2022 2:30 PM EDT
Location:	Council Chambers, City Hall Cumberland, MD 21502

CERTIFIED BID TABULATION		
BIDDER	BIDDER	BIDDER
Carl Belt, Inc.	Triton	Orders Construction Company, Inc
11521 Milnor Ave. Cumberland, MD 21502	PO Box 1360 1944 Winfield Road Saint Albans, WV 25177	501 6th Avenue, P.O. Box 1448 St. Albans, WV 25177

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



 Robert Smith, PE
 Director of Engineering

Council Agenda Summary

Meeting Date: 9/20/2022

Key Staff Contact: Robert Smith, PE

Item Title:

Award Rehabilitation of Bridge No. A-C-06 Baltimore Street over Wills Creek Contract

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

Award Rehabilitation of Bridge No. A-C-06 Baltimore Street over Wills Creek Contract to low responsive bidder, Carl Belt, Inc., in the lump sum cost of \$4,704,910.25, contingent upon MDOT approval.

The project includes placement of full-depth asphalt and composite pavement and overlay of Baltimore Street between the intersections of Greene Street and WMSR Railroad/Canal Street. New sidewalks will be constructed on both sides of the Baltimore Street bridge. An existing drainage pipe and inlets will be removed and replaced between Bridge No. A-C-06 and Greene Street. There will be removal and replacement of a trench drain between Bridge No. A-C-06 and WSMR Railroad. Additional items of work include the replacement of the superstructure for Bridge No. A-C-06 on Baltimore Street over Wills Creek, construction of new beam seats, rehabilitation of existing abutments, replacement of two retaining walls with wingwalls on the West Approach, and construction two approach slabs. Utilities will be removed, relocated and replaced.

This project was advertised for bid on 7/27/22. Bids closed on 8/31/22, with three qualified bids being received. The low bidder was Carl Belt, Inc. with an acceptable bid of \$14,704,910.25. The other acceptable bids ranged from \$5,875,000.00 to \$6,694,756.20.

The project is budgeted for this fiscal year, and utilizes City funds and federal Highway Bridge Program Funds.

Amount of Award: \$4,704,910.25

Budget number: 115.099Y.63000

Grant, bond, etc. reference: City Funds, Federal Highway Bridge Program Funds