



# Mayor and City Council of Cumberland

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

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

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## MINUTES

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

DATE: November 21, 2023

### **I. OPEN SESSION – 6:15 p.m.**

### **II. Pledge of Allegiance**

### **III. Roll Call**

#### **PRESENT:**

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

**Also Present:** Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Michael S. Cohen, City Solicitor; Ken Tressler, Director of Administrative Services; Melinda Kelleher, Downtown Development Commission; Captain Jim Burt, CPD; Shannon Adams, Fire Chief; Media representatives

### **IV. Statement of Closed Meeting**

Mayor Morriss announced that a closed session had been held on November 21, 2023 at 4:00 p.m., and read into the record a summary of that meeting 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.

Council Member Cioni interrupted the meeting, and introduced a gentleman from West Virginia Public Broadcasting who will be doing some work around the Cumberland area to brag about.

### **V. Presentations**

1. Presentation from the Safe, Green & Clean Committee regarding EV Chargers for Vehicles

Chris Myers, Chairman, reviewed the basis for the committee. He introduced a member of the committee, Seth Mosinger, who discussed the EV fast charging stations. Mr. Mosinger provided some background on EV charging stations, saying it is a fast-growing market. He talked about the logistics of where to place these stations, saying folks charging are seeking locations where they can shop and dine within a walkable distance. He suggested placing some high-speed chargers in close proximity to the downtown area, since the downtown's goal is being a tourist hub off the highway. He recommended Liberty Street, the CPD parking lot, and lower levels of the parking garages. He discussed the Potomac Edison EV Driven program which would take the reins of the installation if the City should be a good fit. He added that Potomac Edison would be tasked with maintenance going forward, and the consumer pays for the electricity.

Mr. Mosinger stated that 2 chargers have been put in at Canal Place through the Potomac Edison EV Driven program, and said that Dee-Dee Ritchie indicated it was an easy process having them installed.

Mayor Morriss thanked Mr. Mosinger, and said M&CC realizes that they need to do something like this. He said they will stop and talk with Tesla drivers at the Greene Street Sheetz, and agreed that the downtown area would be a great location.

Mr. Myers stated that their committee is ready to work with M&CC if they want to appoint someone to move forward. Mayor Morriss stated the contact would likely be Environmental Specialist Raquel Ketterman, but said they will check and get back with him.

## **VI. Proclamations**

1. Proclaiming November 25, 2023 as Small Business Saturday in the City of Cumberland  
Mayor Morriss read the proclamation and it was accepted by Melinda Kelleher, Downtown Development Commission.

M&CC touted all the businesses that have opened recently, and the many ribbon cuttings they have attended. Mayor Morriss encouraged everyone to come down and “shop small,” supporting businesses in the downtown area, saying it’s even more important this year, due to the construction on Baltimore Street. Council Member Marchini read a list of new businesses that have opened up downtown recently, and provided more information about the goings on during Small Business Saturday.

## **VII. Director's Reports**

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

### **(A) Administrative Services**

1. Administrative Services Monthly Report for October 2023

### **(B) Public Works**

1. Maintenance Division Monthly Report for October 2023

### **(C) Fire**

1. Fire Department Monthly Report for October 2023

**(D) Police**

1. Police Department Monthly Report for October 2023

**VIII. Approval of Minutes**

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

1. Approval of the Closed, Work, and Regular Session Minutes of November 7, 2023

**IX. Public Comments – Agenda Items Only**

*No Comments*

All public comments are limited to 5 minutes per person

**X. New Business**

**(A) Orders (Consent Agenda)**

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

**Order 27,362** - authorizing execution of a Three-Year Salt and Aggregate Utilization Agreement with MD State Highway Administration for the distribution of salt and/or aggregate during winter storm events, for a three (3) year period effective September 1, 2023 through August 31, 2026.

**Order 27,363** - accepting the report of the City Administrator advising that, with regard to the proposed public right of way closure at Orlando Street, he observed no damages caused to the adjacent property owners as a result of the closure, and any added value would be formally determined by the Maryland Department of Assessments and Taxation.

**Order 27,364** - accepting the report of the City Administrator advising that, with regard to the proposed public right of way closure at the Unnamed Alley, he observed no damages caused to the adjacent property owners as a result of the closure, and any added value would be formally determined by the Maryland Department of Assessments and Taxation.

**Order 27,365** - authorizing the forgivable loan provided to Nick Dearcangelis in the amount of \$30,000 from the City of Cumberland Revolving Loan Fund to supplement Allegany County funding for a renovation project at 432 N. Centre Street to be forgiven as the project has been completed and has met all requirements set forth.

**Order 27,366** - approval of the Micro-Revolving Loan Fund in the amount of \$100,000 to provide low-interest loans between \$2,000 and \$10,000 for small businesses in the City of Cumberland meeting the requirements for a term of 24 to 60 months at an interest rate of 3%.

**Order 27,367** - authorizing the Sole Source purchase of the City's annual amount of Meter Setters, Meter Boxes and Frost-Free Lids from Ferguson Waterworks in the amount not-to-exceed \$62,533 for the entire fiscal year.

**Order 27,368** - authorizing the abatement of certain non-collectable personal property taxes for tax years 2010-2022 totaling \$72,589.69.

**Order 27,369** - authorizing the renewal of the contract with Denali Water Solutions for the "WFP Residuals Management Transportation, Storage, Beneficial Use and/or Disposal" Project (33-20-WFP) in variable amounts based on material generated for a term of February 1, 2024 through January 31, 2025.

**Order 27,370** - accepting the proposal from Triad Engineering for the Municipal Service Center Fuel Tank Replacement Project (2023-14-PBLD) for the demolition and removal of existing fuel tank and fuel island sites, environmental testing and the construction of proposed fuel tank and fuel island sites in the not-to-exceed amount of \$564,594.

**Order 27,371** - authorizing the execution of a reimbursement and release agreement with Columbia Gas for the restoration work on Browning Street between Oak Street and Virginia Avenue for a lump sum payment to the City of \$89,133.

## **XI. Letters / Petitions**

1. Letter from City Clerk advising Mayor and City Council that Charter Amendment Resolution 152 has passed the referendum period and became effective as of November 8, 2023.

## **XII. Public Comments**

All public comments are limited to 5 minutes per person

**Merrill Smith, Shriver Avenue**, talked about emergency alert systems in Cumberland, and asked if Cumberland has anything in place to advise residents about preparedness during an emergency. He spoke about international issues likely coming to this area and his concern that the City may not be prepared.

The Mayor advised that the City has an email system that sends out blasts, but it requires registration. He added that Allegany County also has a test system, though admitted there are definitely some improvements the City can look into.

Captain Burt, CPD, advised that they do have emergency preparedness meetings with the County and the Health Department, and said they are prepared and have allied agencies and receive notifications in advance of things coming our way. He stated that the meetings are not public, but said to ease Mr. Smith's mind he advised that things are indeed going on in the background. Fire Chief Shannon Adams advised that Reverse 911 will be in place soon, and explained how it works.

**John Buchanan, 44 Baltimore Street**, spoke on behalf of CBIZ Insurance Services, and talked about 38 Baltimore Street, which he stated has taken a beating since construction began, with portico damages, and the building corner clipped by a piece of equipment. He said there has been no repair work yet. He also mentioned that the Mechanic Street wall has a 12 x 12 hole in it. He said he is concerned that if there is a heavy rain or snowfall, some of the concrete work done there will act as a dam and water will go right into the building. He said he has had conversations

with Robert Smith, Director of Engineering and Utilities. Mr. Buchanan stated that Mr. Smith advised that Triton is ready to award the contract for the wall repair. He said that he's concerned that with the time of year it won't be appropriate to do masonry work. He asked if there is anything M&CC can do in the event the contractor cannot begin work until Spring – a temporary fix would be appreciated. He said he's concerned that vermin and water will get into the building.

Mayor Morriss stated that they will take a look at it, and speak with the City Administrator and City Engineer.

**Wanda Float, 609 Patterson Avenue**, wanted to talk about the Allegany High School site and her concern with the builder. She stated that her daughter lives in one of this builder's homes in NC, which cost \$350K. She said she's seen the issues. She said there's been foundation problems, and the house is only 2 years old. She said she was visiting there when equipment came in to take out all the concrete in the garage, and while the workers were there, they noticed that the drywall was buckling. She stated that the workman looked and saw black mold in the whole wall, because the bathroom showers and tubs were not properly sealed. Ms. Float stated that after looking further, they found black mold in 2 walls. She also mentioned that her daughter had someone come in from her City and look at a problem in the attic, where it was found that the supports for the roof were done incorrectly. She stated that while her daughter was having concrete removed from her garage, there were other homes there in her daughter's neighborhood having the same thing done – the same issues. Ms. Float discussed other issues in the neighborhood as well, concerning work done by the builder.

Mayor Morriss said they appreciate Ms. Float's concerns and said they look forward to working with the County on this project, and making sure the development works out properly.

### **XIII. Adjournment**

With no further business at hand, the meeting adjourned at 6:55 p.m.

Minutes approved on December 5, 2023

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk