



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Seth D. Bernard
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilwoman Laurie P. Marchini

City Administrator Jeffrey D. Rhodes
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

AGENDA

Regular Meeting

City Council Chambers, City Hall, 57 N. Liberty St., Cumberland

DATE: January 21, 2020

CLOSED SESSION

1. 5:00 p.m. - Convene in open session for the purpose of closing the meeting for an executive session pursuant to Section 3-305 (b) (1) and (7) or the General Provisions Article of the Annotated Code of Maryland to 1) discuss board and commission appointments; 2) to receive legal advice regarding certain issues pertaining to regulatory requirements of the Department of Environmental Protection and the PA Public Utility Commission; 3) to receive legal advice regarding pending liability claims; and 4) to receive legal advice regarding several items of proposed legislation.
2. Executive Session

OPEN SESSION

1. 6:15 p.m. - Reconvene into open session

Pledge of Allegiance

Roll Call

Statement of Closed Meeting

1. Summary Statement of closed meetings held January 14 and January 21, 2020

Presentations

1. Census update provided by Mark Widmyer, Governor's Office, Western Maryland Representative
2. Carver Community Center Overview provided by Kathy McKenney, Community Development Programs Manager

Director's Reports

(A) Administrative Services

[Administrative](#) Services monthly report for November, 2019

(B) Engineering

[Engineering](#) Division monthly report for November, 2019

(C) Public Works

[Maintenance](#) Division monthly report for December, 2019

(D) Fire

[Fire](#) Department monthly report for December, 2019

(E) Police

[Police](#) Department monthly report for December, 2019

(F) Utilities - Treatment Plants

[Utilities](#) - Treatment Plants monthly report for November 2019

(G) Utilities - Flood, Water, Sewer

[Utilities](#) Division-Flood/Water/Sewer monthly report for December, 2019

Approval of Minutes

- [1.](#) Approval of the Executive Session and Work Session Minutes of October 8, 2019, the Work Session and Special Public Meeting Minutes of October 22, 2019, and the Executive, Regular and Work Session Minutes of November 5, 2019

New Business

(A) Orders (Consent Agenda)

[Order](#) 26,584 - authorizing execution of Change Order No.1 with First Fruits Excavating, Inc. for City project "Cumberland Street Retaining Wall (24-18-M)" in the increased value of \$33,280, bringing the new contract value to \$152,530 and providing an additional 60 calendar days on the project timeline

[Order](#) 26,585 - authorizing the City Administrator to execute Change Order No. 1 with Miracle/Taylor Sports and Recreation to incorporate Prevailing Wage Rates for an increased amount of \$4,616.91 bringing the total contract amount to \$52,655.91

[Order](#) 26,586 - accepting the bid of Harbel, Inc. for City project "Koon Dam Sidewalk Repairs – Phase 3" (38-19-BR) in the estimated unit cost of \$82,637.00, to provide for the replacement of overhang and enclosed sidewalk on the Koon Dam Bridge

[Order](#) 26,587 - declaring a 2011 International Ambulance (VIN: 3HAMNAAL5BL408030) as surplus equipment and authorizing it for sale or trade-in

[Order](#) 26,588 - authorizing Acting Chief of Police Chuck Ternent to accept a FY20 GOCCP Police Recruitment & Retention Grant in the amount of \$24,000 for the purchase of recruitment media, pay incentives to officers for successful candidate referrals, and signing bonuses for successful academy trainees

[Order](#) 26,589 - accepting the bids for purchase of one new mid-size SUV from Thomas Hyundai (\$27,797), and one 1/2 ton pickup truck (\$33,594) and one 1/2 ton work truck (\$30,939.60) from Diehl's Ford Sales

[Order](#) 26,590 - accepting the Sole Source proposal of Marshall Ruby and Sons for repair of the rotating mechanical screens at Evitts Creek Pumping Station, in the amount of \$48,000

[Order](#) 26,591 - accepting the Sole Source bid of CAMCO, Inc. for the repair of twenty-five (25) High Voltage Breakers at the JJD Water Reclamation Facility in the not-to-exceed cost of \$125,000

[Order](#) 26,592 - appointing Anita Simmons, Natural Resource Technician for the City of Cumberland, to the Evitts Creek Steering Committee as City Appointee I, to fill the seat vacated by Paul Eriksson

[Order](#) 26,593 - declaring a 2007 Chrysler Aspen (VIN #1A8HW58287F586936) to be surplus and authorizing it for sale or trade in

[Order](#) 26,594 - adopting a revised Investment Policy effective this date, to govern the investment of public funds while meeting daily cash flow demands

[Order](#) 26,595 - declaring certain parcels of property at 400 N. Mechanic Street to be surplus and authorizing the transfer of the properties to the Cumberland Economic Development Commission after the passage of twenty (20) days from the date of this Order and the passage of an Ordinance to effect the transfer

[Order](#) 26,596 - approving Amendment #7 to the Community Development Block Grant (CDBG) program funding pertaining to the Dental Access Program

[Order](#) 26,597 - authorizing execution of a Bill of Sale with MD Broadband Cooperative, Inc. to sell, assign and deliver certain assets to MD Broadband relative to the MOU pertaining to the construction of fiber optic infrastructure in the area of downtown Cumberland

[Order](#) 26,598 - authorizing execution of a Memorandum of Understanding between the City, the Cumberland Economic Development Commission, and the Allegany County Commissioners regarding the centralization of an economic development program for the City and the County

[Order](#) 26,599 - authorizing execution of an Amendment to the 2017 MHAA Grant - Canal Place Heritage Area Partnership Programming (FY17) pertaining to several revised financial documentation policies for awarded grants

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

Item Attachment Documents:

Administrative Services monthly report for November, 2019

Administrative Services Monthly Report for November, 2019

January 21, 2020 *(1/7/20 Meeting Cancelled)*

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 November 2019:

Management Information Systems (MIS) Department November 2019

Statistics

135 completed help desk requests
207 open help desk requests

Activities

Major department initiatives in the past month include:

- Continue working with Community Development on new software deployment project
- Continue troubleshooting/refining mobile data terminal setup in police cars
- Continue making network changes to update our environment and improve security
- Continue working with AT&T on migrating phones to FirstNET

Parks and Recreation

November 2019

Annual Tree Lighting Ceremony for the City of Cumberland – Downtown Cumberland Mall – Program coordinated with Mall Manager, Downtown Businesses, and the City was held Friday November 29, 2019. The Lighting of the Community Tree, Mall decorations, and the tree at Emmanuel Episcopal Church were illuminated by Mayor Ray Morriss. This year's tree was donated from the former Brad's Pharmacy on Oldtown Rd, presently the new location branch of Potomac Federal Credit Union. The Holiday procession included a horse-drawn carriage with Mrs. Claus, Elves and Miss Heritage Days and Mill White Oak. Costumed Disney Characters walked in the procession. City police vehicles began the parade with Santa Claus arriving on the Ladder Truck. The event, hosted by The Mayor and City Council, included Open Houses and other Holiday events and activities held throughout the day and evening. - 200 bags of candy were distributed to children by Santa and his helpers.

* Volunteers from the Finan Center Recreation therapy volunteer program under the direction of Melissa Netting prepared the candy bags.

Preprogram entertainment was provided by Mill Heritage Days, Kayla Steed, Mill White Oak, Gretchen Stenger, Lepley's Dance Studio, Mountain City Center for the Arts, and Cumberland Theatre.

Field Usage:

- Football Practice – Youth League team practice at Flynn and Northcraft Fields, with lights, for the league playoffs all-star games and travel teams
- Adult Flag Football concluded for the season

*(This concluded field usage of the season, facilities at the sports complex and other ball fields are being winterized for the year by maintenance.)

Seasonal employee at Mason Complex, Chuck Lowery concluded work for the season.

Co-ed Volleyball League:

The Fall/Winter League is under the direction of Carol Brown, and began in November and is running until April. Games are played on Wednesday evenings using South Penn Elementary School. 7 teams are registered (56 players) with three weeks of games – 9 matches – 144 participants

Meetings attended:

- Tree lighting meeting
- Volleyball League program meeting
- Cumberland Garden Club – Christmas Decorations at Riverside Park
- Staff meetings
- November Rec. Board meeting cancelled due to low attendance

Upcoming:

- December Recreation Board meeting 12/2/19
- After School Christmas programs at the museum
- Fireworks for New Year's Eve
- Planning for 2020 Spring/Summer season and seasonal employees

Community Development Report

November 2019

CODE COMPLIANCE

Code Enforcement Activity:

31 calls with 17 resolved.

Closed 15 ad'l cases from previous months.

Nuisance & Junk Vehicle

Reported 22

Resolved 14

Property Maintenance

Reported 11

Resolved 2

Building Code

Reported 1

Resolved 0

Housing Code

Reported 7

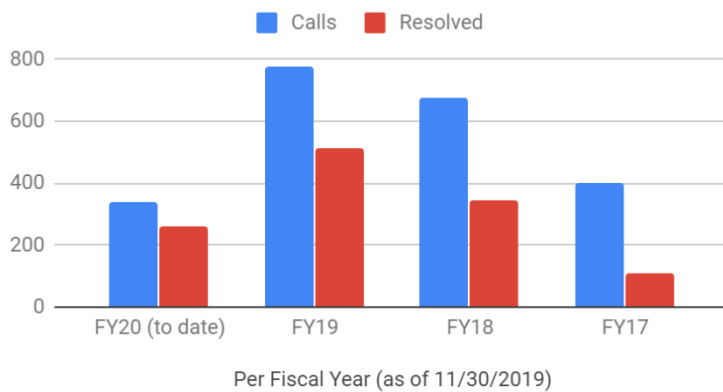
Resolved 1

Zoning

Reported 4

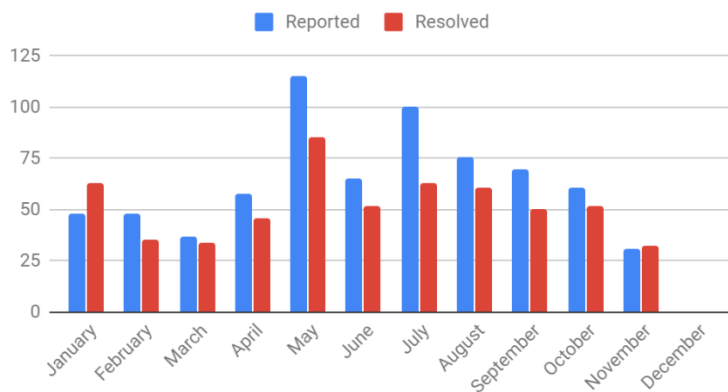
Resolved 0

Calls vs. Resolved per FY

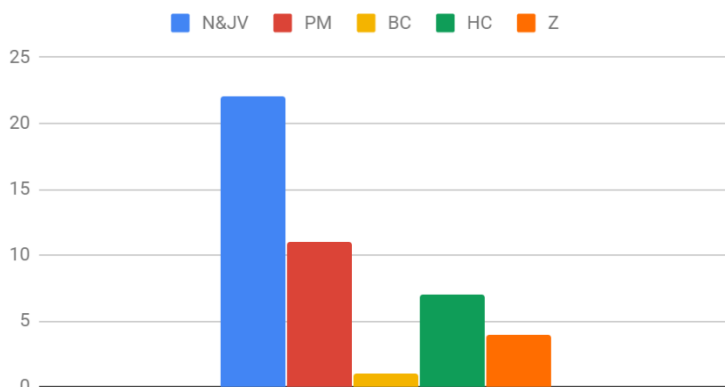


Note: CD is up 15% for FY20 on resolving reports vs. FY19; 49% increase from FY18.; 181% increase from FY17

Calls vs. Resolved per Month per calendar year 2019



Types of Code Violations Reported November 2019



Permits, Applications, and Licenses

Building Permits

Received: 6
Issued: 5

Occupancy Permits

Received: 1

Plan reviews, etc.

Received: 0

COA Permits

Received: 1
Issued: 1

Rental Licenses

Issued/Renewed: 7

Housing Inspections

Conducted: 41
Passed: 41

Demolitions

Received: 7

Revenue

Building Permits.....\$5,236.00
Bldg. Permits, Miscellaneous.....90.00
Occupancy Permits30.00
Utility Permits6925.00
Plan Reviews, Amendments & Appeals 100.00
Municipal Infractions/Citations.....0.00
Rental Licenses (new & renewals) 975.00
Housing Inspection Requests0.00

| | |
|---------------------------------------|-------------|
| Certificates of Appropriateness | 30.00 |
| TOTAL..... | \$13,286.00 |
| Demolition Permit - Bonds | 10,500.00 |

Code Compliance Manager Report – Noted Activity

- Final review of site plan for Cumberland Gateway Project completed and ready for Planning Commission review.
- Notice of Violation posted to: 210–212 Arch St., 15 W. Second St., 553 Patterson Ave., 847 Braddock Rd., 26 W. First St., 127 Utah Ave., 15 W. Second St., 127 Utah St., 229 Columbia St., 708 Elm St., 311-313 Arch St., 424 Walnut St., 26 W. First St., 30 W. First St., 25 Boone St., 109 Wempe Dr, 553 Patterson Ave., 717 Montgomery Ave, and 521 Woodside Ave.
- Focus on friendly letters for nuisance and property maintenance issues on Gephart Dr. and Green St. areas.
- Posted 513 Fayette Street as Unfit for Habitation with 5 large dogs removed by AC Animal Control at 515 Fayette St.
- Final Walk through for ‘Chrisclean Laundry’ laundromat located at 732 Oldtown Rd. showing \$101,000 estimate cost of construction.
- Judgement to Abate received for 421 Arch St.
- Court date scheduled requesting abatement of 122-124 Columbia St.
- Began monitoring the status of Blight Committee’s top 25 blighted properties.
- Continue monitoring condition of City owned properties.
- Monitored clean-up and boarding-up of 421 Arch Street.
- 7 applications received from the Cumberland Gateway Real Estate for demolition of 215 Emily St, 209 Cecil St., 403, 505, 525, 527, and 529 Maryland Ave.

Community Services Specialist - activity notable from norm:

- Attended 3 of 4 Citizen meetings.
- Compiled neighborhood group info for CD Specialist.
- Updated MDE local lead inspector list.
- Updated Blight Committee’s top 25 list per CCMgr based on CCO inspections and newly identified.
- Updated CCMgr on neighborhood info (boundaries, reported complaints) for 2 mtgs. He attended.
- Continue to assist DDC re: invoices during Executive Director’s leave.
- SCBCA/South Cumberland Business & Civic Association met 11/12, 44 attended – 6 local delegation.
 - Relayed to Parade Committee M&CC Ordinance #3861 re: charging City expenses for events.
 - Handling 25 Salvation Army stocking stuffer bags for local children in need.
 - Relayed Lights Committee report to City re: Christmas light electrical issues on VA Avenue.

COMMUNITY DEVELOPMENT PROGRAMS

| Community Development Block Grant (CDBG) Monthly Activity | Nov | 2019 | | | | |
|---|-----------|--------------|------|----------|--------------|--------------|
| Activity | Year | Initial Fund | ERR | Contract | Spent | Remain |
| ADA Sidewalk Imps (Cumberland St) | 2015 | \$110,000.00 | x | | \$20,517.54 | \$89,482.46 |
| CB Sidewalk funds Bellevue | 2017 | \$23,192.54 | | | \$0.00 | \$23,192.54 |
| YMCA Lower Level Rehab Ph. 4 | 2018 | \$94,122.00 | x | x | \$94,122.00 | \$0.00 |
| CHNS Closing Cost Grant | 2018 | \$13,403.00 | x | x | \$4,000.00 | \$9,403.00 |
| Friends Aware, Inc. Facility Rehab Ph. 4 | 2018 | \$79,913.00 | x | x | \$71,921.70 | \$7,991.30 |
| Riverside YMCA Rehab: Roof/Fence/Int. doors | 2018 | \$13,403.00 | | | \$0.00 | \$13,403.00 |
| Family Crisis Resource Center Operations | 2018 | \$10,903.00 | x | x | \$10,902.50 | \$0.00 |
| Incredible Years Parenting Program (The Family Junction) | 2018 | \$16,403.00 | x | x | \$16,403.00 | \$0.00 |
| HRDC Emergency Assistance Program | 2018 | \$21,653.00 | x | x | \$21,652.00 | \$0.00 |
| Amtrak Ph. 4 Infrastructure : Mechanic St. phase | 2018 | \$136,923.00 | x | x | \$136,923.00 | \$0.00 |
| Program Income YMCA Riverside Rehab: Roof/Fence/In doors | 2017 year | \$16,224.73 | | | | \$16,224.73 |
| Program Income 2019 | 2019 | \$1.44 | | | | \$1.44 |
| correct on 11/26/19 | PRE - | Nov19 dr | POST | Oct | 19 Draw | |
| | | Orig. | | | Spent | Remain |
| 2017 Admin | 2017 | \$120,806.21 | | | \$91,767.17 | \$0.00 |
| 2017 YMCA Riverside Rehab: Roof/Fence/Int. doors | 2017 | Amendment | | | | \$20,072.27 |
| 2017 Constitution Park Grove 4 Inclusive Playground | 2017 | amendment | | | | \$8,966.77 |
| 2017 Indirect Cost | 2017 | \$9,683.00 | | | \$9,683.00 | \$0.00 |
| 2017 Fair Housing | 2017 | \$10,489.21 | | | \$10,489.21 | \$0.00 |
| 2018 Admin re-programmed to Cumb. St. | 2018 | \$125,322.00 | | | \$70,762.65 | \$58,465.14 |
| 2018 Indirect Cost re-programmed to Cumb. St. | 2018 | \$10,081.00 | | | \$9,280.54 | \$799.46 |
| 2018 Fair Housing re-programmed to Cumb. St. | 2018 | \$13,403.00 | | | \$9,616.17 | \$3,786.83 |
| | | | | | Activities | \$251,788.94 |
| | | | | | Admin(s) | \$0.00 |
| 2014-2018 Funds | | | | | Total All | \$251,788.94 |
| Bellevue Sidewalks decreased funds Dec 2019 | 2019 | \$79,841.00 | x | x | | \$79,841.00 |
| HRDC Emergency Housing | 2019 | \$25,000.00 | x | x | | \$25,000.00 |
| Admin | 2019 | \$121,447.70 | x | n/a | \$8,154.98 | \$113,292.7 |

| | | | | | | |
|---|------|--------------|---|-----|-------------|--------------|
| | | | | | | 2 |
| Indirect Cost | 2019 | \$10,552.30 | x | n/a | \$2,638.00 | \$7,914.30 |
| FH | 2019 | \$10,000.00 | x | n/a | \$782.79 | \$9,217.21 |
| YMCA Gilcrist Ph. 5 Playground | 2019 | \$77,000.00 | x | x | | \$77,000.00 |
| AHEC Dental Access | 2019 | \$8,000.00 | x | x | | \$8,000.00 |
| Assoc. Charities Long Term | 2019 | \$8,750.00 | x | x | | \$8,750.00 |
| Assoc. Charities Short Term | 2019 | \$7,800.00 | x | x | | \$7,800.00 |
| Incredible Years Parenting Fam. Junct. | 2019 | \$10,000.00 | x | x | | \$10,000.00 |
| PHA FCH Sidewalks | 2019 | \$50,000.00 | x | | | \$50,000.00 |
| FCRC Shelter | 2019 | \$10,500.00 | x | x | | \$10,500.00 |
| AHEC Denture Program | 2019 | \$7,000.00 | x | x | | \$7,000.00 |
| ACM ADA WEX Loft Lift Rehab | 2019 | \$40,000.00 | x | x | | \$40,000.00 |
| YMCA Riverside Rehab: Roof/Fence/Int. Doors | 2019 | \$270,750.00 | x | x | \$87,800.00 | \$182,950.00 |
| Const. Park Grove 4 Inclusive Playground | 2019 | \$27,000.00 | x | | | \$27,000.00 |
| Summer @ Your Library | 2019 | \$2,000.00 | x | x | | \$2,000.00 |
| Assoc. Charities Food Pantry | 2019 | \$3,200.00 | x | x | | \$3,200.00 |
| Horizon Goodwill Job Training Program | 2019 | \$21,000.00 | x | x | | \$21,000.00 |
| 2019 Total Funds | | \$789,841.00 | | | | \$690,465.23 |
| Program Income | 2019 | \$24.41 | | | | 24.41 |
| | | \$789,865.41 | | | | \$690,489.64 |
| as of 11/26/2019 post October 2019 Draw | | | | | | |

Community Development Programs Manager Report November 2019

- Sent Requests for Payment to DHCD for all current Community Legacy-funded Leasehold Improvement expenses
- Provided the County with the final Request for Payment for the Community Enhancement-funded Arch Street project
- Attended the public presentation of the Conceptual Master Plan for the River Park at Canal Place on November 4th.
- Assisted the Historic Preservation Commission at their November 20th regular public meeting
- One new Certificate of Appropriateness was reviewed administratively for 208 North Centre Street
- One Change/Amend Approval was reviewed administratively for 52 Baltimore Street
- provided a recommendation to the City Administrator from the Parks and Recreation Board related to the rehabilitation of the fields at Mason Recreational Complex that were impacted by the CSO project
- Received notice that the YMCA Pool Dehumidification Project was awarded \$150,000 from Maryland's Community Legacy Program
- Prepared a draft environmental review MOU document and summary for the City Solicitor's review and comment.
- Provided a recommendation to the City Administrator from the Parks and Recreation Board related to the rehabilitation of the fields at Mason Recreational Complex that were impacted by the CSO project

- There were no applications received for the November 1st deadline for the new Central Business District Accessibility Improvement Program.

Comptroller's Office

November 2019

Cash Flow:

Attached for your review is a Cash Flow Summary for the month of November 2019.

On November 1, 2019 the City had a cash balance of \$6 million. Disbursements exceeded receipts by \$1.6 thousand resulting in a cash balance of \$4.4 million at November 30, 2019.

As of November 30, 2019, the significant tax receivable balances were as reflected in the table below.

| | | | | | | |
|---------------------------------|---------------------|-------------|---------------------|-------------|---------------------|-----------|
| Taxes receivable (General Fund) | | | | | \$ | 3,794,351 |
| | Beg Balance | New Billing | Collections | Bad Debt | Ending Balance | |
| FY 2020 | \$ 3,659,560 | \$ - | \$ 1,068,379 | \$ - | \$ 2,591,181 | |
| FY 2019 | 718,911 | \$ - | 9,171 | | \$ 709,740 | |
| FY 2018 | 362,494 | - | 6,808 | - | 355,686 | |
| FY 2017 | 41,474 | - | 259 | - | 41,215 | |
| FY 2016 | 29,606 | - | - | - | 29,606 | |
| FY 2015 | 26,695 | - | 0 | - | 26,695 | |
| FY 2014 | 16,108 | - | - | - | 16,108 | |
| FY 2013 | 12,068 | - | - | - | 12,068 | |
| FY 2012 | 5,716 | - | - | - | 5,716 | |
| FY 2011 | 3,282 | - | 52 | - | 3,230 | |
| Prior FY's | 3,106 | - | - | - | 3,106 | |
| | <u>\$ 4,879,020</u> | <u>\$ -</u> | <u>\$ 1,084,669</u> | <u>\$ -</u> | <u>\$ 3,794,351</u> | |

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

| | |
|-------------------------------------|---------------------|
| Real property (non-owner occupied) | \$ 1,022,224 |
| Non-Corp Personal Property | 7,726 |
| Corporate Personal Property | 183,676 |
| Real Property (semiannual payments) | 1,377,555 |
| Real Property (Half Year) | - |
| | <u>\$ 2,591,181</u> |

The annual retirement invoices (\$1.9 million) will be paid in December – LEOPS (Police) \$710K and other employees \$1.2 million.

The City liquidity position continues to be strong as illustrated in the following cash and investments table. Restricted cash and investments are comprised primarily of invested bond proceeds restricted to associated capital projects and expenditures.

Cash and Investment Summary
November 30, 2019

| | Cash | Investments |
|---------------------|--------------|---------------|
| Beginning Balance | \$ 5,964,991 | \$ 15,412,686 |
| Add: | | |
| Cash Receipts | 6,007,355 | 24,954 |
| Investment Transfer | - | - |
| Less: | | |
| Disbursements | 7,590,110 | - |
| Investment Transfer | - | - |
| Ending Balance | \$ 4,382,236 | \$ 15,437,640 |
| Restricted | \$ 331,780 | \$ 6,928 |

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

Restricted Cash

| | 11/1/2019 | Increase | Utilization | 11/30/2019 |
|--------------------|------------|----------|-------------|------------|
| Police Seizures | \$ 92,899 | \$ 5,056 | \$ 1,063 | \$ 96,892 |
| Bowers Trust | 76,706 | - | - | 76,706 |
| Restricted Lenders | 106,341 | - | - | 106,341 |
| Other | 51,841 | - | - | 51,841 |
| | \$ 327,787 | \$ 5,056 | \$ 1,063 | \$ 331,780 |

Restricted Investments

| | 11/1/2019 | Increase | Utilization | 11/30/2019 |
|-----|-----------|----------|-------------|------------|
| DDC | \$ 6,916 | \$ 12 | \$ - | \$ 6,928 |
| | \$ 6,916 | \$ 12 | \$ - | \$ 6,928 |

Other restricted cash includes demolition bond deposits held as well as solicited donations for the Joe Maphis statue project.

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.

Capital Projects and Associated Debt:

The tables below illustrate undrawn Maryland CDA bond proceeds as well as the accumulated debt draws and grants received associated with the ongoing Combined Sewer Overflow (CSO) projects.

Available Bond Proceeds

| | 11/1/2019 | Issue | Utilization | 11/30/2019 |
|----------|--------------|--------------|-------------|--------------|
| CDA 2014 | \$ 535,488 | \$ - | \$ - | \$ 535,488 |
| CDA 2015 | 1,449,622 | - | - | 1,449,622 |
| CDA 2017 | 121,752 | - | 66,352 | 55,400 |
| CDA 2018 | 2,055,693 | - | 161,590 | 1,894,103 |
| CDA 2019 | - | 3,582,000 | - | 3,582,000 |
| | \$ 4,162,555 | \$ 3,582,000 | \$ 227,942 | \$ 7,516,613 |

CSO Projects Debt Draws

| | 11/1/2019 | Issue | Utilization | 11/30/2019 |
|--------------------|---------------|-------|-------------|---------------|
| Evitts Creek Debt | \$ 143,260 | \$ - | \$ - | \$ 143,260 |
| Evitts Creek Grant | - | - | - | - |
| WWTP Debt | 2,818,581 | - | 2,587 | 2,821,168 |
| WWTP Grant | 20,880,915 | - | 707,987 | 21,588,902 |
| | \$ 23,842,756 | \$ - | \$ 710,574 | \$ 24,553,330 |

The CDA 2017 \$66K debt draw was for software and police vehicle equipment. The CDA 2018 \$161K debt draw was for water distribution and filtration plant improvements. The City closed on \$3.6 million of new CDA debt on November 21st. The CDA 2019 debt will be utilized for a new ladder truck, street improvements, technical equipment, building improvements and vehicles.

The Wastewater Treatment Plant (WWTP) CSO project is nearing completion. The WWTP CSO November draw requests were \$707K in BRF grants and \$3K in new debt. The WWTP CSO project is expected to be substantially complete in January 2020.

The Evitts Creek CSO project is temporarily on hold as we are seeking funding to expand the project.

Health Care Claims Analysis

We have not received the October report yet. The table below was discussed in the September comptroller report.

| Month | Total Deposits | Reinsurance Reimbursement | | Net Monthly Claims Paid | CIGNA Refunds | Surplus (Deficit) | Performance Ratio | Pledged Cross Share | | Anticipated Cross Share Needed | Potential Refund |
|--------|----------------|---------------------------|---------|-------------------------|---------------|-------------------|-------------------|---------------------|----------|--------------------------------|------------------|
| | | Received | Pending | | | | | %age | Dollars | | |
| Sep-19 | 996,882 | - | 73,301 | 1,033,192 | 29,804 | 66,795 | 107.29% | 22.5% | (15,029) | (9,821) | 56,974 |
| Sep-18 | 941,564 | | 20,930 | 931,795 | 47,679 | 78,378 | 105.43% | 22.5% | (17,635) | (10,911) | 67,468 |

Respectfully submitted,

Jeff Rhodes
City Administrator

Item Attachment Documents:

Engineering Division monthly report for November, 2019

City of Cumberland, Maryland

Engineering Division - Monthly Report

| Capital Projects | | | | | | December 1, 2019 | |
|------------------|-------------|--|--|--------------|---|------------------|----------------|
| Order | Project No. | 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 This project has been complicated because of location of the sewer lines deep under the CSX Yards. The project has not been funded through MDE which will prevent us from moving forward. Engineering will continue to apply for funds and present this project at PACE until it is funded. | RLS | 5/15/2019 |
| 2010 | 01-10-WWTP | CSO Storage Facility At WWTP | CSO storage and handling facility in accordance with LTCP | Construction | UPDATE Contractor continues to backfill the storage structure and work on the pump house. Mechanical and electrical systems inside the tank are ramping up. Substantial completion is projected for mid-February 2020. | RLS | 10/9/2019 |
| 2013 | 1-13-FPM | Flood Control System Concrete Repairs | Repairs to various points of FCS system per USACOE inspection | Design | NO CHANGE - Project is still on hold pending MDE review of EAP for Dry Run. A grant application was submitted for the project through MDE will hear results in May 2020. Additionally, started USACE Section 408 request for floodwall extensions. | MDI | 10/1/2019 |
| 2013 | 12-13-FPM | Flood Control Encroachment Tree Project | Removal of Trees along Flood Wall and Levees per requirements of US Army Corps of Engineers specifications (See also Project 2-17-FPM) | Complete | UPDATE project complete | KAR | 12/23/2019 |
| 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 | 13-14-M | Mechanic Street Access Road Improvement Project | Repaving and ADA ramp improvements to the section Mechanic Street from I-68 to Bedford Street. Includes improvements to the block of Bedford Street from N. Centre to N. Mechanic Street and Baltimore Street to the Bridge. | Construction | UPDATE Paving is substantially complete. The contractor had to reconstruct several of the ADA ramps. | JRD | 12/16/2019 |
| 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. | KAR | 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. Stream sampling ongoing on a monthly basis pre storage and post storage. Three staff were certified for sampling in April. | RJK | 11/4/2019 |

City of Cumberland, Maryland

Engineering Division - Monthly Report

| Capital Projects | | | | | | December 1, 2019 | |
|------------------|-------------|--|--|--------------|---|------------------|----------------|
| Order | Project No. | Project Name | Description | Phase | Comments | Updated By | Date of Update |
| 2015 | 19-15-M | WWTP & Collection System Asset Management Plan | Development of an Asset Management Plan | Planning | UPDATE Asset Management Program/Capital Improvement implementation. Dashboard development and Workforce app beginning to be used. Working on Survey 123 and Collector. | RJK | 11/4/2019 |
| 2015 | 23-15-M | Flood Insurance Rate Map (FIRM) Modernization and Implementation | Update FIRMs and the Floodplain Ordinance, and conduct an outreach to the community to apprise landowners of the impact of those changes. | Planning | NO CHANGE - The Letter of Final Determination date is now October, 2018, with a projected effective date of April, 2019. | PJD | 1/3/2019 |
| 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 | UPDATE EADS has submitted their 30% design to MDOT SHA for review. EADS has resumed working on the utility design as they wait for SHA comments of first submission. The next drawing submission is scheduled for late February. | RLS | 10/9/2019 |
| 2016 | 17-16-M | Stage Renovations at Liberty Street Stage | Replace wood stage with Concrete | 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 | Design | UPDATE - This project is being placed on hold due to needs at other bridges. This project is expected to move forward in FY21 with State Aid Funds. | RLS | 10/9/2019 |
| 2016 | 19-16-S | 78" Parallel Pipeline from Mill Race to CSO | 78" Pipeline to CSO tank in accordance with Consent Decree | Design | UPDATE - NEPA work continues. WRA has provided their final design proposal and schedule for the project. The proposal is on the 10/15 M&CC agenda for approval, pending MDE approval. | RLS | 10/9/2019 |
| 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 | 3-17-M | Route 51 Bridge 12" Waterline Replacement | Replace water line on bridge as part of SHA Bridge Deck Project | Construction | NO CHANGE - The contract for the bridge replacement has been awarded but the water line is not expected to be replaced until FY21 due to construction phasing. | RLS | 5/15/2019 |
| 2017 | 8-17-M | Baseline Water Quality Sampling Evitts Creek Water Company | Western Pennsylvania Conservancy to provide detailed technical and scientific consulting to the ECWC including: Habitat Characterization and Baseline Water Quality Sampling. | Construction | NO CHANGE Fall sampling took place 10/24. | RJK | 1/4/2019 |
| 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 - The department is supporting Cumberland Gateway LLC with historical records and will review stormwater design in the future. | RLS | 5/15/2019 |
| 2017 | 19-17-M | Recycle Coach App | Smart phone app for recycling schedules | Planning | NO CHANGE | RJK | 8/9/2019 |

City of Cumberland, Maryland

Engineering Division - Monthly Report

| Capital Projects | | | | | | December 1, 2019 | |
|------------------|-------------|---|--|--------------|--|------------------|----------------|
| Order | Project No. | Project Name | Description | Phase | Comments | Updated By | Date of Update |
| 2017 | 20-17-WFP | Return on Environment Plan | Bedford County Comp Plan - Optional localized study | Study | NO CHANGE | RJK | 8/9/2019 |
| 2017 | 21-17-PSB | Public Safety Building Underground Storage Tank Removal | Heating Oil Underground Storage Tank (UST) - Not in use/reviewing removal option | Complete | UPDATE Tank abandoned 10/17/2019 by TRIAD. | RJK | 12/23/2019 |
| 2017 | 24-17-S | Investigation of Floodwall Underdrain Leak at Valley Street Bridge | Ascertain the source of the sewage that is leaking into the floodwall under drain noted at an under drain box about 90 feet upstream of the Valley Street Bridge, and develop a plan and cost estimate to effect repairs. | Planning | NO CHANGE - No flow has been seen in manhole, waiting for Will's Creek water level to lower to reinspect. Leak appears to have been addressed by removing Burgmeier Septic. The underdrain pump has been removed and not odor is being detected. The situation will continue to be evaluated. | RLS | 5/15/2019 |
| 2017 | 29-17-UTIL | VOID See 19-15-M | VOID | | | | |
| 2017 | 30-17-WWTP | 40 CFR 441 Compliance - Dental Dischargers | Collection of 1-time compliance reports from dental offices that remove amalgam. | Planning | UPDATE Eighteen (18) dental offices have returned their 1-time compliance report to date. Dental offices have until July 2020 to comply with this new Federal regulation. | RJK | 11/4/2019 |
| 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 Bennett Brewer and Associates are at 60% completion. The 60% documents were reviewed in December. Contract documents are scheduled to be ready for MDE review in March 2020. | JRD | 12/16/2019 |
| 2018 | 08-18-BR | Cumberland Street Bridge Replacement | This project will replace the bridge structure. | Design | UPDATE - MDOT issued Notice to Proceed to Jacobs/EBA on 10/4/19 for preliminary engineering work. A design kickoff meeting has been held and the consultant is working on organizing their subcontractors for data collection. | RLS | 10/9/2019 |
| 2018 | 09-18-BR | Baltimore Street Bridge Replacement | This project will replace the bridge structure. | Design | UPDATE - Temporary bridge repair work is complete. WTB will be submitting their next report in November as they continue through the federal process. The Design is expected to be completed in Fall of 2020 | RLS | 10/9/2019 |
| 2018 | 22-18-M | Solid Waste and Recycling Collection | Contract documents for the FY20 garbage and recycling collection bid process | Planning | NO CHANGE New schedule in effect! Staff met with Burgmeier's Hauling on 9/18 for continued satisfactory services. Press Release planned for getting trash out early and how to contact City/Burgmeiers. | RJK | 9/30/2019 |
| 2018 | 23-18-WWTP | FY 2019 MDE Energy Grant Optimization of the Aeration System at the WRF | Application through MDE for energy grants for WWTP or WFPs | Construction | UPDATE All work in bio-reactors 1 and 2 are complete. Contractors are working on the last bio-reactor as well as the inlet and discharge piping for blowers 1 and 2 | MDI | 12/16/2019 |
| 2018 | 24-18-M | Cumberland Street Retaining Wall | This project includes the installation of a retaining wall and the replace of the closed portion of sidewalk along Cumberland Street at Market Street. Also included is the installation of ADA compliant curb/sidewalk ramps. | Construction | UPDATE Work has been delayed due to the poor subgrade condition at the site of the proposed wall, and a delay in the delivery of the precast concrete drainage structures. | JRD | 12/16/2019 |
| 2018 | 25-18-BR | SHA Project: Replacement of MD 51 Bridge Deck | Replace the water line under the industrial blvd bridge under a MDOT bridge rehabilitation project | Construction | Refer to project 3-17-W | RLS | 10/11/2018 |
| 2018 | 26-18-M | Ridgeley Levee System Certification | | | | | |

City of Cumberland, Maryland

Engineering Division - Monthly Report

| Capital Projects | | | | | | December 1, 2019 | |
|------------------|-------------|---|--|----------------------|---|------------------|----------------|
| Order | Project No. | Project Name | Description | Phase | Comments | Updated By | Date of Update |
| 2018 | 29-18-W | Smouses Mill Pumping Station Upgrades | Replace existing pumps and VFD's, install a back-up generator, remove hydro-pneumatic tanks | Construction | UPDATE - C&T has demoed existing tanks and is planning pipe install while awaiting new pump system to arrive (Xmas). Generator and new fencing has been installed. | MDI | 12/16/2019 |
| 2018 | 30-18-SWM | WMHS Crisis Resource Center | Project involving SWM review. Replaces an existing building with a new facility. | Design | NO CHANGE - Pre-construction meeting was held on 9/23. Belt has demoed existing structure and will be working on this project for next 6 months. City only assisting with SWM. | MDI | 11/4/2019 |
| 2018 | 31-18-WFP | Pine Ridge Water & PUC Rate Issues | | | | | |
| 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 | | 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 | 33-18-RE | Constitution Park Marble Courts | Installation of marble courts, adjoining pavilion, and upgrades to nearby comfort station in Constitution Park | Construction Bidding | UPDATE - Contract Documents for Phase II will be completed by mid-December, bid opening is anticipated by mid-January. Phase II includes a concrete slab around 2 of the Marble courts to make them ADA compliant, an ADA compliant walk to the slab, and renovations of the restrooms in Grove 4. | JRD | 12/16/2019 |
| 2018 | 37-18-SWM | Columbia Gas Line - Walnut Street | | | | | |
| 2018 | 38-18-BR | Lake Gordon Road Bridge Replacement | PennDOT project | Construction | NO CHANGE - Project has been award and notice to proceed issued. Construction slated for June-October. Not a City Project. | RLS | 5/15/2019 |
| 2018 | 40-18-WWTP | Dry Run Detention Dam and Culvert Emergency Action Plan | Engineering Services to perform Dam Breach Analysis for EAP Execution | Study | NO CHANGE - Breach analysis is complete and awaiting approval from MDE before submitting the full EAP to MDE. | RLS | 8/5/2019 |
| 2018 | 43-18-BR | Fayette Street Bridge Replacement | This project will replace the bridge structure. | Complete | NO CHANGE - Studies have been returned and submitted to CSX negotiations. | RLS | 8/5/2019 |
| 2018 | 44-18-BR | Washington Street Bridge Replacement | This project will replace the bridge structure. | Complete | NO CHANGE - Studies have been returned and submitted 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 | NO CHANGE - The grading plan has been approved by ASCD and the project has been turned over to Code Enforcement for demolition. | RLS | 8/5/2019 |
| 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 - The permit to perform the study has been submitted to PADEP. Awaiting approval before starting the study. | RLS | 8/5/2019 |
| 2019 | 8-19-WFP | New Inlet Screens for Gate House | | Design | UPDATE Public Water Supply Minor Permit Amendment application submitted to the PA DEP 7/26/19. Awaiting approval. Detailed specifications have been inserted into the City's specification package (awaiting project information to complete the specifications (contract durations, etc.)) | JRD | 11/5/2019 |
| 2019 | 10-19-M | Residential Grass Mowing | Contract for mowing the residential properties within the City Limits which include blighted properties and recent demos. | Construction | UPDATE - Contract underway | KAR | 11/4/2019 |

City of Cumberland, Maryland

Engineering Division - Monthly Report

| Capital Projects | | | | | | December 1, 2019 | |
|------------------|-------------|---|--|--------------|--|------------------|----------------|
| Order | Project No. | Project Name | Description | Phase | Comments | Updated By | Date of Update |
| 2019 | 11-19-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 | UPDATE -Contract Underway | KAR | 11/4/2019 |
| 2019 | 13-19-M | Center City Parking Garage Improvements | Various improvements to the Center City Parking Garage including ADA improvements, wayfinding and signage upgrades, and painting | Construction | UPDATE - Kiosks and gates have been ordered and received, installation is in progress. Security cameras are still in progress, MIS is working out specifications. DDC/Arts Council received their signage, it will be installed by the Street Dept. | JAT | 12/16/2019 |
| 2019 | 14-19-M | WWTP RMP Compliance Services | RMP Compliance for OSHA 29 CFR 1910 | Planning | UPDATE RMP program updated to comply with OSHA 29 CFR 1910 for chlorine and sulfur dioxide storage on site. New (RED) Binder at WWTP and my office. Training and LEPC coordination still needs completed. | RJK | 11/4/2019 |
| 2019 | 18-19-M | Nemacolin Avenue Survey | Survey of Nemacolin Avenue between Longwood Avenue and Richwood Avenue | Planning | UPDATE The final Plat and CAD draings have been recieved by the City. | JRD | 11/5/2019 |
| 2019 | 27-19-M | Bellevue Street Sidewalk Upgrades | Removal and installation of new concrete sidewalks from Baltimore Ave to Fulton St. This will include the installation of ADA Accessible ramps. | Construction | UPDATE - Award was made to Excavating Associates. Notice to Proceed was issued . | KAR | 12/23/2019 |
| 2019 | 32-19-M | Brownfields Application 2019 | Information Regarding Brownfields and potential projects within the city. | Study | UPDATE -Staff attended Brownfields Boot-Camp held by MDP 9/24 | MEA | 9/30/2018 |
| 2019 | 35-19-WWTP | Denite Filters Mudwell Mixing System | This project will evaluate and design a system for the mudwell tanks at the ENR to maintain solid suspense, prior to pumping the filtrate back to the head of the treatment plant. | Design | UPDATE - Design bid was awarded to GD&F on 10/11/19. Kickoff meeting was held at WWTP on 10/15/19. Design progress meeting was held on 11/19/19. GD&F working on finalizing design options. | MDI | 12/16/2019 |
| 2019 | 38-19-BR | Koon Dam Sidewalk Repairs Phase 3 | Third phase of repairs, following 28-18-BR and 17-18-BR. Elevated sidewalk slabs need to be replaced. | Planning | UPDATE - Project is out for bid. Bids due on 12/17/19. | MDI | 12/16/2019 |

Item Attachment Documents:

Maintenance Division monthly report for December, 2019

MAINTENANCE DIVISION REPORT
December 2019

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

**PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
DECEMBER 2019**

- POTHoles AND COMPLAINTS
 - Potholed 14 streets using 7 tons of hot mix asphalt
 - Potholed 6 streets using 4 tons of cold patch
- UTILITY HOLES
 - Repaired 4 water utility holes using existing bricks
- TRAFFIC CONTROL SIGNS/STREET NAME SIGNS
 - Installed 2 Handicap Parking signs/painted curbs blue
 - Removed 1 Handicap Parking sign/painted curb black
 - Installed 26 traffic control signs
 - Installed 3 street name signs
- STREET SWEEPING
 - 207 miles
 - 16 loads
- LEAF PICK-UP
 - 11 Loads
- MISCELLANEOUS
 - Completed 27 Work Orders
 - Set up traffic control, No Parking signs for multiple events
 - Worked OT for New Year's Eve Celebration
 - Worked OT to remove downed traffic lights on S Mechanic St
 - Cleaned Underpass, McMullen Bridge, Washington St Bridge, Fayette St Bridge, Cumberland St Bridge & Welch Ave. drainage ditch 4 times.
 - Picked up 7 dead animals
 - Filled salt barrels 5 days
 - Picked up trash/discarded items on 3 occasions
 - Cleaned Municipal Center shop once
 - Received shipments of road salt

**PUBLIC WORKS/MAINTENANCE
PARKS & RECREATION
MONTHLY REPORT
DECEMBER 2019**

- Constitution Park
 - Cleaned up garbage 2 times a week
 - Cut and cleared trees
 - Cleared brush & weeds from fence lines
- Mason's Complex
 - Cleaned up garbage once a week
 - Cleared brush & weeds from fence lines
- Jaycee Field
 - Cleaned up garbage once a week
 - Cleared brush & weeds from fence lines
- Miscellaneous Work
 - Performed basic housekeeping @ Municipal Building
 - Cleaned the Craft House & Activities Building
 - Prepared feed & bedding for ducks & geese @ the Duck Pond
 - Cleaned & performed preventative maintenance on Park & Rec vehicles
 - Picked up trash @ parklets & playgrounds once a week

**Fleet Maintenance
December 2019**

| | |
|---|---------------|
| Total Fleet Maintenance Projects | 159 |
| Central Services | 3 |
| Code Enforcement | 6 |
| DDC | 0 |
| Engineering | 8 |
| Fire | 6 |
| Flood | 0 |
| Municipal Parking | 0 |
| P & R Maintenance | 5 |
| Police | 17 |
| Public Works | 0 |
| Sewer | 12 |
| Snow Removal | 26 |
| Street Maintenance | 37 |
| Vehicle Maintenance | 11 |
| Water Distribution | 11 |
| Water Filtration | 0 |
| WWTP | 0 |
| Scheduled Preventive Maintenance | 16 |
| Field Service Calls | 1 |
| Total Work Orders Submitted | 39 |
| Risk Management Claims | 0 |
| Fork Lift Inspections | 0 |

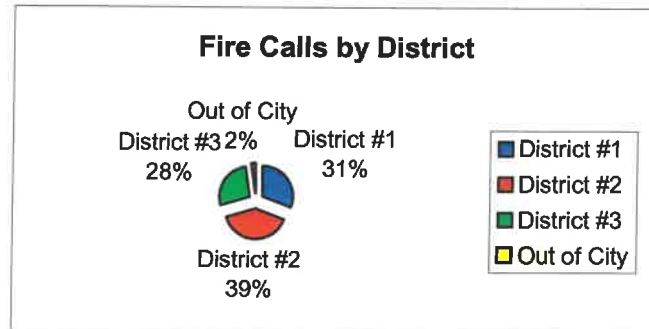
Item Attachment Documents:

Fire Department monthly report for December, 2019

REPORT OF THE FIRE CHIEF FOR THE MONTH OF DECEMBER, 2019
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 94 Fire Alarms:

| | |
|------------------------|----------|
| Responses by District: | |
| District #1 | 29 |
| District #2 | 37 |
| District #3 | 26 |
| Out of City | 2 |
| | <hr/> 94 |



| | |
|-----------------------|--------------------------|
| Number of Alarms: | |
| First Alarms Answered | 93 |
| Third Alarms Answered | 1 at 218 Columbia Street |
| | <hr/> 94 |

| | |
|---------------------|----------|
| Calls Listed Below: | |
| Property Use: | |
| Public Assembly | 2 |
| Institutional | 3 |
| Educational | 1 |
| Residential | 62 |
| Stores and Offices | 1 |
| Industrial, Utility | 2 |
| Manufacturing | 2 |
| Special Properties | 20 |
| Undetermined | 1 |
| | <hr/> 94 |

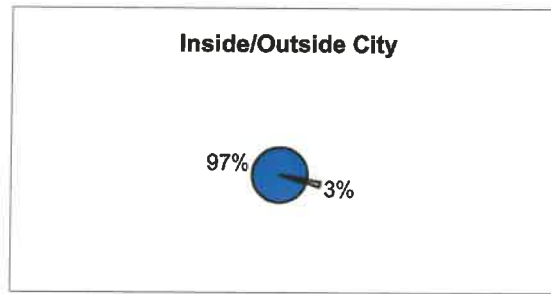
| | |
|-----------------------|----------|
| Type of Situation: | |
| Fire or Explosion | 8 |
| Overpressure, Rupture | 0 |
| Rescue Calls | 46 |
| Hazardous Conditions | 7 |
| Service Calls | 11 |
| Good Intent Calls | 10 |
| False Calls | 12 |
| | <hr/> 94 |

| | |
|---|-------------|
| Total Fire Service Fees for Fire Calls Billed by MCA in December: | \$1,100.00 |
| Total Fire Service Fees for Fire Calls Billed by MCA Fiscal Year to Date: | \$10,300.00 |
| Fire Service Fees for Fire Calls Paid in December: | \$250.00 |
| Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date: | \$1,920.00 |
| Total Fire Service Fees Paid in FY2019: | \$7,065.00 |

| | |
|---|----------|
| Fire Service Fees for Inspections and Permits Billed in December: | \$50.00 |
| Fire Service Fees for Inspections and Permits Paid in December: | \$50.00 |
| Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date: | \$400.00 |

Cumberland Fire Department Responded to 448 Emergency Medical Calls:

| | |
|-------------------|------------|
| In City Calls | 434 |
| Out of City Calls | 14 |
| Total | <u>448</u> |



| | |
|---|--------------|
| Total Ambulance Fees Billed by Medical Claim-Aid for December : | \$133,455.00 |
| Ambulance Fees Billed Fiscal Year to Date: | \$738,906.00 |
| Ambulance Fees Paid: | |
| Revenue Received in December: | \$102,483.27 |
| FY2020 Ambulance Fees Paid in FY2020: | \$417,500.24 |
| Total Ambulance Fees Paid in FY2020: | \$568,229.61 |

(All ambulance fees, current and previous fiscal years, paid in FY2020.)

Cumberland Fire Department provided 5 Paramedic Assist Calls:

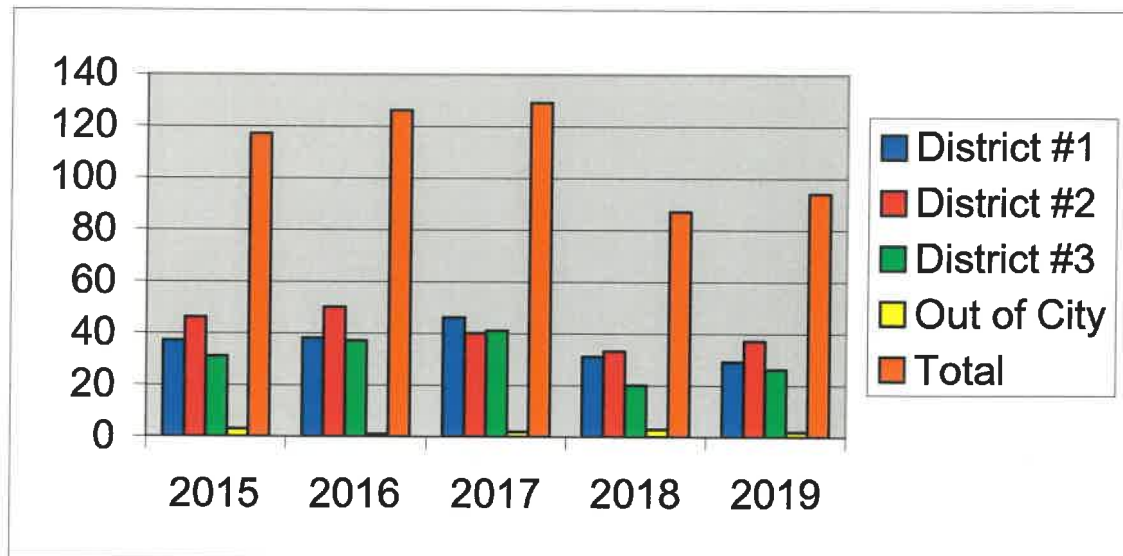
| | |
|---|----------|
| 1 Paramedic Assist Call within Allegany County | |
| 4 Paramedic Assist Calls outside of Allegany County | |
| <u>5</u> | |
| Bowman's Addition VFD | 1 |
| Short Gap, WV VFD | 3 |
| Wiley Ford, WV VFD | 1 |
| | <u>5</u> |

Cumberland Fire Department provided 9 Mutual Aid Calls:

| | |
|---|----------|
| 5 Mutual Aid Calls within Allegany County | |
| 4 Mutual Aid Calls outside of Allegany County | |
| <u>9</u> | |
| Bowman's Addition VFD | 3 |
| Cresaptown VFD | 1 |
| LaVale Volunteer Rescue Squad | 1 |
| | <u>5</u> |
| Ridgeley, WV VFD | 4 |
| | <u>9</u> |

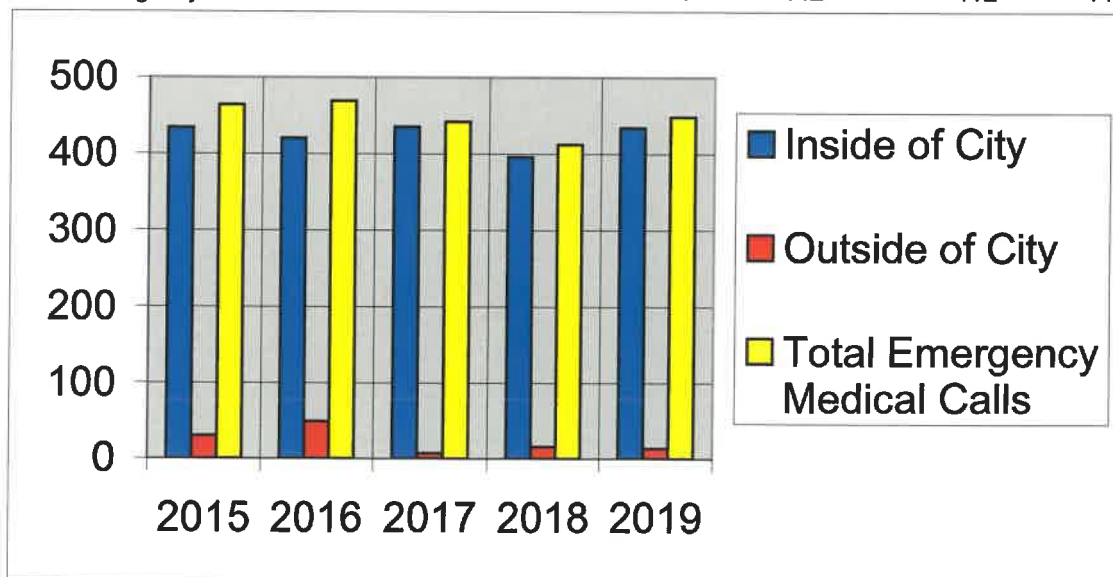
Fire Calls in the Month of December for a Five-Year Period

| | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> |
|-------------|-------------|-------------|-------------|-------------|-------------|
| District #1 | 37 | 38 | 46 | 31 | 29 |
| District #2 | 46 | 50 | 40 | 33 | 37 |
| District #3 | 31 | 37 | 41 | 20 | 26 |
| Out of City | <u>3</u> | <u>1</u> | <u>2</u> | <u>3</u> | <u>2</u> |
| Total | 117 | 126 | 129 | 87 | 94 |



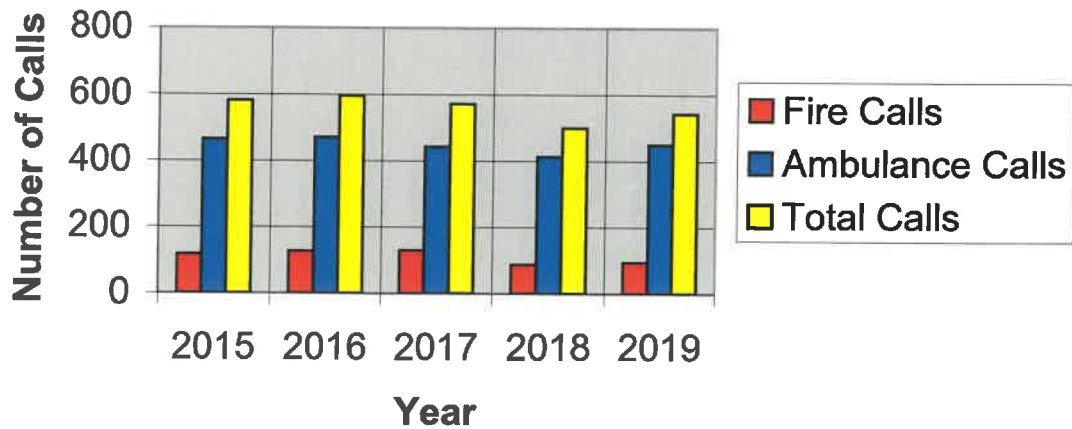
Ambulance Calls in the Month of December for a Five-Year Period

| | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|
| Inside of City | 434 | 420 | 435 | 396 | 434 |
| Outside of City | <u>30</u> | <u>49</u> | <u>7</u> | <u>16</u> | <u>14</u> |
| Total Emergency Medical Calls | 464 | 469 | 442 | 412 | 448 |



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

| | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> |
|-----------------|-------------|-------------|-------------|-------------|-------------|
| Fire Calls | 117 | 126 | 129 | 87 | 94 |
| Ambulance Calls | <u>464</u> | <u>469</u> | <u>442</u> | <u>412</u> | <u>448</u> |
| Total Calls | 581 | 595 | 571 | 499 | 542 |



Training

| | |
|-------------------------------|--------|
| Training Man Hours: | 234.25 |
| Training Listed Below: | |
| Safety Issues | 4.50 |
| Standard Operating Procedures | 21.25 |
| Apparatus Check Procedures | 86.00 |
| General Driver Training | 3.00 |
| EMT Recertification | 3.00 |
| Alarm Procedures | 11.00 |
| Communication Equipment | 22.00 |
| Fire Scene Management | 16.50 |
| Hose Lines | 1.00 |
| Hose Maintenance | 11.00 |
| Physical Fitness | 15.00 |
| Injury Prevention Training | 40.00 |
| | <hr/> |
| | 234.25 |

Fire Prevention Bureau

| | |
|--------------------------|----|
| Complaints Received | 1 |
| Conferences Held | 37 |
| Correspondence | 3 |
| Inspections Performed | 4 |
| Investigations Conducted | 4 |
| Plan Reviews | 7 |

Statistics Compiled by Julie A. Davis, Fire Administrative Officer

Item Attachment Documents:

Police Department monthly report for December, 2019



City of Cumberland Department of Police

Monthly Report
December 2019



City of Cumberland Department of Police

Monthly Report

December 2019

Part 1 Crimes for the Month

| | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 |
|---------------------|------|------|----------------|------|------|-----------------|------|------|------|------|------|
| Aggravated Assaults | 13 | 8 | B & E (All) | 20 | 15 | Murder | 0 | 0 | Rape | 0 | 1 |
| Robbery | 3 | 1 | Theft - Felony | 3 | 2 | Theft - Vehicle | 1 | 1 | | | |

Selected Criminal Complaints for the Month

| | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 |
|---------------------|------|------|-------------------|------|------|-------------------|------|------|-----------------|------|------|
| Theft - Misdemeanor | 21 | 14 | Theft - Petty | 26 | 23 | Domestic Assaults | 30 | 22 | CDS | 50 | 43 |
| Disturbances | 141 | 141 | DOP/Vandalism | 29 | 31 | Indecent Exposure | 3 | 0 | Sex Off - Other | 0 | 6 |
| Suicide | 0 | 0 | Suicide - Attmp. | 0 | 0 | Tampering M/V | 0 | 0 | Abuse - Child | 2 | 0 |
| Trespassing | 13 | 8 | Assault on Police | 3 | 2 | Assault Other | 38 | 30 | | | |

Selected Miscellenous Incidents for the Month

| | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 |
|-------------------|------|------|------------------|------|------|-----------------|------|------|---------------------|------|------|
| Alcohol Volations | 0 | 6 | Juvenile Compl. | 8 | 19 | Missing Persons | 12 | 6 | School Resource | 82 | 124 |
| School Threat | 2 | 0 | Sex Off. Regist. | 13 | 12 | Truancy | 9 | 2 | Death Investigation | 6 | 4 |

Selected Traffic Incidents for the Month

| | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 |
|-----|------|------|-----------|------|------|-----------|------|------|--------------|------|------|
| DWI | 13 | 7 | Hit & Run | 20 | 19 | M/V Crash | 49 | 59 | Traffic Stop | 374 | 278 |

Selected Service Calls for the Month

| | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 |
|---------------------|------|------|-----------------|------|------|------------------|------|------|---------------------|------|------|
| Alarms | 52 | 70 | Assist Motorist | 39 | 33 | Check Well-Being | 117 | 100 | Foot Patrol | 7 | 45 |
| Assist Other Agency | 78 | 88 | Bike Patrol | 0 | 0 | Special Events | 5 | 6 | Suspicious Activity | 69 | 69 |

Arrests Totals for the Month

| | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 | | 2018 | 2019 |
|---------------|------|------|--------------|------|------|----------------|------|------|-------------------|------|------|
| M/V Citations | 55 | 49 | M/V Warnings | 315 | 236 | Adult Criminal | 130 | 123 | Juvenile Criminal | 27 | 25 |

Total Incidents Reported :

| | |
|--------------|--------------|
| 2018 | 2019 |
| 2,099 | 2,030 |


Capt. Chuck Ternent – Interim Chief

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

December 2019

SWORN PERSONNEL: 45 SWORN OFFICERS

| | |
|-----------------|------------|
| Administration | 5 officers |
| Squad D1 | 8 officers |
| Squad N1 | 7 officers |
| Squad D2 | 7 officers |
| Squad N2 | 8 officers |
| C3I/C3IN | 5 officers |
| School Resource | 2 officers |
| Academy | 2 officers |
| Military leave | 1 officer |

CIVILIAN EMPLOYEES: 6 full time, 11 part time

| | |
|--------------------------|----------------|
| CPD Office Associate | 1 full time |
| CPD Records Clerk | 1 full time |
| CPD Records Clerk | 1 part time |
| Safe Streets 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 |
| MPA Garage Attendants | 1 part time |
| Code Enforcement | 3 part time |

* = Grant funded

** = Shared costs with other agencies

LEAVE REPORT

VACATION TAKEN: 349 HOURS
COMP TIME USED: 204 HOURS
SICK TIME USED: 115 HOURS

YEAR TO DATE (beginning 7/1/19): 4948 HOURS
YEAR TO DATE (beginning 7/1/19): 1458 HOURS
YEAR TO DATE (beginning 7/1/19): 1059 HOURS

OVERTIME REPORT

OVERTIME WORKED: 112 HOURS
HOSPITAL SECURITY: 120 HOURS
COURT TIME WORKED: 273 HOURS

YEAR TO DATE (beginning 7/1/19): 1485 HOURS
YEAR TO DATE (beginning 7/1/19): 1402 HOURS
YEAR TO DATE (beginning 7/1/19): 1129 HOURS

Officers trained for 261 hours during December 2019

Item Attachment Documents:

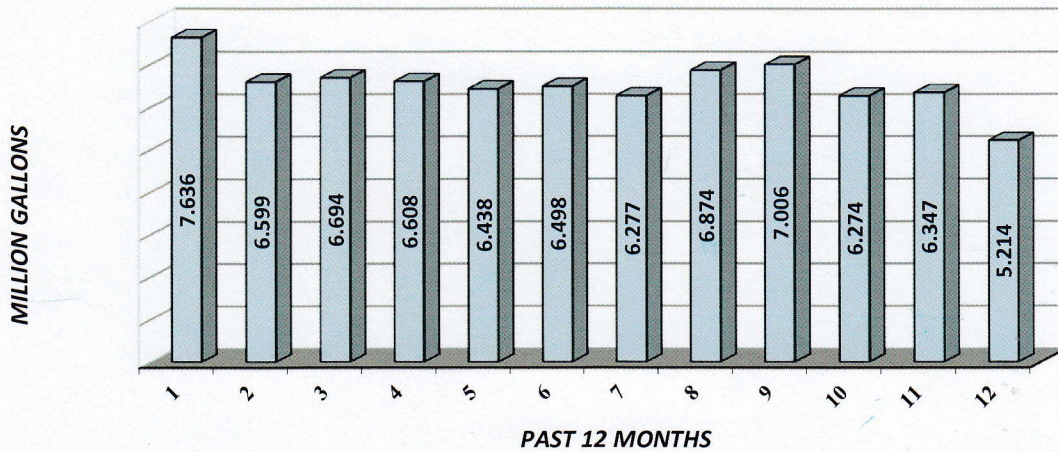
Utilities - Treatment Plants monthly report for November 2019

TREATMENT PLANTS

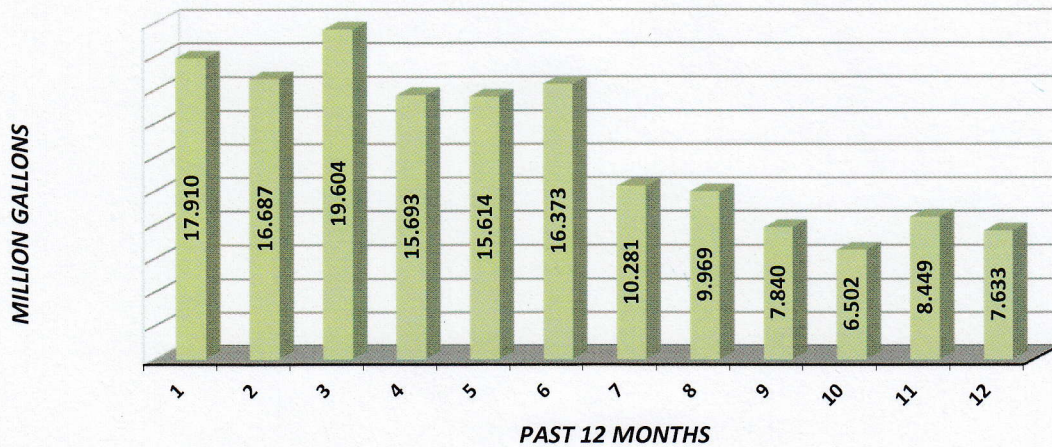
MONTHLY UTILITY REPORT

NOVEMBER 2019

AVERAGE DAILY PRODUCTION - WFP



AVERAGE DAILY PRODUCTION - WRF



BRIEF LIST of EVENTS

100% COMPLIANCE WITH ALL FEDERAL & STATE REGULATIONS

NEW COMPUTER MAINTENANCE MANAGEMENT SYSTEM "eMAINT" IMPLEMENTATION AT BOTH TREATMENT FACILITIES

WFP SMOUSSE MILL PUMPING STATION BEING UPGRADED WITH NEW PUMPS, GENERATOR, PRESSURE TANK

WFP DEVELOPED PLAN FOR PHASE 2 DISTRIBUTED CONTROL SYSTEM UPGRADE

WFP DEVELOPED PLAN FOR DISSOLVED AIR FLOTATION SKIMMER UPGRADES

WRF MET WITH GDF ENGINEERS TO EVALUATE MUDWELL MIXING

WRF WORKING WITH MARSHALL RUBY TO REPAIR ROTATING SCREENS AT EVITTS CREEK LIFT STATION

WRF PLANT ELECTRICIANS RECALIBRATED AND REPROGRAMMED ALL COMBINED SEWER OVERFLOW SITES

Item Attachment Documents:

Utilities Division-Flood/Water/Sewer monthly report for December, 2019

Utilities Division Activity Report for Dec 19 WATER

| REQUEST | W/E 12/6/19 | W/E 12/13/19 | W/E 12/20/19 | W/E 12/31/19 | MONTHLY TOTALS |
|--|-------------|--------------|--------------|--------------|----------------|
| Service Technicians | | | | | |
| NON READS/Go backs | 54 | 51 | 35 | 106 | 246 |
| FINAL READS/TURN ONS/SHUT OFFS & DEMOS | 6 | 3 | 5 | | 14 |
| LEAK INVESTIGATIONS/tum off-on | 2 | 11 | 9 | 6 | 28 |
| METER/STOP INVESTIGATIONS | 5 | 11 | 5 | 10 | 31 |
| REPAIR WIRING/GET READING | 3 | 1 | | 1 | 5 |
| ORANGE TAG FOR REPAIRS | 1 | 4 | 5 | 4 | 14 |
| YELLOW TAG FOR H/L USAGE/APPT | 1 | 1 | | | 2 |
| RED/PINK TAG FOR SHUT OFF | | 1 | 1 | 1 | 3 |
| TURN WATER ON | 52 | 43 | 34 | 18 | 147 |
| TURN WATER OFF | | | 1 | | 1 |
| NONPMT/BAD CK/AGREE SHUT OFFS | 49 | 42 | 38 | 30 | 159 |
| SHUT OFF RECHECKS | 24 | 77 | 56 | 19 | 176 |
| REPLACE/REPAIR METER/LID/VALVE | | | | | 0 |
| DIRTY WATER/ODOR | | | | | 0 |
| SVC SEPARATIONS/INVESTIGATIONS | | | | | 0 |
| INSTALL COUPLERS/PLUGS/LOCK | 15 | 16 | 13 | 9 | 53 |
| NEW METER | 9 | 8 | 3 | 5 | 25 |
| METER FIELD TESTS-Residential | | 2 | | 2 | 4 |
| METER TESTS - Industrial | | | | | 0 |
| Ind - Register/Chamber Chg Out | 2 | | | | 2 |
| Industrial - Chamber Cleaning | | | | | 0 |
| Industrial - Strainer Cleaning | | | | | 0 |
| HYDRANTS FLUSHED | | | | | 0 |
| PRESSURE CHECK/NO WATER | | | 1 | | 1 |
| MOVE METERS OUTSIDE/READINGS | 5 | 1 | | 2 | 8 |
| SP Change Outs/Repairs/Reactivates/Move | 24 | 12 | 7 | 12 | 55 |
| Replace/Reattach smartpoint antenna | 1 | | | | 1 |
| INSULATE METER BOXES | | | | | 0 |
| FREEZE UPS/METERS & LINES | | | | | 0 |
| CCP - BACKFLOW/RETRO | 5 | 1 | | 2 | 8 |
| HYDRANT/IRRIGATION METER | | | | | 0 |
| Total | | | | | 983 |
| Pipe Technicians | | | | | |
| LINE LOCATOR | 69 | 46 | 77 | 67 | 259 |
| TAPS SERVICED | 7 | 1 | 2 | 3 | 13 |
| LEAKS REPAIRED | 1 | 1 | 1 | 1 | 4 |
| CLEANED TRUCK & TOOLS | | 2 | | | 2 |
| PICKED UP NO PARKING SIGNS - BEDFORD ST | | 2 | | | 2 |
| WATER SAMPLE - PINE @ MONROE | | 2 | | | 2 |
| WITH #379 - 478 FORT AVE (TUNNEL) | | 4 | | | 4 |
| LOCATE METER BOX - 781 BW DRIVE | | 2 | | | 2 |
| CHECKED HYD #896 | | 2 | | | 2 |
| CLEANED EQUIPMENT | | 2 | | | 2 |
| MARKED VALVE - ATLANTIC BROADBAND | | 2 | | | 2 |
| 36" LEIPER/NAVES CROSS RD - WENT OVER VALVES | | 5 | | | 5 |
| CLEANED WAREHOUSE/HAULED OUT TRASH | | | 2 | | 2 |
| 1021 BEDFORD - COLD MIXED | | | 3 | | 3 |
| LISTENED FOR LEAK ON 18" - OLDTOWN RD | | | 3 | | 3 |
| PUT ON RISER - DURHAM DR | | | 2 | | 2 |
| ORGANIZED FITTING ROOM | | | 2 | | 2 |
| CHECKED HYD LIST FROM ENGINEERING | | | 2 | | 2 |
| LOCATED 2 VALVE BXS- 24" PATTERSON AVE | | | 2 | | 2 |
| FLOW TEST - HYD #294 | | | 2 | | 2 |
| 505 OLDTOWN RD- FLUSH/DIRTY COMPLAINT | | | 2 | | 2 |
| CHECKED HYDRANTS NOT WASTING | | | 2 | | 2 |
| INVESTIGATED LEAK - MAPLEWOOD | | | 4 | | 4 |
| REVIEWED HOLE REPORT/TOP SOILED | | | | 4 | 4 |
| HOLE REPORT - LUKE COLD MIXED | | | | 1 | 1 |
| EVAN & RANDON EMPTIED SPOILS BIN | | | | 2 | 2 |
| 50 QUEEN CITY DR - PUT ON RISER | | | | 3 | 3 |
| COLD MIXED HOLES | | | | 6 | 6 |
| REVIEWED VALVES WITH EVAN | | | | 2 | 2 |
| | | | | | 0 |

[illegible]

December 2019 Monthly Report

FLOOD MAINTENANCE

Test run pumps and run gates

Check sewage regulators

Run gate operators

Safety meeting

Perform other maintenance work as required

SEWER BRANCH

| | |
|---------------------------------|----------------------------------|
| Calls answered | 13 |
| Service lines opened | 9 |
| Owner's trouble | 4 |
| Traced lines/main | 298 |
| Mains Repairs/ Replace | 0 |
| Sewer taps installed/replaced | 1 |
| Cleaned catch basins | 8 |
| Cleanouts installed | 3 |
| Televised sewer mains | 205 FEET |
| Televised sewer lines | 0 |
| Call outs/ overtime | 12 callouts/ 18.5 hours overtime |
| Weekly check of overflows, pits | 4 |
| Catch basin repair/rebuild | 2 |
| Flushed mains | 3,025 Feet |
| Gallons of water used | 9,500 Gals. |
| 608 Flush truck | 4,500 Gals. |
| 605 Vac-con truck | 5,000 Gals. |
| Safety meeting | |

Animal shelter (install sewer tap)

517 Oldtown Rd. clean out roots from service line and add clean out.

315 Homer St. repair sewer service line in street and install clean out.

44 Boone St. remove rock install clean out

Winifred Rd. @ Oldtown Rd. rebuild catch basin

Clean storm drains at service center

Hydro 9 sites (sewer)

Hydro 4 sites (water)

Item Attachment Documents:

1. Approval of the Executive Session and Work Session Minutes of October 8, 2019, the Work Session and Special Public Meeting Minutes of October 22, 2019, and the Executive, Regular and Work Session Minutes of November 5, 2019

Mayor and City Council of Cumberland

Closed Session Minutes

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

Second Floor Conference Room

Tuesday, October 08, 2019, 5:35 p.m.

The Mayor and City Council convened in open session at 5:30 p.m. for the purpose of closing the meeting for an executive session pursuant to Section 3-305 (b) (4) of the General Provisions Article of the Annotated Code of Maryland to consult with staff to discuss proposals for the development of the East Side School site and proposals for the relocation of various businesses in the City.

MOTION: Motion to enter into closed session was made by Council Member Bernard, seconded by Council Member Frazier, and was passed on a vote of 4-0.

PRESENT: Raymond M. Morriss, President; Council Members Seth Bernard, Eugene Frazier, and Laurie Marchini.

Councilman Richard J. Cioni was absent.

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Paul Kelly, Executive Director of CEDC; Matt Miller, Economic Development Specialist

Mayor and City Council of Cumberland

WORK SESSION

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

Tuesday, October 8, 2019
4:30 p.m.

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

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Paul Kelly, Executive Director-CEDC; Matt Miller, Economic Development Specialist

I. HOUSING STUDY UPDATE

Mr. Kelly advised that the American Planning Association for MD had held a conference at Rocky Gap recently and gave some background on the organization. He stated that the CEDC hosted an event for them at their request, and had Destination by Design give a presentation with a walking tour which was attended by 25-30 planners, administrators, etc. He added that the event got very positive feedback and was well-received, with Mr. Kelly and Mr. Miller attending sessions at the conference as well. He said that it appears city is ahead of the curve in terms of revitalization.

Mr. Kelly then advised on the housing study and the CEDC's most recent board meeting, and added they acquired authorization to hire LSA (Linda Sturdavant and Associates, LLC), with the cost of the study being \$43,886. He stated that the goal was to have an action plan and said he could provide the proposal if needed. He advised that they spoke with others but the board decided to hire LSA. Mr. Kelly explained the list of recommendations that LSA provided - right-size housing market, second story redevelopment, single-family/single story, specific neighborhoods, etc. Mr. Kelly advised that the recommendation process could take several months from when LSA is formally hired.

II. BALTIMORE STREET ACCESS PROJECT FUNDING UPDATE

Mr. Kelly could not provide an update on the funding for this project, but advised that a letter is expected from downstate that he hopes will be good news and asked to reserve comment until he receives it. Mr. Kelly did, however, advise on the timeline and stated that EADS had submitted the 30% drawings last week. He also advised that the SHA has performed their TAP analysis to determine what money can be expected, with the next step being to apply the ARC funding.

There was discussion on how businesses can thrive during construction, with Mr. Kelly stating that the topic does always come up at the DDC meetings, and is a point of emphasis for the CEDC as well as the DDC. He advised that there is no specific game plan yet as they need to look at the construction timeline.

III. INTERSTATE I-68 REGIONAL ALLIANCE UPDATE

Mr. Kelly provided background on the I-68 Regional Alliance and stated the CEDC and the usual Economic Development folks participate in this, as well as representatives from five different counties. He advised that the idea is to eventually have a county-wide entity for each county, with a group coordinated in regional development above that, and gave examples of how the coordination would work with each county. He added that the key would be to make sure everyone's goals are comparable. He advised, though, that this is all academic at this point, and they are still deciding specifics of governance about this entity. He added that this effort is spearheaded by Al Delia of FSU, asked if the M&CC was in favor of it, and no objection was presented.

IV. CITY/COUNTY ECONOMIC DEVELOPMENT CONSOLIDATION

Mr. Kelly advised that the CEDC and corporate counsel Mike Getty met with the County Commissioners, County Administrator and County counsel in closed session, with the CEDC board having already voted to consider the CEDC serving as economic development for the County. He stated that they walked away from that meeting with the impression that the County wanted the same, so they are in negotiations. He advised that there is no draft contract in place at this time, no agreement for terms, and it's all open for discussion. He said he will keep staff up-to-date.

There was discussion on if the proposal would involve relocation and where the home base would be. Concerns were also brought up regarding making sure Cumberland is well-represented, with a Memo of Understanding with the City being suggested by Mr. Cohen.

V. 400 N. MECHANIC STREET UTILIZATION UPDATE

Mr. Kelly provided background and specs on the former Canada Hose House. He advised that Mr. Miller has spoken with multiple people over the last year wanting to start or relocate a business, and the CEDC tries to find them a place downtown or in the surrounding areas. He stated that they proposed to the board to use 400 N. Mechanic St. as an incubator, to help those folks who cannot find a facility to fit their immediate needs. Mr. Kelly explained the various ways of incentivizing incubator space, and wants the City to consider transferring the premises to the CEDC when they begin their first incubator lease, saying the CEDC would procure insurance for the building. If the tenant wants to stay there, the CEDC would consider selling to them. Mr. Kelly advised

there would be full disclosure to the M&CC. Mr. Cohen suggested leasing the building to the CEDC, with the CEDC subleasing to tenants, which would give the City more direct control over the disbursement of the property. Mr. Kelly stated he was fine with that and they could certainly talk about and negotiate it.

There was discussion on the best way to vet a tenant, and if the CEDC, their board, or the M&CC decides. Mayor Morris and Mr. Rhodes agreed it was a conceptually good idea. Mr. Kelly advised that they have honed-in on one entity they have in mind that wants to get into the building yesterday. Mr. Cohen stated that as far as vetting, the M&CC don't need to micromanage, with Council seeming to agree. Mr. Rhodes stated they probably need to look at capitalization of companies as far as vetting.

The basic concept and timeline of lease/sublease was discussed, with Mr. Cohen stating they don't need too many details - it can be moved along, and Mayor Morris saying specifics can be worked out in the initial agreement.

VI. UNION RESCUE MISSION

Mr. Kelly provided information he received from his recent visit to the mission, and after speaking with Pastor Ziler. He stated that the mission wants to expand their services, specifically regarding women and children's sheltering. He advised about the mission's difficulties because of where they are located, their proximity to the tracks, and their lack of room. Mr. Kelly said it seems to be an opportunity for them to relocate, with the CEDC partnering with them, and to also look at the repurposing of that area, given what is going to be done with Baltimore Street and the Maryland Avenue corridor. Mr. Kelly stated that he went out of his way to make sure that the mission knows that the City understands that they provide a very valuable service, and in no way is this to be thought of as the CEDC wanting them out of the area.

Mr. Kelly advised, however, that that block area is part of, and was incorporated into, the aspirational plan, it being close to the AMTRAK station, with a potential repurposing of the area as a transportation stop, at least on a small scale, for now. He added there is a County study pending on whether or not transportation service would be better located at Canal Place.

Mr. Kelly advised that after speaking with the CEDC board today, they wholeheartedly want to partner with the URM to help find them a new location, with possible relocation areas being the Methodist Church, or Columbia St. He also advised that the URM's board had also met and agreed to look into relocating. Mr. Kelly added there is no doubt that relocation will be complex because of the mission's needs and what they do, but it will be worthwhile. He stated that he is asking the M&CC for input and a decision as to whether they support the idea of partnering with the CEDC and the URM, and if they would like to see this become one of the CEDC's projects.

Mr. Cohen asked the M&CC to table any discussion until he's had the opportunity to brief them, with Mayor Morris agreeing, and adding that it was good to note that the URM were looking to relocate themselves, with no prompt from the CEDC. Mr. Cohen added that the URM has other alternatives, or backups, that the M&CC should know about as well, and he wants to discuss those before any commitments are made.

Mr. Kelly discussed the Brunswick property, in conjunction with the relocation discussion of the URM, as it is adjacent to the mission. He stated that as the Brunswick is up for foreclosure sale, it can affect what the CEDC does in regards to the mission, and noted that zoning needs to be addressed. He also stated that if no options are available to the mission, Pastor Ziler has indicated that they will do their best where they're at. Mr. Kelly stated that M&CC and staff will have to decide what they ultimately want to see happen over the next 5-10 years, and whether they want to direct the CEDC to make it happen.

Mr. Cohen provided details on the Brunswick property regarding ownership, foreclosure, tax liens, title, etc., and discussed with M&CC. He advised that with foreclosure sale all liens against the property would be stripped, and added that the bank held the mortgage and assigned it to the City, so the City holds the title to the mortgage.

Mr. Kelly stated that now may be a good time, in partnering with the URM, to take a pulse of what we do in terms of resources for the URM, and who it helps out. He added that Pastor Ziler had indicated it might be nice to figure out who helps out in this realm and whether services are coordinated, and if there are any gaps. He also asked about how to help out certain demographics.

Mr. Rhodes advised that the City had to take emergency demo action on the Brunswick property because of structural safety issues, which cost approximately \$80K. Mr. Cohen stated that the City's interest lies in being able to transfer the property to someone who will improve or utilize it in a way to foster investment and return it to the tax rolls. He also advised that the URM would like to buy the property, but they have a price in mind that they won't exceed. He added that the City and the URM are probably the only two entities that have an interest in the property, other than the CEDC.

Council seemed to agree that it would be in the best interest of the City to acquire the property considering what it has going on in the area. Council discussed the debts owed on the property and costs related to acquiring it, and agreed to talk more extensively about it in Executive Session.

VII. ADJOURN INTO CLOSED SESSION

At approximately 5:15 p.m., the meeting adjourned into Closed Session pursuant to Section 3-305 (b) (4) of the General Provisions Article of the Annotated Code of Maryland to discuss proposals for the development of the East Side School Site and proposals for the relocation of various businesses in the City.

VIII. RECONVENE INTO PUBLIC WORK SESSION

At 6:00 p.m. the meeting was reconvened into Public Work Session

PRESENT: Mayor and Council, except for Council Member Richard Cioni, who was absent for this portion of the Work Session.

ALSO PRESENT: Jeff Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Leslie Willing, Twigg Realty Property Manager; and Jose Taylor, Western MD Property Management

IX. LOCAL PROPERTY MANAGERS DISCUSSION – VARIOUS HOUSING ISSUES

Leslie Willing, Property Manager for Twigg Realty advised that she had asked for this meeting and had spoken with council members before. Also attending with Ms. Willing was José Taylor, owner of Western MD Property Management, and several local property owners.

Multiple topics were discussed, which included:

- Making sure tenants are responsible for paying their own water bills so property owners don't have to be responsible when tenants can't or won't pay.
- Waivers/Adjustments – once every two years – even on multi-unit buildings; property owners should not have to ask for adjustments on tenants' behalf.
- Tagging shut-off notices stopped once the City went to monthly billing, with the notice now being on the bill.
- Water leaks in multiple units with one meter – how to charge.
- Suggestion from managers for City to collect security deposit to reduce risk to property owners.
- Suggestion from M&CC to raise rents to cover the cost, as a solution.
- Water service policies of Fort Ashby – look into.
- City will not take the business risk from property owners.
- Follow up on City's own 45-day cut-off policies – work to enforce to reduce high water bills; set priority for rental units to shut off on 46th day of delinquent bill.
- Look into notification of fees for tenant meter tampering.
- Look into system capability of electronic copies of bills in order to monitor tenants.
- Discussion on some of the current clientele (prison inmate relatives/drug dealers), different environment now; how to rent to people that Cumberland wants.
- Low rent housing issues; HUD vouchers; upgrade properties to attract a better demographic.
- See if system is capable of generating copies of water bills for property owners/managers, so owners can take action before enormous bills occur.

- Turn water back on with an outstanding bill so property can be rented again, and work out a payment plan.

At closing, there was discussion about regular landlord meetings and how best to share information and updates to topics going forward and to have a City Hall representative attend landlord meetings to help with electronic bill lookup.

X. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Marjorie A. Woodring
City Clerk

Minutes approved _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Seth D. Bernard
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilwoman Laurie P. Marchini

City Administrator Jeffrey D. Rhodes
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

MINUTES

M&CC Special Public Meeting
City Hall, 57 N. Liberty Street, Cumberland, MD 21502

DATE: October 22, 2019

I. 4:30 p.m. – Convene in Open Session

II. Pledge of Allegiance

III. Roll Call

PRESENT

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

ALSO PRESENT: Marjorie Woodring, City Clerk; Michael S. Cohen, City Solicitor, Police Captain Chuck Ternent

IV. New Business

(A) Orders (Consent Agenda)

Mayor Morriss reviewed the one item on the Consent Agenda, and called for questions or comments. Being none, motion to approve Order No. 26,550 was made by Councilwoman Marchini, seconded by Councilman Frazier, and was passed on a vote of 5-0.

Order 26,550 - lifting the provisions of Section 11-113 of the City Code, entitled "Open Containers of Alcohol," in certain areas of the downtown beginning at 3:00 p.m. on October 26, 2019 and continuing through 2:00 a.m. on October 27, 2019, to accommodate the DDC sponsored Ghouley Pub Crawl

V. Adjournment

With no further business at hand, Mayor Morriss adjourned the meeting at 4:38 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Mayor and City Council of Cumberland

WORK SESSION

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

Tuesday, October 22, 2019
4:38 p.m.

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

ALSO PRESENT: Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Police Captain Chuck Ternent; Paul Kelly, Executive Director-CEDC; Matt Miller, Economic Development Specialist

I. LOITERING

Mayor Morriss discussed the reasons for the Work Session, mentioning the downtown issues of code enforcement, loitering, people's behavior, and the City looking for ways to make the downtown safe and family friendly. He stated some issues have started to get worse lately, adding that a lot of the people downtown are disenfranchised, and the City is trying to figure out ways to get them the help they need, while acknowledging that people have certain rights and the City needs to be cognizant of that. He asked for comments from the people attending the Work Session regarding solutions for making the downtown safer, as well as ways to make the downtown businesses successful. Mayor Morriss then opened the floor to Council, who were all in agreement to let Captain Ternent speak first.

Captain Ternent stated that the CPD also shares the M&CC's concerns, saying that the problem comes and goes, sometimes getting worse, sometimes getting better. He advised on facts about the downtown homeless population, which is currently about 25 regular people, with 10-12 of the people being downtown since the beginning. He spoke about the downtown civilian patrols, the foot and bicycle patrols, and said they have written both municipal and criminal citations, with 68 alcohol citations written during the last year. He stated that though they are cited and fined, the indigent people downtown usually get out of court due to their lack of money. Captain Ternent added that with the activities of pan-handling and soliciting, the CPD needs witnesses, saying that although panhandling are not against the law, aggressive panhandling is and the CPD can take action, but needs witnesses to help at court. He stated that they cannot take action from anonymous callers. He also stated that the CPD cannot take action on the way people look, and that they have to be careful in discriminating against the poor or homeless. He did add, however, that the CPD has zero tolerance for alcohol consumption downtown.

Captain Ternent spoke about the CPD and social services teaming together to try to get some of the people help and get them off the street, and using referral services, but added that doesn't always work because you can't force people to get help. He spoke about the main areas where the CPD

knows the regulars, downtown and Canal Place, and said the police department does go undercover to try to pick up some of the people dealing in solicitation or prostitution.

The Captain spoke about the CPD's taxing work load, the shortage of police officers across the entire country, and said the CPD is still trying to get up to speed. He mentioned officers being assigned to special events, and stated that they do require officers assigned to the downtown to get out and walk the area. Captain Ternent mentioned looking into getting the non-working surveillance cameras downtown working again, and said at peak there were 38 cameras around the City, but few work these days. He stated that he would support getting the cameras fixed, especially downtown, and said that even though they can't be monitored 24/7, as word gets around it would help deter criminal activity.

II. COMMENTS AND SUGGESTIONS

Ryan Brenneman spoke about the availability of crowd-source cameras that can tap into Nest, a law enforcement resource, where downtown businesses acquire cameras for their storefronts and work together with the CPD. He added that officers would be able to pull the information up on their cell phones. There was discussion on if downtown businesses would be able to get a grant to buy high-quality Nest cameras in bulk, and the possibility of downtown design money being available.

John Buchanan, commercial insurance agent and responsible for CBIZ properties on Baltimore Street, advised that they recently installed cameras and worked with the CPD when they had a break in. He stated that their camera system is first-class, is set-up to a 180 degree view, and said they would share information from their IT Department with the City. Mr. Buchanan also discussed his employees concerns with the parklet at the end of the mall by Mechanic Street, and spoke about the plan to remove it, saying they've had a history of problems there – open containers, trash, clothing left there - and said his employees are scared about what's going on downtown. He also stated that the management at CBIZ is opposed to putting in bathrooms once the parklet is removed, saying that it will be a nuisance, and will continue to attract the disenfranchised. Mayor Morris advised that there has not been a final decision yet on bathrooms.

Larry Jackson spoke about the area of Baltimore Street where his businesses are, saying that it's like ground zero, and has gotten really rough. He stated there are fights often and they have had to remove people from the music store 3 days in a row. He added that he doesn't want to make this a "poor" problem or mental health problem, saying that a lot of it is behavior problems. He stated that the language used creates a menacing, intimidating situation for customers, more so than panhandling. Mr. Jackson mentioned some ideas to Mr. Cohen and Mayor Morris regarding leasing benches or planters to businesses to create private property. The Mayor said he would look into it. Mr. Jackson also spoke on the issue of ticketing tourists on bikes on the mall, and mentioned that parking needed to be free everywhere.

Gail Hall, owner of Mountainside Bike Tours and The Inn on Decatur talked about tourists being a captive market, with bikers coming off the trail with no place to go. She mentioned she has been sold out every night this past summer, and her customers are spending a lot of money downtown. She said that lately, though, she's getting a lot of questions about safety. She added that she no

longer lets her guests walk at night – she picks them up. Ms. Hall stated that though Decatur Street has gotten better, there's so much going down on the mall coming through to her street that it's embarrassing. Mayor Morris agreed and said the extended area from the mall needs to be made safe as well, and understands what tourism brings to the community.

Ryan Brenneman, owner of Allegany Media in the Lila Building, talked about the frequent shouting behavior on the mall, and stated that he has to go down and ask people to be quiet, because he is recording. He said if Code Enforcement is not taking action, then we need to rethink what code enforcement is. He stated that we need to think outside the box. He also agreed that parking fees need to be abolished. He added that we need ambassadors in the City more than code enforcement. Mayor Morris said they will evaluate how code enforcement is being handled, and will discuss the parking aspect. Mr. Buchanan and Ms. Saville discussed code enforcement as well and agreed with playing up the ambassador aspect and having the officers dress more like that, and mentioned the problem of code enforcement being cut off in the afternoon.

A smoking ban for the downtown area was discussed, with Mayor Morris advising that he has heard a lot about property owners downtown being in favor of it, although it would be difficult to enforce. Mr. Cohen advised that smoking is not allowed in parklets downtown at any time.

There was discussion regarding the overgrown trees on the mall, keeping the lights in the trees, the benches on the mall being taken out although the farmer's market is requesting to keep them for their patrons, and loitering being prohibited at Rose's.

There was more discussion on a possible smoking ban, with Mr. Cohen advising that the DDC has the ability to pass its own rules and regulations. He added that it would help if they would adopt their own smoking ban and post it so that code enforcement can help enforce it. Mr. Cohen also spoke on the futility of bringing homeless folks into court, saying that officers can in fact keep taking away their addictions, whether it's drugs or alcohol, which can be a deterrent to returning to the area. Mr. Cohen also advised that when it comes to enforcing laws, police are reactionary. He stated that it's incumbent upon business and property owners to call the police when groups are congregating in front of businesses. Mr. Cohen advised on the smoking ban at all parks and parklets in the City, and the hours they are closed. He added that to be proactive, when you see people committing crimes, to step up and call, charge them, and be willing to come to court.

There was discussion on creating a long term plan to get people the help they need, and utilizing them for community service in lieu of taking them to court and fining them when they have no ability to pay.

Paul Kelly, CEDC Director, stated that there is a perceived issue downtown in terms of peoples' behavior and not being a warm and inviting place. He stated that in some instances it's true, and the City needs to reverse that perception considering all the resources that are invested into redevelopment. He suggested that the City's marketing services have a survey taken of visitors from metropolitan areas, in terms of their perceived level of safety and feeling of welcome from the City, and have the same survey for local folks to see the different areas of concern. Mr. Kelly also suggested gauging the City's local health resources to figure out who all the players are, to see if

they are communicating, and if they have the resources to help the City with those folks that have slipped through the system, to those that just have no respect. He stated that the CEDC has heard unanimously that people want an officer downtown – that just the appearance of an officer would deter most, if not all. He added that the CEDC supports the City’s redevelopment efforts downtown and moving the Union Rescue Mission to give them a bigger opportunity to expand their services. He asked to please consider appointing or designating someone, perhaps a member of staff or an entity in the community, to own this issue and make it their problem, to attend meetings to talk about solutions, and not get sidetracked.

Mayor Morriss agreed that the City needs an action plan, and stated that a lot of good ideas were mentioned this day. Council thanked everyone for coming to the meeting and sharing their thoughts and concerns, agreed they need to work together to find answers, and said if the police need resources it’s the M&CC’s job to help find a way to make that happen. Captain Ternent stated that more manpower would be great, and the Police Dept. intends to put a permanent officer downtown someday, when they get back to full staffing, but it won’t happen overnight. He added that they are putting together a better recruitment and retention plan – get officers, keep officers. He stated that he will try to put an officer downtown whenever possible, and mentioned to everyone again that if they see violations, please call them. He also mentioned that he will look into the camera project.

III. ADJOURNMENT

With no further business at hand, the meeting adjourned at 5:57 p.m.

Respectfully submitted,

Marjorie A. Woodring
City Clerk

Minutes approved _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Seth D. Bernard
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilwoman Laurie P. Marchini

City Administrator Jeffrey D. Rhodes
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

MINUTES

M&CC Regular Meeting
City Hall Council Chambers, 57 N. Liberty Street

DATE: November 05, 2019

I. CLOSED SESSION

1. 5:15 p.m. - Convene in open session for the purpose of closing the meeting for an executive session pursuant to Section 3-305(b)(1) of the General Provisions Article of the Annotated Code of Maryland to discuss board, commission, and committee appointments

Motion to move into Closed Session was made by Councilman Frazier, seconded by Councilman Cioni, and was passed on a vote of 4-0.

2. Executive session

II. OPEN SESSION

1. 6:15 p.m. - Reconvene into Open Session

Mayor Morriss reconvened the meeting in Open Session at 6:15 p.m.

III. Pledge of Allegiance

IV. Roll Call

PRESENT

Mayor Raymond M. Morriss
Councilman Richard Cioni
Councilman Eugene Frazier
Councilwoman Laurie Marchini
Councilman Seth Bernard was absent

ALSO PRESENT: Jeffrey Rhodes, City Administrator; Michael Cohen, City Solicitor; Marjorie Woodring, City Clerk; Captain Chuck Ternent, Interim Chief of Police; Donald Dunn, Fire Chief

V. Statement of Closed Meeting

1. Summary Statement of executive session held November 5, 2019

Mayor Morriss announced that a Closed Meeting had been held on November 5, 2019 at 5:15 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.

VI. Director's Reports

(A) Utilities - Treatment Plants

Utilities Division - Treatment Plants monthly report for September, 2019

(B) Utilities - Flood, Water, Sewer

Central Services monthly report for September, 2019

Motion to approve the reports was made by Councilman Frazier, seconded by Councilwoman Marchini, and was passed on a vote of 4-0.

VII. Approval of Minutes

1. Approval of the Closed Session Minutes of August 13, 2019, the Regular and Work Session Minutes of August 20, and the Regular Session Minutes of September 3, 2019

Motion to approve the minutes was made by Councilwoman Marchini, seconded by Councilman Frazier, and was passed on a vote of 4-0.

VIII. New Business

(A) Ordinances

1. Ordinance 3861 (*1st reading*) - to enact Article V of Chapter 15 of the Code to set forth protocols and procedures relative to parades and special events

Mr. Cohen reviewed the proposed Ordinance which would cover parades, races, processions, etc., and special events which would cover gatherings of 50 or more people, events with food, beverages and temporary structures on City property, and sets forth a uniform set of requirements. Excluded are events organized by the DDC, as they have their own set of rules and regulations.

FIRST READING: The Ordinance was presented in title only for its First Reading. Motion to approve the reading and table until next meeting was made by Councilwoman Marchini, seconded by Councilman Cioni, and was passed on a vote of 4-0.

2. Ordinance 3862 (*1st reading*) – authorizing the terms for conveyance of 301-303,305, and 307-309 Arch Street to the Cumberland Housing Alliance, Inc. and authorizing execution of a deed to effect the transfer

Mr. Rhodes reviewed the proposed Ordinance that will include properties to complete the group of properties that had previously been authorized for conveyance to the CHA.

FIRST READING: The Ordinance was presented in title only for its First Reading. Motion to approve the reading and table until next meeting was made by Councilman Frazier, seconded by Councilman Cioni, and was passed on a vote of 4-0.

IX. (B) Orders (Consent Agenda)

Mr. Rhodes reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. Motion to approve all Consent Agenda items was made by Councilwoman Marchini, seconded by Councilman Cioni, and was passed on a vote of 4-0.

Order 26,551 authorizing the Chief of Police to enter into an MOU with the Allegany County Health Dept. to conduct mini "take-back" events and medication pick-ups within the community between 10/15/19 and 6/1/2020, with \$3000 in grant money appropriated from the Health Dept. for this initiative

Order 26,552 authorizing the Chief of Police to accept a FY20 Maryland Center for School Safety SRO/Adequate Coverage Grant in the amount of \$49,000 for additional School Resource Officers and to supplement the existing SRO Program by providing more coverage among the City's elementary, middle and high schools

Order 26,553 accepting the sole source proposal from Keystone Ford, Chambersburg, PA for a new 2019 Ford F-550 Regular Cab Dump Truck with Plow and Spreader for an amount not to exceed \$85,230

Mr. Rhodes advised that the low bidder was not able to provide the equipment, so they went with Keystone which was the second lowest bidder, due to the winter season coming up soon, and added they will provide the Co-Star price to the City, even though we are not a member.

Order 26,554 authorizing the sole source purchase of a new Exmark Lazer 37HP Yanmar Diesel, 96" Rear Discharge Mower from Western Maryland Outdoor Power, Inc. for an amount not to exceed \$28,099

Mr. Rhodes advised that this is being purchased through Source Well, a cooperative that the City is a member of, and added that the trade-in amount of \$5,500 for an older mower will be applied to this purchase

Order 26,555 abating the taxes and utilities owed on City-owned property at 609 Maryland Avenue

Order 26,556 authorizing execution of a Construction Agreement with CSX Transportation, Inc. outlining terms for the removal and replacement of the Cumberland Street Bridge

Mr. Cohen explained that this agreement covers solely the construction of the Cumberland St. Bridge, from permitting all the way through to completion of construction.

Order 26,557 authorizing execution of a Deed Surrendering Possibility of Reverter / Right of Entry acknowledging that the Cumberland Housing Alliance, Inc. (CHA) has satisfied the development requirements of the Quitclaim Deed transferring City-owned property and improvements at 32-34 Virginia Avenue to the CHA (Land Records Book 2375, Page 140) and, therefore, surrendering unto CHA all of the rights, title and interest held by the City to the property

Mr. Rhodes advised that the CHA has satisfied the requirement provided for in the deed, and this turns a clear title over to them per the terms of the reverter clause.

Order 26,558 accepting the bid from Queen City Business Systems to supply six (6) new copiers, including support, maintenance, overage charges, supplies and other specifications stated in the Multi-function Copier Proposal bid package, in the amount not to exceed \$31,400

Order 26,559 authorizing execution of a First Amendment to the AFSCME Local #553 Collective Bargaining Agreement in effect for the period March 1, 2016, through February 28, 2021

Order 26,560 declaring a 2005 Toro Groundsmaster 580D mower to be surplus equipment and authorizing it for sale or trade-in

X. Public Comments

Kenneth Wilmot, 513 Fort Avenue, discussed having street cameras for surveillance and mentioned an incident in Milwaukee that benefitted from the video evidence. He also mentioned he had been approached by a panhandler at Chick-fil-A.

Mayor Morriss advised that the City was looking at the possibility of more cameras on Baltimore St. and the downtown area.

Mr. Rhodes recognized interim Police Chief Captain Chuck Ternent, and M&CC expressed appreciation for his taking on that role.

All public comments are limited to 5 minutes per person

XI. Adjournment

With no further business at hand, the meeting adjourned at 6:47 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Mayor and City Council of Cumberland

WORK SESSION

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

Tuesday, November 5, 2019
4:30 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard Cioni, Eugene Frazier, and Laurie Marchini. Council Member Seth Bernard was absent

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Bobby Smith, City Engineer

MEDIA: Paul Mullen, WCBC Radio

PUBLIC MEETING AGENDA REVIEW

I. PROPOSED PARADES AND SPECIAL EVENTS ORDINANCE

Mr. Cohen advised on the proposed parade and special events ordinance, saying that the City currently has no such ordinance, and explained that the problem lies in terms of how to apply rules and regulations in a fair and consistent manner. He advised on the similarities of parades, marches, and processions, and added that special events would fall under any activity that would gather more than 50 people, or an activity which would involve the sale of food, alcohol or merchandise, and/or the erection of tents, platforms, or other structures. Mr. Cohen advised that events organized by the DDC are an exception to this ordinance, as the DDC has its own rules and procedures.

Mr. Cohen stated there will now be a permit fee of \$150 and advised on the permitting process and specific standards in regards to traffic interruption, police/fire interference, etc., and the need for consultation with the Police, Fire, and Street Departments. Mr. Cohen advised on insurance compliance, and added that organizations that don't want to provide insurance can opt for showing good cause, which can be accepted or denied by the City Administrator. Mr. Cohen also advised on the consumption of alcohol requirements, hold-harmless provisions, and bond requirements for clean-up.

Mr. Cohen discussed an issue that was never covered before, which is diverting employees from their jobs for these special events, with the City incurring costs in terms of overtime (EMS, Police & Street Dept., etc.). He explained how overtime or time beyond normal cost can be recouped from the event holder, unless waived by M&CC.

Mr. Rhodes mentioned the challenges of having events in the City, like races, and the fact that three officers, which may be half the staff, are needed on a Saturday to close an intersection for the runners; all the personnel needed for the annual Hooley Pub Crawl, and in recent years modifying

how ambulances are sent to high school athletic events. Mr. Cohen stated that this proposed ordinance would make obligations uniform, with always the same procedures.

Mr. Rhodes suggested getting the document out to the organizations that come to the City yearly for event permission, so it won't come as a surprise.

Mr. Mullen of WCBC inquired about pass-through events like the Ride for Freedom, and if that would be covered under this proposed ordinance. Mr. Cohen advised that it technically falls within the parameters of a parade, as it's on City streets. When asked about M&CC waiving the fee for that, he advised that the City should avoid arbitrary waivers, and look at events on a case-by-case basis, and look at the criteria.

Mr. Mullen also inquired about football games at the stadium, and if the Board of Education pays for an ambulance to be there. Mr. Rhodes advised that there have been times the Board has paid for the ambulance, with the City sending out a crew on overtime that didn't affect normal operations, and other times the City has sent an ambulance on the stipulation that if a call comes in, they leave. Mr. Cohen advised that these events are on Allegany County Board of Education property and would not be covered under the terms of this proposed ordinance.

II. ARCH STREET PROPERTIES PROPOSED ORDINANCE

Mr. Cohen advised that this proposed ordinance relates to properties being conveyed to the Cumberland Housing Alliance, and added that they are small lots that the CHA will be using to combine for constructing a residential dwelling. Mr. Rhodes advised on the relationship that the City has with the CHA, saying that it is a segment of the Cumberland Housing Authority, with the M&CC appointing the board of directors but exercising no day-to-day control over their operation, or having any financial obligation to them. He added that hypothetically if they were to go defunct their assets would default to the City as their original sponsor from back in the 1950s.

III. ORDERS

Mr. Rhodes reviewed the upcoming Orders for tonight's Regular Session:

- Order 26,551 - Police Dept. MOU with the Health Dept. for a drug take-back event.
- Order 26,552 - School Safety Grant – "adequate coverage" grant – supplementing the SRO program with \$49K for overtime, but not adding an SRO.
- Order 26,553 - Sole Source proposal from Keystone for Ford F550 dump truck with plow. Keystone is the 2nd lowest bidder, with the lowest bidder not being able to produce the vehicle in time for winter. Keystone is honoring the Co-Star pricing, even though the City is not a member.
- Order 26,554 - Sole Source purchase of a mower from WMD Outdoor Power, but through the co-op Source Well, which the City is a member of. The mower it is replacing is on this agenda as surplus equipment.
- Order 26,555 - Tax and utilities abatement for 609 Maryland Avenue, a property that the City has acquired.

- Order 26,556 - Construction agreement with CSX for removal and replacement of the Cumberland Street Bridge, covering the construction of the bridge and nothing else, from permitting to payment of costs, and all procedures relative to the process. It is an 80-Gov't/20-CSX split for financing. This agreement covers destruction and construction, and Mr. Cohen advised that all 3 bridges will need to be torn down as none are salvageable. Mr. Smith advised that bid-ready should be around July 2021, construction expected to begin in spring of 2022, with a 6-12 month completion.
- Order 26,557 – Execution of a Deed Surrendering Possibility of Reverter/Right of Entry acknowledging that the CHA has satisfied development requirements of construction of a single-family dwelling at 32/34 Virginia Ave. for the Quitclaim Deed, and was done before the deadline. They opted to have all restrictions removed from the deed, which gives them a clear title.
- Order 26,558 – Accepting the bid from Queen City Business Systems for copiers, which was the lower of the two bids. The City swaps out copiers every 5 years or so.
- Order 26,559 – Authorizing execution of a First Amendment to the AFSCME AFL-CIO Local #553 Collective Bargaining Agreement, which recognizes their right to organize shift trades amongst themselves without management involvement.
- Order 26,560 – Determining a 2005 Toro Groundsmaster mower to be surplus equipment and authorizing its disposal or trade-in. This mower will be a trade-in for the new mower to be purchased in Order 26,554, and will reduce that cost by \$5,500.

IV. ADJOURNMENT

With nothing further, the meeting adjourned at 5:16 p.m.

Respectfully submitted,

Marjorie A. Woodring
City Clerk

Minutes approved _____

Mayor and City Council of Cumberland

Closed Session Minutes

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

Second Floor Conference Room

Tuesday, October 15, 2019, 5:30 p.m.

The Mayor and City Council convened in open session at 5:15 p.m. for the purpose of closing the meeting for an executive session pursuant to Section 3-305 (b) (1) of the General Provisions Article of the Annotated Code of Maryland to discuss board, commission, and committee appointments.

MOTION: Motion to enter into closed session was made by Council Member Frazier, seconded by Council Member Cioni, and was passed on a vote of 4-0.

PRESENT: Raymond M. Morriss, President; Council Members Richard Cioni, Eugene Frazier, and Laurie Marchini. Council Member Seth Bernard was absent.

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk

Item Attachment Documents:

Order 26,584 - authorizing execution of Change Order No.1 with First Fruits Excavating, Inc. for City project "Cumberland Street Retaining Wall (24-18-M)" in the increased value of \$33,280, bringing the new contract value to \$152,530 and providing an additional 60 calendar days on the project timeline

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

ORDER NO. 26,584

DATE: January 21, 2020

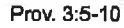
ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the City Administrator be and is hereby authorized to execute Change Order No. 1 with First Fruits Excavating, Inc., 407 Plum Run Road, Ridgeley, WV, 26753 for City Project "Cumberland Street Retaining Wall" (24-18-M) in the increased amount of Thirty-three Thousand, Two Hundred Eighty Dollars and No Cents (\$33,280.00), bringing the total contract amount to One Hundred Fifty-two Thousand, Five Hundred Thirty Dollars and No Cents (\$152,530.00); and

BE IT FURTHER ORDERED, that this Change Order provides for sixty (60) additional calendar days.

Raymond M. Morriss, Mayor

| First Fruits | Contract Amount |
|------------------------------|------------------------|
| Original Contract Amount | \$119,250.00 |
| Change Order No. 1 | \$ 33,280.00 |
| Total Contract Amount | \$152,530.00 |



City of Cumberland, Maryland
g, Inc.

407 Plum Run Road

| | |
|-----------------------------------|----------------------------------|
| <u>Project:</u> | Cumberland Street Retaining Wall |
| <u>City Project No.:</u> | 24-18-M |
| <u>Purchase Order No.:</u> | 2020-595 |
| <u>M&CC Order No.:</u> | 26,549 |
| <u>Contractor:</u> | First Fruits Excavating, Inc. |
| <u>Vendor No.:</u> | 186 |

[illegible]

Contract Time Change: **+60 Calendar Days**

12/16/19
Date

12/16/19
Date

12116119
Date

Date _____

Mayor and City Council Order Number Authorizing this Change Order: _____

Council Agenda Summary

Meeting Date: January 7, 2019

Agenda Item Number:

Key Staff Contact: John DeVault

Item Title:

Change Order No. 1 Cumberland Street Retaining Wall – First Fruits Excavating, Inc. (24-18-M)

Summary:

This Change Order is in the increased value of \$33,280.00. Original contract value was \$119,250.00. With this additional work the new contract value is \$152,530.00, with an additional 60 calendar days added. This Change Order will allow for the installation of under-drain and will allow for some additional sidewalk work to be completed.

Issues and Considerations:

| | |
|---|-----------------|
| <i>Fiscal Impact:</i> | |
| Is this item budgeted? Yes <input type="checkbox"/> No | |
| Budget: | CDBG |
| Value of award: | \$33,280.00 |
| If item is not budgeted, does the budget need to be appropriated? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Is there grant funding being used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If grant funding is being used, does it require a City match? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Match provisions: | Enter Text Here |
| Is this a sole source purchase? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If so, attach department recommendation and approval from City Administrator.) | |

Item Attachment Documents:

Order 26,585 - authorizing the City Administrator to execute Change Order No. 1 with Miracle/Taylor Sports and Recreation to incorporate Prevailing Wage Rates for an increased amount of \$4,616.91 bringing the total contract amount to \$52,655.91

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

ORDER NO. 26,585

DATE: January 21, 2020

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 current contract with Miracle Recreation Equipment (Taylor Sports and Recreation), PO Box 1706, Martinsburg, WV, 25402, to incorporate Prevailing Wage rates for Phase I of the Inclusive Playground Project at Grove 4 in Constitution Park in the increased amount of Four Thousand, Six Hundred Sixteen Dollars and Ninety-one Cents (\$4,616.91), bringing the current contract total to Fifty-two Thousand, Six Hundred Fifty-five Dollars and Ninety-one Cents (\$52,655.91).

Mayor Raymond M. Morriss

| Miracle Recreation Equip./ Taylor Sports & Rec. | Contract Amount |
|--|----------------------------|
| Original Contract Amount | \$ 48,039.00 |
| Change Order No. 1 | \$ 4,616.91 |
| Total Contract Amount | \$ 52,655.91 |

Funding: Bowers Trust Fund



Miracle Recreation Equipment Co
Taylor Sports and Recreation
PO Box 1706
Martinsburg, WV 25402
(304) 263-7857 (phone)
(304) 263-9392 (fax)
Melinda.Markle23@gmail.com

Miracle Recreation Equip. Co.
878 E US Hwy 60
Monett, MO 65708
1-888-458-2752

Wednesday, January 15, 2020

Kathy McKenney
CITY OF CUMBERLAND
City Hall
57 N. Liberty St
Cumberland, MD 21502
(301) 759-6431 (phone)
kathy.mckenneyt@cumberlandmd.gov

Constitution Park | R0042190222

Dear Kathy McKenney,

You asked me to break out the pricing for Phase 1 and Phase 2 that pricing is as follows:

Phase 1 and Phase 2 Include Prevailing Wages and Certified Payrolls per the Wage scale sent to me by the City of Cumberland

Phase 1

Furnish and Install playground equipment to include 3 bay arch swing, cyclo cone climber, inclusive Whirl and 3 free standing panels, replace broken slide on small unit and removal and disposal of large unit. Install TY Wall lower side, double stacked timbers, push back mulch and re-install.

| | |
|--------------------------------|--------------------|
| Equipment Price Phase 1 | \$25,946.91 |
| Installation for Phase 1 | <u>\$26,709.00</u> |
| Total Price for Phase 1 | \$52,655.91 |

Phase 2 to include the following:

Removal of 150-170 yards EWC, installation of drainage, fill playground area/ clean and fill, 2600 sq ft of stone and poured in place surfacing

| | |
|--------------------------------|--------------------|
| Installation of Phase 2 | \$17,997.50 |
| Poured in Place Surfacing | <u>\$40,778.40</u> |
| Total Price for Phase 2 | \$58,775.90 |

Prices for Phase 2 are subject to change due to Price Increases after February 2020 for the Surfacing

This price is based on normal soil conditions; should we incur excessive rock there will be an extra charge, that charge would be determined during the installation

You must provide a construction dumpster for the safety surfacing company and security for the surfacing while it's curing which usually takes about 48 hours.. Surfacing must be done in 40 degree weather or above

Should you decide to accept this proposal please sign where indicated below and sign the quote form, make your purchase order out to Miracle Recreation Equipment Company and send everything back to me along with a copy of your tax exempt certificate.

If you have any questions or need anything else please contact me.

Thank you
Melinda Markle
Miracle Recreation Equipment Co

**

Signature

**

Date

Council Agenda Summary

Meeting Date: January 21, 2020

Agenda Item Number: Order 26,585

Key Staff Contact: Kathy McKenney

Item Title:

Order 26,585 authorizing the City Administrator to execute Change Order No. 1 with Miracle/Taylor Sports and Recreation to incorporate Prevailing Wage rates for an increased amount of \$4,616.91 bringing the total contract amount to \$52,655.91

Summary:

The original proposal from Miracle Recreation Equipment Co. (Taylor Sports and Recreation) did not incorporate Prevailing Wages for Phase 1 of the Inclusive Playground Project. The original approval was for \$48,039.00 in Order #26,583 from December 17, 2019. The revised price is \$52,655.91. The difference of \$4,616.91 will be paid with funds from the Bowers Trust. Phase 2 of the project will not take place at this time.

Funding: Bowers Fund

| | |
|--|-----------------|
| | |
| Is this item budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Budget: | Enter Text Here |
| Value of award: | Enter Text Here |
| If item is not budgeted, does the budget need to be appropriated? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Is there grant funding being used? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If grant funding is being used, does it require a City match? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Match provisions: | Enter Text Here |
| Is this a sole source purchase? <input type="checkbox"/> Yes <input type="checkbox"/> No (If so, attach department recommendation and approval from City Administrator.) | |

Item Attachment Documents:

Order 26,586 - accepting the bid of Harbel, Inc. for City project "Koon Dam Sidewalk Repairs – Phase 3" (38-19-BR) in the estimated unit cost of \$82,637.00, to provide for the replacement of overhang and enclosed sidewalk on the Koon Dam Bridge

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

ORDER NO. 26,586

DATE: January 21, 2020

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

THAT, the bid from Harbel, Inc., 11521 Milnor Avenue, Cumberland, MD 21502, for City Project "Koon Dam Sidewalk Repairs-Phase 3 (38-19-BR) in the estimated unit cost of Eighty-two Thousand, Six Hundred Thirty-seven Dollars and No Cents (\$82,637.00) be and is hereby accepted; and,

BE IT FURTHER ORDERED, that all other bids for this project be and are hereby rejected.

Raymond M. Morriss, Mayor

Bids:

| <i>Contractor</i> | <i>Amount</i> |
|--------------------------|----------------------|
| Harbel, Inc. | \$82,637.00 |
| MAR-ALLEN Concrete, Inc. | \$185,415.00 |

Source of Funding: 002.299D.63000

CITY OF CUMBERLAND MARYLAND

PROJECT INFORMATION

| | |
|-------------------------|--|
| Project Title: | Koon Dam Sidewalk Repairs - Phase 3 |
| City Project: | 38-19-BR |
| Contract Length: | 60 Calendar Days |
| BID OPENING | |
| Date & Time: | December 17, 2019 2:30 PM EDT |
| Location: | Council Chambers, City Hall Cumberland, MD 21502 |

CERTIFIED BID TABULATION

| BIDDER | BIDDER |
|---|---------------------------------------|
| Harbel, Inc. | MAR-ALLEN Concrete, Inc. |
| 11521 Milnor Ave. Cumberland, MD 21502 | 490 Millway Road Ephrata, PA 17522 |

| BASE BID | | | | Harbel, Inc. | | MAR-ALLEN Concrete, Inc. | |
|----------|--|-------|------|---------------------|--------------|--------------------------|--------------|
| ITEM NO. | DESCRIPTION OF ITEM | UNITS | QTY. | UNIT PRICE | AMOUNT | UNIT PRICE | AMOUNT |
| 1 | Mobilization | LS | 1 | \$ 10,943.00 | \$ 10,943.00 | \$ 6,540.00 | \$ 6,540.00 |
| 2 | Construction Stakeout | LS | 1 | \$ 5,194.00 | \$ 5,194.00 | \$ 5,550.00 | \$ 5,550.00 |
| 3 | Maintenance of Traffic | LS | 1 | \$ 2,505.00 | \$ 2,505.00 | \$ 45,535.00 | \$ 45,535.00 |
| 4 | 6-Inch Reinforced Concrete Sidewalk (Overhang) | SF | 350 | \$ 125.50 | \$ 43,925.00 | \$ 237.00 | \$ 82,950.00 |
| 5 | 6-Inch Reinforced Concrete Sidewalk (Enclosed) | SF | 140 | \$ 85.50 | \$ 11,970.00 | \$ 210.00 | \$ 29,400.00 |
| 6 | Vertical Surface Patching of Bridge Substructure | SF | 20 | \$ 205.00 | \$ 4,100.00 | \$ 458.00 | \$ 9,160.00 |
| 7 | Horizontal Surface Patching of Bridge Substructure | SF | 10 | \$ 400.00 | \$ 4,000.00 | \$ 628.00 | \$ 6,280.00 |
| | | | | \$ 82,637.00 | | \$ 185,415.00 | |

TOTAL BID

| | |
|--------------|--------------------------|
| Harbel, Inc. | MAR-ALLEN Concrete, Inc. |
| \$ 82,637.00 | \$ 185,415.00 |

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


 Matt Idleman, PE
 Senior Engineer

Council Agenda Summary

Meeting Date: January 7, 2020

Agenda Item Number:

Key Staff Contact: Matt Idleman

Item Title:

Award Koon Dam Sidewalk Repairs – Phase 3

Summary:

It is the Engineering Departments Recommendation to award City Project 38-19-BR Koon Dam Sidewalk Repairs – Phase 3 to the low responsive bidder Harbel, Inc in the estimate unit cost of \$82,637.00. One other bid was received from MAR-ALLEN Concrete, Inc in the estimate unit cost of \$185,415.00. This phase of the project will be to replace approx. 350 LF of overhang sidewalk and 140 LF of enclosed sidewalk on the Koon Dam Bridge.

Issues and Considerations:

| | |
|---|-----------------------|
| <i>Fiscal Impact:</i> | |
| Is this item budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Budget: | <i>002.299D.63000</i> |
| Value of award: | \$82,637.00 |
| If item is not budgeted, does the budget need to be appropriated? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Is there grant funding being used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If grant funding is being used, does it require a City match? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Match provisions: | |
| Is this a sole source purchase? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If so, attach department recommendation and approval from City Administrator.) | |

Item Attachment Documents:

Order 26,587 - declaring a 2011 International Ambulance (VIN: 3HAMNAAL5BL408030) as surplus equipment and authorizing it for sale or trade-in

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

ORDER NO. 26,587

DATE: January 21, 2020

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

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

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

1. 2011 International Ambulance
VIN: 3HAMNAAL5BL408030

Raymond M. Morriss, Mayor

Item Attachment Documents:

Order 26,588 - authorizing Acting Chief of Police Chuck Terner to accept a FY20 GOCCP Police Recruitment & Retention Grant in the amount of \$24,000 for the purchase of recruitment media, pay incentives to officers for successful candidate referrals, and signing bonuses for successful academy trainees

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

ORDER NO. 26,588

DATE: January 21 2020

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

THAT the Interim Chief of Police be and is hereby authorized to accept a GOCCP Grant for FY20 entitled "Police Recruitment and Retention" in the amount of Twenty-four Thousand Dollars and No Cents (\$24,000.00) for the period 07/01/2019 to 06/30/2020, to assist in the purchase of recruitment media, and to help fund pay incentives to officers for successful candidate referrals and signing bonuses for successful academy trainees.

Raymond M. Morriss, Mayor

Grant: PRAR-2020-0006



GOVERNOR'S COORDINATING OFFICES

COMMUNITY INITIATIVES • SERVICE & VOLUNTEERISM • PERFORMANCE IMPROVEMENT
CRIME CONTROL & PREVENTION • SMALL, MINORITY & WOMEN BUSINESS AFFAIRS
CHILDREN • DEAF & HARD OF HEARING

December 19, 2019

Captain Chuck Ternent
Captain
Cumberland Police Department
20 Bedford Street
Cumberland, MD 21502

RE: PRAR-2020-0006

Dear Captain Ternent:

I am pleased to inform you that your grant application entitled, "**Police Recruitment and Retention**," in the amount of \$24,000.00 has received approval under the Police Recruitment and Retention program.

Enclosed are the Notification of Project Commencement, Special Conditions, programmatic forms, and Budget Notice. The General Conditions for all of our awards are also located online, at www.goccp.maryland.gov. A copy of the grant award letter is also included.

It is essential, as the project director, that you submit the **Notification of Project Commencement** to indicate the starting date of your project **within 30 calendar days** after receiving your grant award packet. **No financial forms can or will be processed** unless the Notification of Project Commencement has been signed and uploaded to the Grants Management System.

Please be sure to review the grant award. As the project director you are responsible for the operation, administration, and the completion of the forms necessary to initiate and report project activities and comply with the special conditions. It is important that you understand all the Special Conditions attached to this award, as they are specific to your funding source. One General Condition that must be emphasized is that none of the principal activities of the project may be sub-awarded to another organization without written prior approval by the Governor's Office of Crime Control and Prevention.

Sample copies of your programmatic reporting questions are included with this award package, but you are required to complete **all** reporting electronically, using our web-based Grants Management System (GMS, http://grants.goccp.maryland.gov:80/BLIS_GOCCP). Training videos and a downloadable GMS user's guide are available online at www.goccp.maryland.gov.

Electronic programmatic reports must be submitted within 15 calendar days after the end of each quarter. Electronic financial reports must be submitted within 30 calendar days after the end of each quarter. Submitted reports that have not yet been approved may be sent back to you electronically for edits if requested.

Approved electronic financial reports may only be revised manually, not electronically, by submitting a revised financial report as a paper hard copy or a scan of the paper document. Revisions are allowed to be submitted up to 60 days after the end date of each quarter. These revisions are only accepted if the initial quarterly report was submitted within the mandatory time frame noted above.

Any request for changes or modifications to the project as awarded must be made online using the Grants Management System.

If the purchase of furniture/equipment is part of this grant project and you are a governmental agency, it is required that such purchases are made by competitive bid or through your approved governmental procurement process and that inventory records be maintained.

Should you have any questions or need any clarification regarding this award, **please have your award number when you call** so that you can be referred to the appropriate program manager (**Angela Carpintieri**) or fiscal team member (**Dana Maddox**). This will enable us to provide you with technical assistance and information in a timely manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Angela', with a long horizontal flourish extending to the right.

Angela Carpintieri

Funding Manager



Governor's Office of Crime Control and Prevention



Control Number:

38553

Regional Monitor:

Carpintieri, Angela

Fiscal Specialist:

Maddox, Dana

Notification of Project Commencement

Grant Award Number: PRAR-2020-0006
Sub-recipient: Cumberland Police Department
Project Title: Police Recruitment and Retention
Implementing Agency: Cumberland Police Department
Award Period: 07/01/2019 - 06/30/2020

CFDA: N/A

The verification section of this form must be completed. Additionally, this form must be signed by the project director and submitted through the Grants Management System within thirty (30) calendar days after receiving your grant award packet.

No Requests for Funds will be processed until this Notification of Project Commencement has been signed and received.

Authorized Official: Ternent, Chuck
chuck.ternent@cumberlandmd.gov
Captain
Cumberland Police Department
20 Bedford Street
Cumberland, MD 21502-2303
301-759-6475
FAX: 301-759-6544

Project Director: Ternent, Chuck
chuck.ternent@cumberlandmd.gov
Captain
Cumberland Police Department
20 Bedford Street
Cumberland, MD 21502-2303
301-759-6475
FAX: 301-759-6544

Fiscal Officer: Hartley, Cindy
cindy.hartley@cumberlandmd.gov
Accountant
City of Cumberland
City Hall
57 North Liberty Street
P.O. Box 1702
Cumberland, MD 21502-
301-759-6400
FAX: 301-759-6413

Award Information Verification - Please initial appropriate selection(s):

PRAR-2020-0006

- ☒ All information on this form is correct and project will commence on time. **Project Director signs below.**
- ☐ The contact information for all the staff on this form is **not** correct. **You must submit a Grant Modification** that provides a justification and indicates all changes/revisions.
- ☐ The project will not commence within forty-five (45) days of the beginning of the award period 07/01/2019. **You must submit a Grant Modification.** Grant Modification must provide justification and indicate all changes.

Signed: Capt. Chuck Ternent **Date:** 1/3/20
Project Director - Ternent, Chuck (Project Director is Preferred, Fiscal Contact or Authorized Official if Project Director is unavailable)

Printed Name: CAPT. CHUCK TERNENT **Phone:** 301-759-6475



12/19/2019

Governor's Office of Crime Control and Prevention



Control Number:

38553

Regional Monitor:

Carpintieri, Angela

Fiscal Specialist:

Maddox, Dana

Grant Award & Acceptance Form

Grant Award Number: PRAR-2020-0006
Sub-recipient: Cumberland Police Department
Project Title: Police Recruitment and Retention
Implementing Agency: Cumberland Police Department
Award Period: 07/01/2019 - 06/30/2020

CFDA: N/A

| | | | |
|-----------------|---------------------|---------|-------------|
| Funding Summary | Grant Funds | 100.0 % | \$24,000.00 |
| | Cash Match | 0.0 % | \$0.00 |
| | In-Kind Match | 0.0 % | \$0.00 |
| | Total Project Funds | | \$24,000.00 |

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

State

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

CAPT. CHUCK TURNER

Typed Name And Title

1/3/20

Date

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



Governor's Office of Crime Control and Prevention

Grant Award - General Conditions

| | | | |
|----------------------------|----------------------------------|-----------------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 1 Approved by the Governor's Office of Crime Control & Prevention (GOCCP) of the submitted application, and the sub-award that it has generated, is for the time period stated in this Sub-award Package and constitutes no commitment for the continuation of funding beyond that time period.
- 2 This sub-award is subject to all State of Maryland and Federal statutes and requirements that apply to the relative funding source.
- 3 This sub-award is subject to the Special Conditions contained in your award packet and General Conditions (Post Award Instructions) referenced on the GOCCP website, as accepted by the Authorized Official on the official Award Acceptance document. GOCCP retains the right to add Special Conditions, if and when needed, during the life of the award period. General Conditions (<http://www.goccp.maryland.gov/grants/general-conditions.php>) are the Post Award policies, procedures, guidelines, and business rules from GOCCP for grant funds, irrelevant of the funding source.
- 4 The original Award Acceptance document containing the original signature of the Executive Director of GOCCP must be signed, preferably in BLUE INK, by the Authorized Official noted on the submitted application. This document must be uploaded in the Grants Management System (GMS) WITHIN 21 CALENDAR DAYS of receipt of the award package. Acceptance of this sub-award constitutes a commitment. Failure to comply will prevent program/project activity and result in the delay of reimbursement.

The Authorized Official on the submitted application is the County Executive, Duly Authorized Official of the local unit of Government, Mayor, Commissioner, Town Administrator (if confirmed), President (if confirmed), or if agencies are permitted to apply directly, the head of the agency receiving the sub-award.

- 5 The Notice of Project Commencement/Delay form must be signed (initialed in Section II, AND signed at the bottom) by the Project Director and must be uploaded in the Grants Management System (GMS) WITHIN 30 CALENDAR DAYS of the receipt of the award package. Please be advised online reporting is not accessible until the signed Award Acceptance and Project Commencement documents have been received by GOCCP.

NOTE: If the project will not commence within 30 calendar days of the Starting Date of the Period of Award, an explanation of the steps taken to initiate the project, the reason for delay, and the expected commencement date must be explained and justified on the Notice of Project Commencement/Delay Form in Section III. Failure to comply will result in delay of reimbursement.

ANY delay of your project AFTER submission of the Project Commencement/Delay Form will require the submission of a Grant Modification Form and approval by GOCCP. One blank Modification form is sent with every award package. For potential future modifications of any kind you may access the form through the GOCCP GMS.

Any delay to the start date of this project does not warrant, or necessarily allow, an extension to the end date.

- 6 The Federal Civil Rights Questionnaire (FCRQ) and Certification Form are a post award process that occurs bi-annually (2011, 2013, etc), and are for federal funds only. Submission of certification is completed through online registration. These documents must be completed and returned, with any additional attachments (posters, complaint forms), to GOCCP within 90 CALENDAR DAYS of the receipt of the Award and may be uploaded electronically to GMS. For internal assistance please contact your Department of Human Resources, Personnel Department, Fair Practices, or internal Human Resource/Personnel contact. The FIRST PAGE of the actual questionnaire MUST reference only ONE sub-award number. This must always be the second page of your response packet, with a copy of the federal Certification Form being the first. The certification process must be completed online as the Office of Justice Programs (OJP) no longer accepts paper forms. The Certification Form and additional instructions may be obtained at <http://www.ojp.gov/about/ocr/eeop.htm>.



Governor's Office of Crime Control and Prevention

Grant Award - General Conditions

| | | | |
|----------------------------|----------------------------------|-----------------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 7 The Start Date of the Period of Award is the earliest date that can be used as the project commencement date. No obligation or expenditure of funds is allowed prior to this date.

The sub-award may be terminated by one or both parties with written notice. If the sub-award is terminated before the end of the funding period, an accounting of the current quarterly and year to date expenses **MUST** be provided within 60 calendar days. Also see General Condition #35.

- 8 The sub-recipient must implement this project according to the goals, objectives, and plans as proposed, accepted, and set-forth in this sub-award.
- 9 The attached Budget Notice is made part of the final grant proposal and sub-award. Where this Budget Notice may have been modified from the project budget submitted in the original application, it represents final approved expenses for the project and governs expenditures accordingly.

All NEW project personnel supported with grant funding **MUST BE HIRED WITHIN 45 CALENDAR DAYS** of receipt of the sub-award package. Any delays in hiring must be reported in writing within 30 calendar days of receipt of the sub-award package. If project personnel are not hired within 45 calendar days, project personnel **ALLOCATIONS MAY BE DE-OBLIGATED** at the discretion of GOCCP. Also see General Condition #14.

- 10 **SUPPLANTING** is the use of GOCCP grant funds to replace state or local funds which were previously appropriated/budgeted for, or otherwise would have been spent on, the specific purpose(s) for which this sub-award has been awarded. Any salaries, positions, personnel expenses, contractual expenses, equipment, travel, and other expenses paid for with GOCCP grant funds must be used to supplement your organization's existing budget, and may not replace any funds that were already included in your entity's existing or projected budget.
- 11 The sub-recipient's acceptance of this sub-award constitutes a commitment that the budgeted match (if applicable), as stated on the Award Acceptance Form, may be above the standard requirements and will remain so throughout the life of the award.

The sub-recipient agrees that the required match (if applicable) will be allotted and relative expenditures reported, for each quarterly reporting period in which they are expended. It is further agreed that the full amount of the budgeted match (if applicable and over match if submitted) will be reported regardless of any subsequent adjustments to the grant funds budgeted and/or any financial modifications to this sub-award. Any requested change to this match (if applicable) must be submitted in writing on a GOCCP Grant Modification form and is subject to prior approval by GOCCP. Also see General Condition # 13.

- 12 All grant funds related to the sub-award project, as well as any required match funds (if and where applicable) must be encumbered, obligated (requisitions, purchase orders, or contracts, which are negotiated purchases) or expended (payment of an invoice) by the end of the sub-award period or any pre-authorized extension thereof.

Failure to expend encumbered funds within 30 calendar days following the End Date of the award period may jeopardize reimbursement and/or result in the deobligation of funds. In that event, remaining obligations will be the sole responsibility of the sub-recipient.



Governor's Office of Crime Control and Prevention

Grant Award - General Conditions

| | | | |
|----------------------------|----------------------------------|-----------------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 13** ANY requests for changes or modifications of any kind to any portion of this sub-award **MUST BE SUBMITTED IN WRITING PRIOR TO OCCURRENCE** using the GOCCP GRANT MODIFICATION FORM and may not take place until the Authorized Official or Project Director receives written approval from GOCCP. Written approval is sent in the form of a Grant Adjustment Notice (GAN).

This includes, but is not limited to: 1) budget revisions of any type, including proposed expenditures in a budget category that was not previously approved in the application stage; 2) change to award period; 3) change to Project Director or Fiscal Officer; 4) change to staff specified in the personnel category; 5) change to scope of program; and 6) ANY change that was not approved when the funds were originally awarded.

These changes may not be requested via telephone, fax, or email. See the Grantee's Toolbox area of the GOCCP website for specific instructions: <http://www.goccp.maryland.gov/grants/grantee-toolbox.php>

- 14** ANY intended or proposed changes to Key Personnel whose salary is funded in whole or part by this sub-award **MAY NOT TAKE PLACE UNTIL** a Grant Modification Form has been signed by the Authorized Official or Project Director, and submitted to GOCCP 15 CALENDAR DAYS PRIOR TO the intended change AND written approval (Grant Adjustment Notice - GAN) has been sent by GOCCP to the requesting sub-recipient. In addition, accurate and identifiable time and attendance records must be maintained on-site for all personnel hired/employed under this project. See the Grantees Toolbox area of the GOCCP website. Look under the section entitled Time and Effort Reports (timesheets).
- 15** If there is a change of the person in the Authorized Official position, a letter, on letterhead, must be submitted to GOCCP, acknowledging the replacement and signed by the person exiting the position. However, should said person have already vacated the position, then the letter must come from the entities actual Authorized Official, acknowledging the change and name of the replacement person. If documentation is available please attach it to the original letter (e.g. Executive Order, acknowledgement of election, Board notes acknowledging confirmation, etc.).
- 16** The Alternate Authorized Signatory is not the same as the Authorized Official. The Alternate Authorized Signatory is a person permitted to sign on behalf of the Authorized Official (county executive, mayor, town administrator, president); Authorized Point of Contact (head of any sub-unit of government, agency, division, department, or bureau); Project Director and/or Fiscal Officer.

To authorize an alternate signature, the person granting authorization for another party to sign on their behalf must submit a letter, on letterhead, to GOCCP with their original signature in blue ink. The purpose of the request must be acknowledged in the letter (e.g. sign all award documents at all times, change of personnel, in case of illness, vacation, leave of absence, etc.).

If authorization is to sign all award documents at all times please attach a copy, if applicable, of an Executive Order, or the vote from Council minute meetings, etc.

- 17** If the sub-recipient does not have written procurement guidelines, the sub-recipient must refer to the State of Maryland Procurement Policy and Procedures, which includes the consideration of Minority Business Enterprises (MBE). An overview of Maryland Procurement may be accessed via the internet at: <http://www.michie.com/maryland>.

Double click "MARYLAND CODE", select "STATE FINANCES AND PROCUREMENT", select "TITLE 13: SOURCE SELECTION, select: "SUBTITLE 1, 2, 3, or 4" based on applicability.

- 18** The submission of the Property Inventory Report Form (PIRF) is a requirement for any equipment that costs \$5,000 or more per unit cost, that is approved under this sub-award. The form is included in the Project Director's award package.

BPVP sub-awards are additionally referred to their Special Condition for the PIRF, all other conditions remain the same.



Governor's Office of Crime Control and Prevention

Grant Award - General Conditions

| | | | |
|---------------------|----------------------------------|----------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 19 The principal activities of this project may NOT be sub-contracted to another organization WITHOUT PRIOR APPROVAL by GOCCP. If prior approval was not obtained through the application process and is required after the program has been awarded, a Grant Modification Form must be submitted with detailed information and justification. Activities cannot occur until written approval in the form of a Grant Adjustment Notice (GAN) is received from GOCCP.
- 20 Sub-recipients are subject to the applicable requirements regarding the Drug Free Workplace of the governor's Drug and Alcohol Free Workplace executive order and implementing policies. This information may be obtained through the State of Maryland website at www.maryland.gov.
- 21 When issuing requests for proposals, bid solicitations, or other procurement requests, all sub-recipients shall clearly state within said document that the cost of the potential purchase is being funded in part, or in its entirety, with government grant funds.
- 22 When issuing public statements, press releases, or other documents relating to this project or when conferences, seminars, workshops, or forums are held in reference to this project, the sub-recipient agrees that the source of funding of this project and the role of GOCCP must and will be clearly acknowledged. The sub-recipient will ensure that all publications resulting from this project will have the following language on the publication:
- "The Governor's Office of Crime Control & Prevention funded this project under sub-award number BJAG-2009-9000 (your sub-award number). All points of view in this document are those of the author and do not necessarily represent the official position of any State or Federal agency."
- 23 GOCCP has the rights to reproduce, with attribution, and share any and all materials and documents generated as a result of this sub-award and project.
- 24 All sub-recipients are required to view the GOCCP Grants Management System (GMS) Training Videos, which can be accessed at: <http://www.goccp.maryland.gov/gms-training/>.
- These videos provide step-by-step guidance through the online system, from application to reporting.
- If you require technical assistance relative to the online GMS Reporting software during business hours you may contact the GOCCP IT Staff at support@goccp.freshdesk.com.
- 25 The sub-recipient must comply with federal regulations and state laws concerning the privacy and confidentiality of client records, including statistical information gathered for research purposes.
- 26 All GOCCP required forms must be generated by GOCCP or printed from the GOCCP web-based Grants Management System (GMS). Applications, and or reports, that are not in "Submitted" status online, will print with verbiage that includes the words "PENDING SUBMISSION." These forms will be rejected.
- Rejected forms will be returned to the sub-recipient with a Notice of Dispute. The return of forms may delay programmatic and/or financial activity of this sub-award including, but not limited to, reimbursement of funds.
- 27 ALL Quarterly Report Forms (Progress Reports, Performance Measurements, and Financial Reports) must be submitted via the GOCCP web-based Grants Management System (GMS). Hard copies of reports are not required. Reports that are not in "Submitted" status online will have the words "Pending Submission" on them and will be returned with a Notice of Dispute.

BARM and BPVP MUST review their SPECIAL CONDITIONS for reporting requirements and/or deadlines.

In accordance with policy, GOCCP may freeze the release of funds until a sub-recipient is current in the filing of all programmatic and financial reports.



GOCCP Regional Monitor:
GOCCP Fiscal Specialist:

Carpintieri, Angela
Maddox, Dana

Governor's Office of Crime Control and Prevention

Grant Award - General Conditions

| | | | |
|----------------------------|----------------------------------|-----------------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 28 PROGRAM REPORTS:** Progress Reports and Performance Measurements must be submitted via the GOCCP Grants Management System (GMS) on a quarterly basis. Hard copies of programmatic reports are not required. ** All programmatic reports (including matrix, DCTAT and PMT if applicable) are due **NO LATER THAN 15 CALENDAR DAYS** after the end of each quarter. This due date is **PRIOR** to submission of relative quarterly financial reports. Financial reports submitted with Programmatic reports cannot be processed for payment until programmatic reports are in "Submitted" status online.

Where the start date of any sub-award may vary, the quarterly time frames are constant. Those time frames and the relative due dates are:

07/01 - 09/30 reports due 10/15

10/01 - 12/31 reports due 01/15

01/01 - 03/31 reports due 04/15

04/01 - 06/30 reports due 07/15

In addition the GOCCP Regional Division Chief, Program Fund Manager, or Program Monitor, may request an Annual Progress Report. This information will be used to monitor and assess the program to determine if it is meeting the stated goals and objectives, supports the State Crime Control and Prevention Strategy Plan and complies with federal requirements. Failure to submit these reports in the prescribed time may prevent the disbursement of funds.

BARM and BPVP **MUST** review their **SPECIAL CONDITIONS** for reporting requirements and/or deadlines.

- 29** The Financial Report form must be electronically submitted within 30 calendar days after the end of each quarter. In order to process a Financial Report, the Programmatic Reports must be in "Submitted" status.

The Award Acceptance, Project Commencement, Progress and Performance Measurement Reports must be submitted prior to any financial report. If the above noted documents and program reports have not been submitted within the required time frame, financial reports may be denied and returned with a Notice of Dispute.

Where the start date of any sub-award may vary, the quarterly time frames are constant. Those time frames and the relative due dates are:

07/01 - 09/30 reports due 10/30

10/01 - 12/31 reports due 01/30

01/01 - 03/31 reports due 04/30

04/01 - 06/30 reports due 07/30

BARM and BPVP **MUST** review their **SPECIAL CONDITIONS** for reporting requirements and/or deadlines.



GOCCP Regional Monitor:
GOCCP Fiscal Specialist:

Carpintieri, Angela
Maddox, Dana

Governor's Office of Crime Control and Prevention

Grant Award - General Conditions

| | | | |
|---------------------|----------------------------------|----------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 30** Final quarterly programmatic reports indicating progress towards the attainment of each program/project objective must be electronically submitted no later than 15 calendar days from the End Date of the sub-award. Financial reports submitted with Programmatic reports cannot be processed for payment unless programmatic reports are in "Submitted" status online.

FINAL Financial Reports must be submitted no later than 30 calendar days from the End Date of this sub-award.

If the initial 30 calendar day submission is not your actual FINAL report, the sub-recipient must email the Fiscal Specialist and copy the Regional Monitor stating that the report is not final.

Submission of a "Not Final" report will require a "Final/Revised" report to be submitted no later than 60 calendar days after the End Date of the sub-award. Revised reports may only be submitted if an initial 30 calendar day report was submitted as required. All final financials must be submitted within 60 days or GOCCP reserves the right to complete an administrative closeout on this grant award and de-obligate all remaining funds.

Revisions are a manual process that requires hand written corrections on a copy of the previously submitted 30 day report, with the word "FINAL" written across the top of the report. The corrections must be actual expenditures, not the variance. New signatures and current dates are required and can the report can be either emailed to the Fiscal Specialist and copying the Regional Monitor or uploaded into the documents tab of the grants management system.

- 31** Failure to submit any report within the allotted time frame(s) noted in the above conditions, or any pre-authorized extension thereof, may result in the delay or prevention of payment, and/or the de-obligation of funds. Financial reports cannot be processed for payment unless programmatic reports are in "Submitted" status in the online system (GMS).

If late reporting occurs, the expenditure or obligation may become the responsibility of the sub-recipient.

BARM and BPVP MUST review their SPECIAL CONDITIONS for reporting requirements and/or deadlines.

- 32** In accordance with policy, GOCCP will freeze the release of funds until a sub-recipient is current in the filing of all reports, submission of documentation, and have resolved any remaining Notices of Disputes or issues.
- 33** In order to verify the appropriateness of all grant fund related expenditures, the GOCCP program staff will monitor the use of grant fund proceeds as reported by sub-recipients. Back-up documentation must be maintained on-site, be available upon request, correlate with the mandatory quarterly reporting, and be maintained as necessary to provide that obligations under this sub-award and other such standards as they apply, are being met.

At any time during normal business hours, and as deemed necessary by GOCCP, the sub-recipient shall make available to GOCCP, fund source agencies, or State Legislative Auditors, or any of their authorized representatives, any of the fiscal and/or program records for inspection and audit. Also see General Condition # 39.

- 34** GOCCP may allow or require that a sub-recipient report, and be reimbursed, in increments other than quarterly under such conditions that are deemed appropriate.



Grant Award - General Conditions

| | | | |
|----------------------------|----------------------------------|-----------------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 35** The performance of work under this award may be terminated by GOCCP in accordance with this clause in whole, or in part, whenever GOCCP determines that such termination is in the best interest of the State.

If the sub-recipient fails to fulfill obligations under this award properly and on time, or otherwise violates any provisions of the sub-award, GOCCP may terminate the award by written notice to the sub-recipient. The notice shall specify the acts or omissions relied upon as cause for termination.

All finished or unfinished supplies and services provided by the sub-recipient shall become GOCCP property. GOCCP will pay all reasonable costs associated with this program that the sub-recipient has incurred prior to the date of termination, and all reasonable costs associated with the termination of the sub-award. An accounting of the current quarterly and year-to-date expenditures must be provided within 60 calendar days of the termination date. Also see General Condition #7.

- 36** The sub-recipient affirms that it shall not discriminate in any manner against any employee, applicant for employment, or clients of services, because of race, color, religion, creed, age, sex, marital status, national origin, ancestry, sexual orientation, pregnancy, physical or mental handicap, or limited English proficiency, so as reasonably to preclude the performance of such employment and/or services provided. The sub-recipient also agrees to include a provision similar to that contained in the preceding sentence for any underlying sub-contract, except a sub-contract for standard commercial supplies or raw material. Also see General Condition # 6 (above).

The sub-recipient must have a non-discrimination poster, publicly displayed, acknowledging that the entity does not discriminate and provides an avenue for employees, program beneficiaries, and any relative vendors, to file a discrimination complaint directly with the Implementing Agency or Grantee (sub-recipient via complaint form), the GOCCP (prime recipient via website), and/or directly with the Maryland Commission on Human Relations, St. Paul Street, 9th Floor, Baltimore, MD 21201 (410-767-8600), the Baltimore Office of the U.S. Equal Employment Opportunity Commission (EEOC), 10 South Howard Street, 3rd Floor, Baltimore, MD 21201 (410-962-3932), or directly with the Office of Civil Rights Office of Justice Programs in Washington, D.C.

- 37** ALL submissions of ANY kind to GOCCP (U.S. mail, hand delivered, etc.), should be mailed to:

Governor's Office of Crime Control and Prevention
100 Community Place
Crownsville, MD 21032

- 38** All sub-recipients must have proper documentation to present to GOCCP upon request, to prove compliance with the following Audit Regulations that apply:

Local and State governments must have proof that they had an annual audit and submitted said audit to the State Legislature in September of the year of their sub-award.

Non-Profit Organizations that have gross income from charitable contributions of at least \$500K must have proof that they received an annual audit by a certified public accountant.

Non-Profit Organizations that have a gross income between \$200K - \$500K must have proof that they have been reviewed by an independent auditor.

Proof must be provided that each of the above reports has been submitted to the Secretary of State within 6 months of the end of the entity's fiscal year.

Non-Profits that have gross income of less than \$200K must provide proof that they filed a 990-Form to the IRS for their fiscal year.



Grant Award - General Conditions

| | | | |
|----------------------------|----------------------------------|-----------------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 39 All financial and programmatic information and receipts/back-up documentation must be retained during the award period, and for 3 years from the date of last activity, for monitoring and auditing purposes, and be made available upon request.
- 40 The sub-recipient agrees and understands that it cannot use any grant funds, either directly or indirectly, in support of any contract or sub-award to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.
- 41 The sub-recipient must promptly report any credible evidence of fraud, waste, abuse and similar misconduct with grant funding.
- 42 In addition to GOCCP's General (Post Award Instructions) and Special Conditions, the sub-recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide where applicable, and to abide by any other terms and conditions imposed by GOCCP. The financial guide may be accessed at the following web URL:
http://www.ojp.usdoj.gov/financialguide/PDFs/OCFO_2013Financial_Guide.pdf
- 43 On October 21, 2011 the U.S. Department of Justice, Office of Justice Programs, Office of the Assistant Attorney General issued a memorandum to all Office of Justice Programs Grantees and Contractors regarding newly enacted conference costs and reporting requirements ([http://www.in.gov/cji/files/Memorandum_to_All_OJP_Grantees_and_Contractors_Regarding_Revised_Conference_Cost_Guidelines_October_2011_\(2\).pdf](http://www.in.gov/cji/files/Memorandum_to_All_OJP_Grantees_and_Contractors_Regarding_Revised_Conference_Cost_Guidelines_October_2011_(2).pdf)).

In order to follow the federal guidelines, GOCCP will not approve any food and/or beverage costs associated with meetings, training, conferences, and/or other events. All conference costs will be thoroughly examined for compliance with the new federal requirements. This restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

GOCCP may consider exceptions to this General Condition for non-OJP funded grants.

- 44 All sub-recipients of federal funds must comply (and will require any sub-contracts or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C. § 704); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. § 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. § 6101-07); and the Department of Justice (DOJ's) Equal Treatment Regulations (28 C.F.R. pt. 38).
- 45 Throughout the entire period of the grant, the sub-recipient must maintain a valid DUNS Number and current registration with SAM.Gov, previously the Central Contractor Registry (CCR).
- A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. Information about the registration procedure for SAM can be found at www.sam.gov. Note: previous CCR (Central Contract Registry) information was migrated to SAM.gov.
- 46 No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and nothing limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
- 47 All project personnel supported with grant funding must be hired within 45 calendar days of receipt of the grant award package. Any delays in hiring must be reported in writing within 30 calendar days of receipt of the grant award package. If project personnel are not hired within 45 calendar days, project personnel allocations may be de-obligated at the discretion of GOCCP.



GOCCP Regional Monitor:
GOCCP Fiscal Specialist:

Carpintieri, Angela
Maddox, Dana

Governor's Office of Crime Control and Prevention

Grant Award - General Conditions

| | | | |
|----------------------------|----------------------------------|-----------------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 48 Sub-recipients are to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
- 49 The sub-recipients are obligated to provide services to Limited English Proficient (LEP) individuals. Refer to the DOJ's Guidance Document. To access this document, see U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (67 Federal Regulation 41455 (2002)). This regulation may be accessed at: <http://www.archives.gov/eo/laws/title-vi.html>
- 50 Your entity falls under the following federal requirement: Sub-recipients that are governmental or for-profit entities, that have fifty or more employees and that receive a single award of \$500,000 or more under the Safe Streets Act or other Department of Justice (DOJ) program statutes are required to submit their Equal Employment Opportunity Plan (EEOP) to the federal Office of Civil Rights (OCR). The sub-recipients are not required to submit a copy to the Governor's Office of Crime Control & Prevention (GOCCP), but must have a copy available on site for monitoring purposes. Those sub-recipients that are subject to the OCR's EEOP Certification Form may access this form at: <http://www.ojp.usdoj.gov/about/ocr/eeop/eeop.htm>.
- 51 Sub-recipients need to pay particular attention to the type of records that need to be maintained to support reimbursement claims for salaries, wages, and fringe benefits. Guidance can be referenced on page 70 of the OJP Financial Guide.

The use of percentages is not allowable to claim personnel costs. Records to support claimed costs in this category need to include time sheets or time and effort reports that record actual time charged to allowable grant program activities and signed by a supervisor.

When necessary and as an alternative, payroll records may reflect certified after the fact work distribution of an employee's actual work activities. The certification statement must reflect the dates and number of hours charged to the award and the specific activities that were completed. The certification statement must be dated and signed by the supervisor, and the grant number must also be included in the statement.

- 52 If your entity spends \$750,000 or more per fiscal year in federal funds, a Single Audit is required in accordance with 2 CFR §200.514 to be submitted to the Federal Audit Clearinghouse. If the audit discloses findings on GOCCP grants, provide a copy of the report so that we may issue a management decision for audit findings pertaining to the Federal award provided to the sub-recipient from the pass-through entity as required by §200.521 Management decision.



Governor's Office of Crime Control and Prevention

Regional Monitor:
Fiscal Specialist:

Carpintieri, Angela
Maddox, Dana

Grant Award - Special Conditions

| | | | |
|----------------------------|----------------------------------|-----------------------------|------------------------------|
| Grant Award Number: | PRAR-2020-0006 | Sub-Recipient: | Cumberland Police Department |
| Award Period: | 07/01/2019 - 06/30/2020 | Implementing Agency: | Cumberland Police Department |
| Project Title: | Police Recruitment and Retention | | |

- 1 This grant award is subject to the General Conditions (POST AWARD INSTRUCTIONS) found on the GOCCP website (<http://www.goccp.maryland.gov/grants/general-conditions.php>). The aforementioned General Conditions/Post Award Instructions are REQUIRED to be reviewed, should be printed for your reference and are subject to change without written notice.

In addition, the Grantees Toolbox is provided as a resource on the GOCCP website (<http://www.goccp.maryland.gov/grants/grantee-toolbox.php>) to address frequently asked questions.

- 2 All awardees will be required to submit a fiscal year-end report that reflects the overall successes that were accomplished through the use of these grant funds. The report must describe in detail how law enforcement staffing has changed and provide a comparison of the recruitment and retention efforts over the previous year. Specifically, agencies must provide the retention rate and the average number of new hires prior to this funding, and after as a result of this funding. This fiscal year-end report will be due by July 15th and must also be uploaded into the online grants management system.

Council Agenda Summary

Meeting Date: January 7, 2020

Agenda Item Number: FY20 Police Recruitment & Retention Grant

Key Staff Contact: Capt. Chuck Ternent

Item Title:

FY20 Police Recruitment & Retention Grant

Summary:

Authorize Captain Chuck Ternent, Interim Chief, to accept the FY20 Police Recruitment and Retention Grant in the amount of \$24,000 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. These funds will help fund recruitment media such as posters and videos as well as pay incentives for officers who refer successful candidates as well as and signing bonuses for officers who successfully complete academy training.

Issues and Considerations:

Enter Text Here

| | |
|--|-----------------|
| <i>Fiscal Impact:</i> | |
| Is this item budgeted? Yes <input checked="" type="checkbox"/> No | |
| Budget: | \$ |
| Value of award: | \$24,000 |
| If item is not budgeted, does the budget need to be appropriated? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Is there grant funding being used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| If grant funding is being used, does it require a City match? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Match provisions: | Enter Text Here |
| Is this a sole source purchase? <input type="checkbox"/> Yes <input type="checkbox"/> No (If so, attach department recommendation and approval from City Administrator.) | |

Item Attachment Documents:

Order 26,589 - accepting the bids for purchase of one new mid-size SUV from Thomas Hyundai (\$27,797), and one 1/2 ton pickup truck (\$33,594) and one 1/2 ton work truck (\$30,939.60) from Diehl's Ford Sales

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

ORDER NO. 26,589

DATE: January 21, 2020

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

THAT, the bid of Thomas Hyundai, 10325 Mt. Savage Road, NW, Cumberland, MD 21502, and the bid of Diehl's Ford Sales, 11782 National Pike, Grantsville, MD, 21536 for Utilities Vehicles be and is hereby accepted as follows:

| Company | Vehicle | Cost |
|--------------------|----------------------------|--------------------|
| Thomas Hyundai | One New Midsize SUV | \$27,797.00 |
| Diehl's Ford Sales | One New ½ Ton Work Truck | \$30,939.60 |
| | One New ½ Ton Pickup Truck | \$33,594.00 |
| | TOTAL | \$92,330.60 |

Raymond M. Morriss, Mayor

Budget: 001.050.64000 (Public Works)
002.220.64000 (Water Dist.)
003.310.64000 (WWTP)

Council Agenda Summary

Meeting Date: January 21, 2020

Agenda Item Number:

Key Staff Contact: Brian Broadwater

Item Title:

Order 26,589 - New Vehicles Purchase – Thomas Hyundai and Diehl's Ford Sales

Summary:

Requesting an order to accept the bid of Thomas Hyundai for one (1) new Midsize SUV (\$27,797.00) and Diehl's Ford Sales for one (1) New ½ Ton Work Truck (\$30,939.60), one (1) New ½ Ton Pickup Truck (\$33,594.00)

Issues and Considerations:

The department of Vehicle Maintenance / Public Works has reviewed all bids and recommends the awards noted above.

| | |
|---|--|
| <i>Fiscal Impact:</i> | |
| Is this item budgeted? Yes (FY2020) | |
| Budget: | 001.050.64000 (Public Works) 002.220.64000 (Water Dis.) 003.310.64000 (WWTP) |
| Value of award: | Total bid award = \$92,330.60 |
| If item is not budgeted, does the budget need to be appropriated? N/A | |
| Is there grant funding being used? No | |
| If grant funding is being used, does it require a City match? N/A | |
| Match provisions: | N/A |
| Is this a sole source purchase? N/A (If so, attach department recommendation and approval from City Administrator.) | |

City of Cumberland

Bid Opening: December 18, 2019 2:30 p.m., Cumberland City Hall Council Chambers

2019 Request for Bids - Utility Vehicles

| Company | 1. One New 1/2 Ton Pickup Work Truck | 2. One New 1/2 Ton Pickup Truck | 3. One New Midsize SUV | Affidavit | Local Preference |
|--|---|------------------------------------|---------------------------|-----------|------------------|
| Diehl's Ford Sales 11782 National Pike Grantsville, MD 21536 | \$ 30,939.60 | \$ 33,594.00 | No Bid | Yes | N/A |
| Thomas Hyundai 10325 Mt. Savage Road Cumberland, MD 21502 | No Bid | No Bid | \$ 27,797.00 | Yes | County |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| The Department of Public Works will review all proposals and provide a recommendation to the Mayor and City Council for award based on the lowest and most responsive bid received. | | | | | |
| | | | | | |

Item Attachment Documents:

Order 26,590 - accepting the Sole Source proposal of Marshall Ruby and Sons for repair of the rotating mechanical screens at Evitts Creek Pumping Station, in the amount of \$48,000

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

ORDER NO. 26,590

DATE: January 21, 2020

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

THAT, the sole source proposal of Marshal Ruby & Sons, 20501 Rubys Industrial Road, Frostburg, Maryland, 21532 , to repair damaged rotating mechanical screens at the Evitts Creek Pumping Station, be and is hereby approved in the estimated cost of Forty-eight Thousand Dollars and No Cents (\$48,000.00).

Raymond M. Morriss, Mayor

Source of Funding:
399.TP5.63000

Marshall Ruby & Sons
20501 Rubys Industrial Road
Frostburg, MD 21532
PH 301-689-9238
Fax 301-689-6121

Dec. 31, 2019

City of Cumberland
Evitts Creek
Attn: Bob Fryer

RE: Evitts Creek pumping station

Estimate

Estimated cost to supply all labor and tooling to repair damaged bar screen at Evitts creek
pumping station

\$48,000.00

If you have any questions concerning this estimate please contact me.

Thanks

John Wilson



Cindi Mertens <cindi.mertens@cumberlandmd.gov>

Fwd: Sole Source Request Approval

1 message

Rodney Marvin <rodney.marvin@cumberlandmd.gov>
To: Cindi Mertens <cindi.mertens@cumberlandmd.gov>

Wed, Jan 15, 2020 at 6:36 AM

Hello Cindi,

See email thread below. Can you add this to M&CC agenda for their approval?

Thanks,

Rodney C. Marvin
Public Works Utilities Manager
City of Cumberland
301-759-6641

----- Forwarded message -----

From: **Jeff Rhodes** <jeff.rhodes@cumberlandmd.gov>
Date: Tue, Jan 14, 2020 at 11:59 AM
Subject: Re: Sole Source Request Approval
To: Rodney Marvin <rodney.marvin@cumberlandmd.gov>
Cc: Ken Tressler <ken.tressler@cumberlandmd.gov>, Stephanie Wade <stephanie.wade@cumberlandmd.gov>

Approved
Jeffrey D. Rhodes
City Administrator
City of Cumberland, Maryland
301-759-6424

On Mon, Jan 13, 2020 at 8:05 AM Rodney Marvin <rodney.marvin@cumberlandmd.gov> wrote:

Jeff,

I am requesting approval for Marshall Ruby & Sons in the amount of \$48,000 to repair the rotating mechanical screens at Evitts Creek Lift Station. Marshall Ruby is the only contractor within our region who has the expertise to provide this service.

The amount requested above is considerably less than the \$150,000 estimate which the screen manufacturer "Hydrodyne" was going to charge for this service.

Note: If approved.... this will placed on M&CC council agenda for final approval
\$150,000 is funded in 399.TP5 63000

Rodney C. Marvin
Public Works Utilities Manager
City of Cumberland
301-759-6641

Item Attachment Documents:

Order 26,591 - accepting the Sole Source bid of CAMCO, Inc. for the repair of twenty-five (25) High Voltage Breakers at the JJD Water Reclamation Facility in the not-to-exceed cost of \$125,000

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

ORDER NO. 26,591

DATE: January 21, 2020

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

THAT, the sole source bid of CAMCO, Inc., 667 Industrial Park Road, Ebensburg, PA, 15931, to repair twenty-five (25) high-voltage breakers at the JJD Water Reclamation Facility, be and is hereby approved in the not-to-exceed cost of One Hundred Twenty-five Thousand Dollars and No Cents (\$125,000.00).

Raymond M. Morriss, Mayor

Budget: 399.TP1.63000



January 6, 2020
BID # 19-4650-KR-LS

City of Cumberland
400 Offult Street
Cumberland, MD 21501

Attention: Dan Moessner

RE: Breaker rebuilds for Dewatering Location & Main Electrical Building

Dear Mr. Moessner

Per your request on the above mentioned project, we are pleased to offer the following.

1. Provide pickup and delivery of the breakers from your Cumberland, MD plant to our Ebensburg, PA facility
2. Breakers will be reconditioned as per our attached procedure CAM1094-A

- (a) One (1) to eleven (11) GE AK-2A-25 manually operated draw out circuit breakers.

Base price \$2695.00 Each

If an AC-PRO solid state trip kit is required add **\$1920.00** to the base price.
Kit will be supplied with 600/300 amp sensors and manual reset actuator.

- (b) One (1) to fourteen (14) GE AK-2A-50 electrically operated draw out circuit breakers.

Base price \$3395.00 Each

If an AC-PRO solid state trip kit is required add **\$2370.00** to the base price.
Kit will be supplied with 1600/800 amp sensors and mechanical auto reset actuator.

Quoted price does not include the cost or replacement of any parts found defective, Upon receiving your prior approval, these items will be provided to you at a quoted price.

Delivery Time depends upon CAMCO'S work load at time of order

Terms 1% 10 Days Net 30 Days

Thank you for the opportunity to provide this quotation. If you should have any questions or comments, Please feel free to contact this office.

Sincerely,
CAMCO
Kevin Radebach
Shop Supervisor



Cindi Mertens <cindi.mertens@cumberlandmd.gov>

Fwd: Sole Source Approval Request

1 message

Rodney Marvin <rodney.marvin@cumberlandmd.gov>

Wed, Jan 15, 2020 at 7:08 PM

To: Cindi Mertens <cindi.mertens@cumberlandmd.gov>

Cindi,

Would you add this to M&CC agenda.

Thanks

Sent from my iPhone

Begin forwarded message:

From: Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>
Date: January 15, 2020 at 3:30:40 PM EST
To: Rodney Marvin <rodney.marvin@cumberlandmd.gov>
Subject: Re: Sole Source Approval Request

Approved

Jeffrey D. Rhodes
City Administrator
City of Cumberland, Maryland
301-759-6424

On Wed, Jan 15, 2020 at 1:31 PM Rodney Marvin <rodney.marvin@cumberlandmd.gov> wrote:
Hello Jeff,

Did you get a chance to review this request also?

Thanks,

Rodney C. Marvin
Public Works Utilities Manager
City of Cumberland
301-759-6641

On Mon, Jan 13, 2020 at 7:47 AM Rodney Marvin <rodney.marvin@cumberlandmd.gov> wrote:
Jeff,

I am requesting Sole Source approval for Camco Inc. Company (Ebensburg, PA) in the amount of **\$131,475** to repair 25 high voltage (480V & 4160V) breakers at the Wastewater Treatment Plant. Sole Source is necessary; Camco Inc. is the only company within our region who has the expertise and parts required for the vintage 1970's switchgear.

Note: If approved..... this will also be M&CC agenda for final approval

The attached estimate shows the cost will be between \$77,125 and \$131,475.... I am requesting the not to exceed amount.

\$125,000 was funded for this project in **399. TP1 63000**

Rodney C. Marvin
Public Works Utilities Manager
City of Cumberland
301-759-6641

Item Attachment Documents:

Order 26,592 - appointing Anita Simmons, Natural Resource Technician for the City of Cumberland, to the Evitts Creek Steering Committee as City Appointee I, to fill the seat vacated by Paul Eriksson

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

ORDER NO. 26,592

DATE: January 21, 2020

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

THAT, Anita Simmons, Natural Resource Technician for the City of Cumberland, be and is hereby appointed to the Evitts Creeks Steering Committee as City Appointee I, to fill the seat vacated by Paul Eriksson.

Raymond M. Morriss, Mayor

Item Attachment Documents:

Order 26,593 - declaring a 2007 Chrysler Aspen (VIN #1A8HW58287F586936) to be surplus
and authorizing it for sale or trade in

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

ORDER NO. 26,593

DATE: January 21, 2020

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

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

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

1. 2007 Chrysler Aspen
VIN 1A8HW58287F586936

Raymond M. Morriss, Mayor

Item Attachment Documents:

Order 26,594 - adopting a revised Investment Policy effective this date, to govern the investment of public funds while meeting daily cash flow demands

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

ORDER NO. 26,594

DATE: January 21, 2020

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

THAT, the attached and revised Investment Policy be and is hereby adopted and effective this date.

Raymond M. Morriss, Mayor

Cumberland, Maryland

**COMPTROLLER
INVESTMENT POLICY**

I. POLICY

It is the policy of Cumberland, Maryland (hereinafter referred to as “the City”) to invest public funds in a manner which will conform to all State of Maryland and City statutes governing the investment of public funds while meeting its daily cash flow demands with a goal of providing a rate of return at least equaling the 3 month T-bill.

II. SCOPE

This investment policy applies to all financial assets of the City. These fund types are accounted for in the City’s Annual Financial Report and include:

- A. General
- B. Special Revenue Funds
- C. Capital Project Funds (including Bond Funds)
- D. Enterprise Funds
- E. Trust and Agency Funds
- F. Any new funds as provided by City ordinance.

III. PRUDENCE

- A. The standard of prudence to be applied by the Comptroller shall be the “prudent person” rule, which states, “Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.”

The prudent person rule shall be applied in the context of managing the overall portfolio.

- B. Authorized employees acting in accordance with written procedures and the investment policy and exercising due diligence shall not be held personally responsible for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a

timely fashion and appropriate action is taken to control adverse developments.

IV. OBJECTIVE

The primary objectives, in priority order, of the City's investment activities shall be:

- A. Safety: Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification, third party collateralization and safekeeping, and delivery versus payment will be required.
- B. Liquidity: The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.
- ~~C. Return on Investment: The City's investment portfolio shall be designed with the objective of providing a reasonable return throughout budgetary and economic cycles considering the City's investment risk constraints and the cash flow requirement of the portfolio. ~~goal of attaining a return at least equal to the three-month U.S. Treasury bill yield.~~~~

V. DELEGATION OF AUTHORITY

- A. Authority to manage the City's investment program is derived from state law (*Article 95 and Title 6 of the Finance and Procurement Article of the Annotated Code of Maryland.*)
- B. The Comptroller shall develop and maintain written administrative procedures for the operation of the investment program, consistent with this investment policy. Such procedures shall include:
 - 1. Explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Comptroller.
 - 2. Procedures should include reference to safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service agreements.
 - 3. The Comptroller shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate authorized employees.

VI. ETHICS AND CONFLICTS OF INTEREST

~~Officials and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the Comptroller any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. Employees shall subordinate their personal investment transactions to those of the City, particularly with regard to the time of purchases and sales. The City's Public Ethics Law (Chapter 19 of the City Code) includes provisions setting forth restrictions on officials' and employees' participation in matters pertaining to business entities in which they have a direct financial interest. (See Section 19-(4)(b)(2)a)). The Administrative Appeals Board has opined that "direct financial interest" means ownership or securities convertible to more than 3% ownership of a business entity.~~

Formatted: Indent: Left: 0.25"

~~Officials and employees involved in the investment process are responsible for ensuring that their participation complies with the Public Ethics Law. Employees with more than 3% interests in business entities which could possibly relate to the investment process must disclose such interests to the City Comptroller.~~

Formatted: Indent: Left: 0.25"

VII. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

The Comptroller shall maintain a list of approved security broker/dealers selected by credit worthiness who are authorized to provide investment services in the State. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1. No deposit shall be made except in an institution which is a qualified public depository as established by the State of Maryland. All financial institutions and broker/dealers who desire to become qualified brokers for investment transactions must supply the Comptroller with the following: audited financial statements, proof of National Association of Security Dealers certification, trading resolution, proof of registration with the state of Maryland, and certification of having read the City's Investment Policy and depository contracts. An annual review of the financial condition and registrations of qualified bidders will be conducted by the Comptroller. A current audited financial statement is required to be on file for each financial institution or broker/dealer through which the City invests.

1. All dealers must agree to the City's policy of delivery-versus-payment as described in Section XI of this policy.
2. The firm must provide copies of its audited financial statements, which are reviewed carefully to assure that the firm is on sound financial footing. The firm

must also have adequate capital to fulfill its commitments under adverse market conditions.

3. The firm must be registered and located in the State of Maryland. Commercial banks must have a short-term rating of at least investment grade from the appropriate bank rating agencies.

VIII. DIVERSIFICATION IN AUTHORIZED & SUITABLE INVESTMENTS

The City will diversify to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities. Maryland State law pertaining to authorized instruments is attached.

| | Maximum Percent of Portfolio |
|---|---------------------------------|
| A. <u>Diversification by Instrument</u> | |
| 1. U.S. Treasury Obligations | 100% |
| 2. Maryland Local Government | 99 100% |
| 3. Repurchase Agreements (Master Repurchase Agreement required) | 70% |
| 4. Collateralized Certificates of Deposit (Only Maryland Commercial Banks) | 70% |
| 5. U.S. Government Agency and U.S. Government-Sponsored | 50% |
| B. <u>Diversification by Institution</u> | |
| 1. U.S. Treasury Direct System | 100% |
| 2. MLGIP | 99 100% |
| 3. Banking Institutions – Certificates of Deposit/Repos | 70% |
| C. Diversification of <u>Maximum</u> Maturities | |

To the extent possible, the City will attempt to match the investments with anticipated cash flow requirements. Unless matched to a specific cash flow the City will not directly invest in securities maturing more than 2 years from the date of purchase.

Reserve Funds may be invested in securities exceeding 2 years if the maturity of such investments are made to coincide as nearly as practicable with the expected use of funds.

In order to meet the objectives of the City's investment activities as listed in Section IV of this policy, the majority of the investments of the City will be on a short-term basis. (Less than one year). However, a portion of the portfolio can contain investments with longer maturities (up to two years) without jeopardizing adequate safety and liquidity standard of the portfolio and at the same time increasing the overall yield of the portfolio. The investments in long-term maturities will be limited to direct federal government obligations and to securities issued by U.S. Government agencies. The length of maturity of the security will not exceed two years from the time of the City's purchase. The maximum level of long-term investments in the portfolio is determined by the following method:

IX. BORROWING

The City may not borrow solely for the purpose of investment and may not invest in a manner inconsistent with the Investment Policy.

X. COLLATERALIZATION

- A. Collateralization will be required on certificates of deposit and repurchase agreements ~~two types of investments which combined with cash and other accounts at a given institution are in excess of FDIC insurance coverage; certificates of deposit and repurchase (and reverse) agreements.~~ In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be at least 102% of market value of the principal and accrued interest amounts above FDIC insurance limits.
- B. Collateral will always be held by an independent third party with whom the City has a current custodial agreement and meet Category I requirements of the Governmental Accounting Standards Board Statement – Number 3.
- C. Acceptable collateral is specified under Section 6-202 of Title 6 of the State Finance and Procurement Article of the Annotated Code of Maryland. However, the third-party trust custodian, who holds the collateral, has the right to reject otherwise acceptable collateral based on their discretion concerning market conditions.
- D. The right of collateral substitution is granted, and all associated costs will be paid by the seller. (*Financial Institution*).

XI. SAFEKEEPING AND CUSTODY

All security transactions, including collateral for repurchase agreements, entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third-party custodian designated by the Comptroller. All repurchase agreements will be governed by a Master Repurchase Agreement signed by the appropriate officials of the City and the government dealer.

XII. INTERNAL CONTROLS

The Comptroller shall establish a system of internal controls, which shall be documented in writing. The controls shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and investment officers of the City. A review of the internal controls of the investment operation is part of the annual financial audit conducted by an outside independent audit company.

XIII. PERFORMANCE STANDARDS

The City's investment strategy in general is passive. However, the strategy is active under special extenuating circumstances. Given this strategy and taking into account the City's investment risk constraints and cash flow needs, the three-month U.S. Treasury Bill yield was selected to gauge the City's investment portfolio performance.

XIV. REPORTING REQUIREMENTS

An investment officer shall generate monthly reports for management purposes. In addition, the City Council will be provided monthly reports which will include data on investment instruments being held, as well as any narrative necessary for clarification.

COMPTROLLER

DATE

GLOSSARY

AGENCIES: Federal agency securities.

BANKERS' ACCEPTANCE (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BROKER: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money in inter-dealer markets.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CDs are typically negotiable.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal Government set up to supply credit to various classes of institutions and individuals, e.g., savings and loans, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 Regional Banks and about 5,700 commercial banks that are members of the system.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$~~100~~250,000 per deposit.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-à-vis member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA, was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing & Urban Development, HUD. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by FHA, VA or FMHM mortgages. The term "pass-throughs" is often used to describe Ginnie Maes.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase/reverse repurchase agreements that established each party's right in the transactions. A master agreement will often specify, among other things, the right of the buyer/lender to liquidate the underlying securities in the event of default by the seller/borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PRUDENT PERSON RULE: An investment standard. In some states, the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the State (the so-called legal list). In other states, the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

PRIMARY DEALER: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC), registered securities broker dealers, banks, and a few unregulated firms.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use of ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposit.

REPURCHASE AGREEMENT (Repo or Repos): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security “buyer” in effect lends the “seller” money for the period of the agreement, and terms of the agreement are structured to compensate him for this. Dealers use Repos extensively to finance their positions. Exception: When the Fed is said to be doing Repo, it is lending money, that is, increasing banks reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank’s vaults for protection

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SEC RULE 15C3-1: See uniform net capital rule.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BOND: Long-term U.S. Treasury securities having initial maturities of more than ten years.

TREASURY NOTES: Intermediate term coupon bearing U.S. Treasury securities having initial maturity of from one to ten years.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. (b) NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as non-member broker-dealers in securities maintain a maximum ration of indebtedness to liquid capital of 15-1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

Item Attachment Documents:

Order 26,595 - declaring certain parcels of property at 400 N. Mechanic Street to be surplus and authorizing the transfer of the properties to the Cumberland Economic Development Commission after the passage of twenty (20) days from the date of this Order and the passage of an Ordinance to effect the transfer

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

ORDER NO. 26,595

DATE: January 21, 2020

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

WHEREAS, the Mayor and City Council of Cumberland is the record owner of certain parcels of real property, together with the improvements thereon, which are known as 400 N. Mechanic Street in Cumberland, MD (hereinafter referred to as the "Properties"), the Properties being more particularly described in the Land Records of Allegany County, Maryland in Book 2307, Page 310 and Book 2307, Page 315; and

WHEREAS, the Properties have been determined to be surplus property by the Mayor and City Council of Cumberland;

IT IS, THEREFORE, ORDERED, by the Mayor and City Council of Cumberland, that:

1. The Property is hereby declared to be surplus in accordance with the provisions of Section 1 of the Charter of the City of Cumberland; and
2. The Mayor and City Council of Cumberland intend to transfer the Properties to the Cumberland Economic Development Corporation (CEDC) for the amount of One Dollar (\$1.00); and
3. The after passage of twenty (20) days from the date of this Order and the passage of an Ordinance authorizing the execution of the Deed effecting the conveyance of the Properties, formal transfer of the Properties to the CEDC may proceed.

Raymond M. Morriss, Mayor



Search Result for ALLEGANY COUNTY

| View Map | | View GroundRent Redemption | | View GroundRent Registration | |
|---|--------------------------------|--|-----------------------------|------------------------------|------------------------|
| Special Tax Recapture: None | | | | | |
| Account Identifier: | | District - 05 Account Number - 007712 | | | |
| Owner Name: CUMBERLAND MAYOR & CITY COUNCIL OF | | | | | |
| Mailing Address: | | 57 N LIBERTY ST CUMBERLAND MD 21502- | | Use: | EXEMPT COMMERCIAL |
| | | | | Principal Residence: | NO |
| | | | | Deed Reference: | /02307/ 00315 |
| Premises Address: 400 N MECHANIC ST CUMBERLAND 21502-0000 | | | | | |
| | | | | Legal Description: | N MECHANIC ST 80X28 |
| Map: | Grid: | Parcel: | Neighborhood: | Subdivision: | Section: |
| 0104 | 0000 | 7101 | 10003.01 | 0000 | |
| | | | | Block: | Lot: |
| | | | | | |
| | | | | Assessment Year: | Plat No: |
| | | | | 2018 | Plat Ref: |
| Special Tax Areas: None | | | | | |
| | | | | Town: | CUMBERLAND |
| | | | | Ad Valorem: | None |
| | | | | Tax Class: | None |
| Primary Structure Built | Above Grade Living Area | Finished Basement Area | Property Land Area | County Use | |
| 1845 | 1,920 SF | | 2,240 SF | | |
| Stories | Basement | Type | Exterior | Quality | Full/Half Bath |
| | | OFFICE BUILDING | / | C3 | |
| Last Notice of Major Improvements | | | | | |
| Base Value | | | | | |
| | | Value | Phase-in Assessments | | |
| | | As of | As of | As of | |
| | | 01/01/2018 | 07/01/2019 | 07/01/2020 | |
| Land: | 5,600 | 5,600 | | | |
| Improvements | 58,400 | 61,900 | | | |
| Total: | 64,000 | 67,500 | 66,333 | 67,500 | |
| Preferential Land: | 0 | | | 0 | |
| Seller: CUMBERLAND NEIGHBORHOOD HOUSING | | | | | |
| | | Date: 06/23/2017 | Price: \$0 | | |
| Type: NON-ARMS LENGTH OTHER | | Deed1: /02307/ 00315 | Deed2: | | |
| Seller: CUMBERLAND HOSE CO NO 1 | | Date: 12/10/2004 | Price: \$0 | | |
| Type: NON-ARMS LENGTH OTHER | | Deed1: /01107/ 00118 | Deed2: | | |
| Seller: | | Date: | Price: | | |
| Type: | | Deed1: | Deed2: | | |
| Partial Exempt Assessments: Class | | | | | |
| County: | 650 | 07/01/2019 | 07/01/2020 | | |
| State: | 650 | 66,333.00 | 67,500.00 | | |
| Municipal: | 650 | 66,333.00 | 67,500.00 | | |
| | | 66,333.00 67,500.00 | 66,333.00 67,500.00 | | |
| Special Tax Recapture: None | | | | | |
| Homestead Application Status: No Application | | | | | |
| Homeowners' Tax Credit Application Status: No Application | | | | | |
| | | Date: | | | |

DEED

TAX ACCOUNT NO.: 05-007712

THIS DEED is made this 10th day of June, 2017, by and between CUMBERLAND NEIGHBORHOOD HOUSING SERVICES, INC., a Maryland corporation, of Allegany County, State of Maryland, party of the first part (hereinafter referred to as "Grantor"), and MAYOR AND CITY COUNCIL OF CUMBERLAND, a Maryland municipal corporation, of Allegany County, State of Maryland, party of the second part (hereinafter referred to as "Grantee").

WITNESSETH

THAT for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, receipt whereof is hereby acknowledged, the Grantor does hereby give, grant, bargain and sell, release, convey and confirm unto the Grantee, its successors and/or assigns, all of its right, title, interest and claim in and to the following property:

Part of town lot No. 255 in the rear of the Hose House of the Volunteer Fire Company known as the Canada Volunteer Fire Company covered by the Big Spring, the same being a part of that part of Lot No. 255 which was conveyed by Martin Gerbig and Dorothea Gerbig, his wife, by deed dated 23rd of February, 1895, and recorded in Liber No. 76, Folio 543, one of the Land Records of Allegany County. Said part hereby intended to be conveyed to the party of the second part is described as follows, to wit:

BEGINNING at the beginning of the whole lot number 255, which point is now the South East corner of the frame part of the Canada Volunteer Fire Company's Hose House and which is North 55 degrees 05 minutes West 24 feet, South 86 degrees 55 minutes West 70 feet from a stone on the south side of Mechanic Street at the North East corner of said Ernest Jahn's Saloon and running thence from said beginning with the face line of the stone wall enclosing said Big Spring South 25 degrees 40 minutes West 21-7/10 feet, South 50 degrees 45 minutes West 18-2/10 feet, South 62 degrees 25 minutes West 30-5/10 feet, South 14 degrees 45 minutes West 79-7/10 feet to Wills Creek and to the fourth line of the whole lot number 255, then with the lines of said whole lot

North 54 degrees 55 minutes West 26-9/10 feet, North 13 degrees 06 minutes East 132 feet, South 71 degrees 15 minutes East 66-5/10 feet to the beginning. The said party of the second part, its successors and assigns is hereby limited by a line drawn South 23 degrees 45 minutes West from the Northwest corner of said Canada Hose House East of which line on building shall be erected above the level of Mechanic Street. The courses of the foregoing description are referred to in the magnetic meridian of 1904.

BEING the same property previously conveyed from Mayor and City Council of Cumberland to Cumberland Neighborhood Housing Services, Inc., in a Deed of Exchange dated December 2, 2004 and recorded in Liber 1107, folio 118, among the Land Records of Allegany County, Maryland.

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 said MAYOR AND CITY COUNCIL OF CUMBERLAND, its successors and/or assigns, forever in fee simple as sole owner.

GRANTOR covenants that it will warrant specially the properties hereby conveyed and granted, and that it will execute such other and further assurances of the property as may be required.

WITNESS the due execution thereof the day and year first above written.

ATTEST:

Dawn Nider

CUMBERLAND NEIGHBORHOOD
HOUSING SERVICES, INC.

Robert Keech

Robert Keech, President of the Board of
Directors

in property has been

EXEMPT

05 OCT 12 6/11/17

Sharon L. Bishop

STATE OF MARYLAND, COUNTY OF ALLEGANY, TO WIT:

On this 10th day of June, 2017, before me, the subscriber, a Notary Robert Keech who acknowledged himself to be the President of the Board of Directors of Cumberland Neighborhood Housing Services, Inc., and that he, as President, has subscribed his name to the within instrument, and acknowledged that he has executed the same for the purposes therein contained and that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any Mortgage or Deed of Trust assumed by the Grantees, is in the total sum of (\$0.00).

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Dawn Nider
NOTARY PUBLIC

My Commission Expires:

3-27-2020

DEED ONLY - NO TITLE EXAMINATION

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Michael A. Llewellyn
MICHAEL A. LLEWELLYN

LR - Deed (No-Taxes)
Recording Fee 20.00
Name: Cumberland Mayor
and City Council
Ref:
LR - Deed (No-Taxes)
Surcharge 40.00
=====
SubTotal: 60.00
=====
Total: 180.00
08/23/2017 12:25
CC01-JB
#8617615 CC0401 -
Allegany
County/CC04.01.03 -
Register 03


Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

| 1. Transferor Information | |
|--|--|
| Name of Transferor | |
| CUMBERLAND NEIGHBORHOOD HOUSING SERVICES, INC. | |

| 2. Reason for Exemption | |
|-------------------------|---|
| Resident Status | <input type="checkbox"/> I, Transferor, am a resident of the State of Maryland. <input checked="" type="checkbox"/> Transferor is a resident entity under §10-912(A)(4) of Maryland's Tax General Article, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf. |
| Principal Residence | <input type="checkbox"/> Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC §121. |

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

| 3a. Individual Transferors | |
|----------------------------|--|
| Witness | Name |
| | Signature |
| Witness | Name |
| | Signature |
| 3b. Entity Transferors | |
| Witness/Attest | CUMBERLAND NEIGHBORHOOD HOUSING SERVICES, INC |
| | Name of Entity |
| | By:  |
| | Robert Keech |
| | Name |
| | President |
| | Title |

Source: Retrieved for Circuit Court Clerk's Recession Validation

Search Result for ALLEGANY COUNTY

| View Map | | View GroundRent Redemption | | View GroundRent Registration | |
|--|-----------------|--|-------------------------|--|--|
| Special Tax Recapture: None | | | | | |
| Account Identifier: | | District - 05 Account Number - 007240 | | | |
| Owner Name: | | CUMBERLAND MAYOR & CITY COUNCIL OF | | Use: | EXEMPT COMMERCIAL |
| Mailing Address: | | 57 N LIBERTY ST CUMBERLAND MD 21502- | | Principal Residence: | NO |
| | | | | Deed Reference: | /02307/ 00310 |
| Premises Address: | | 332 N MECHANIC ST CUMBERLAND 21502-0000 | | Legal Description: | 332 N MECHANIC ST PT LOT 255 55X120 74X 99 |
| Map: | Grid: | Parcel: | Neighborhood: | Subdivision: | Section: |
| 0104 | 0015 | 2225 | 10003.01 | 0000 | |
| Special Tax Areas: None | | | Town: CUMBERLAND | | |
| | | | Ad Valorem: None | | |
| | | | Tax Class: None | | |
| Primary Structure Built | | Above Grade Living Area | | Finished Basement Area | |
| | | | | Property Land Area 7,077 SF | |
| County Use | | | | | |
| Stories | Basement | Type | Exterior | Quality | Full/Half Bath |
| | | | | | |
| Garage | | | | | |
| Last Notice of Major Improvements | | | | | |
| | | | | | |
| Value Information | | | | | |
| | | Base Value | Value | Phase-in Assessments | |
| | | | As of | As of | As of |
| | | | 01/01/2018 | 07/01/2019 | 07/01/2020 |
| Land: | | 14,100 | 17,600 | | |
| Improvements | | 0 | 0 | | |
| Total: | | 14,100 | 17,600 | 16,433 | 17,600 |
| Preferential Land: | | 0 | | | 0 |
| Transfer Information | | | | | |
| Seller: CUMBERLAND NEIGHBORHOOD HOUSING | | Date: 06/23/2017 | | Price: \$0 | |
| Type: NON-ARMS LENGTH OTHER | | Deed1: /02307/ 00310 | | Deed2: | |
| Seller: GROSS, ROBERT A | | Date: 05/21/2008 | | Price: \$15,000 | |
| Type: NON-ARMS LENGTH OTHER | | Deed1: /01492/ 00548 | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Exemption Information | | | | | |
| Partial Exempt Assessments: | | Class | | 07/01/2019 | 07/01/2020 |
| County: | | 650 | | 16,433.00 | 17,600.00 |
| State: | | 650 | | 16,433.00 | 17,600.00 |
| Municipal: | | 650 | | 16,433.00 17,600.00 | 16,433.00 17,600.00 |
| Special Tax Recapture: None | | | | | |
| Homestead Application Information | | | | | |
| Homestead Application Status: No Application | | | | | |
| Homeowners' Tax Credit Application Information | | | | | |
| Homeowners' Tax Credit Application Status: No Application | | | | Date: | |

DEED

TAX ACCOUNT NO.: 05-007240

THIS DEED is made this 1st day of June, 2017, by and between CUMBERLAND NEIGHBORHOOD HOUSING SERVICES, INC., a Maryland corporation, of Allegany County, State of Maryland, party of the first part (hereinafter referred to as "Grantor"), and MAYOR AND CITY COUNCIL OF CUMBERLAND, a Maryland municipal corporation, of Allegany County, State of Maryland, party of the second part (hereinafter referred to as "Grantee").

WITNESSETH

THAT for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, receipt whereof is hereby acknowledged, the Grantor does hereby give, grant, bargain and sell, release, convey and confirm unto the Grantee, its successors and/or assigns, all of its right, title, interest and claim in and to the following property:

ALL that piece or parcel of ground known as part of Original Town Lot No. 255 and improved by a dwelling commonly known as Nos. 332-334 North Mechanic Street, situate, lying and being on the southwesterly side of North Mechanic Street in the City of Cumberland, Allegany County, Maryland, and more particularly described as follows, to-wit:

BEGINNING for the same at a point on the second line of the whole parcel as described in a certain deed from Robert M. Campbell et al., to Eldred A. Cromwell et ux., dated March 30, 1962, of record in Deeds Liber 345, folio 287, one of the Land Records of Allegany County, Maryland, distant South 86 degrees 55 minutes West 15.00 feet from a chiseled "X" on the brick sidewalk on the southerly side of North Mechanic Street and running thence (1) with the remainder of said second line, South 86 degrees 55 minutes West 55.00 feet to a hub set at the corner of a stone wall bordering Big Blue Spring and in the rear of the Cumberland Hose Co. No 1 firehouse; thence (2) with the outlines of the Big Blue Spring, South 25 degrees 40 minutes West 21.7 feet; thence (3) South 50 degrees 45 minutes West 18.2 feet; thence (4) South 62 degrees 25 minutes West 30.5 feet; thence (5) South 14 degrees 45 minutes West 28.19 feet, more or less, to the Local Permanent Easement line of the City of Cumberland Flood Control property line on the

northeasterly side of Wills Creek as heretofore excepted and conveyed by Robert M. Campbell et al., to the Mayor and City Council of Cumberland by deed dated October 26, 1955, of record in Deeds Liber 276, folio 224 and as shown on the Plat at folio 225; thence with said Local Permanent Easement line and by a new division line across the whole property of which this is a part, using True Meridian bearing of deed dated October 26, 1955, hereinabove referred to, (6) South 67 degrees 53 minutes East, approximately 74.50 feet to intersect a line drawn South 17 degrees 45 minutes West from the place of beginning of this description and running between the eaves of the dwellings known as No. 330 North Mechanic Street and No. 332 North Mechanic Street; thence (7) North 17 degrees 45 minutes East 120 feet, more or less, to the place of beginning.

BEING the same property previously conveyed from Kristine Shanley, Attorney-in-Fact for Robert A. Goss, to Cumberland Neighborhood Housing Services, Inc., dated May 15, 2008 and recorded in Liber 1492, folio 548, among the Land Records of Allegany County, Maryland.

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 said MAYOR AND CITY COUNCIL OF CUMBERLAND, its successors and/or assigns, forever in fee simple as sole owner.

GRANTOR covenants that it will warrant specially the properties hereby conveyed and granted, and that it will execute such other and further assurances of the property as may be required.

WITNESS the due execution thereof the day and year first above written.

ATTEST:

Dawn Nider

CUMBERLAND NEIGHBORHOOD
HOUSING SERVICES, INC.

Robert Keech
Robert Keech, President of the Board of
Directors

This property has been

EXEMPT

05 007240 6/21/17
Sharon d. Bishop

STATE OF MARYLAND, COUNTY OF ALLEGANY, TO WIT:

On this 1st day of June, 2017, before me, the subscriber, a Notary Robert Keech who acknowledged himself to be the President of the Board of Directors of Cumberland Neighborhood Housing Services, Inc., and that he, as President, has subscribed his name to the within instrument, and acknowledged that he has executed the same for the purposes therein contained and that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any Mortgage or Deed of Trust assumed by the Grantees, is in the total sum of (\$0.00).

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Dawn Nides
NOTARY PUBLIC

My Commission Expires:

3-27-2020

DEED ONLY - NO TITLE EXAMINATION

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Michael A. Llewellyn
MICHAEL A. LLEWELLYN

| | |
|------------------------|--------|
| LR - Deed (No-Taxes) | |
| Recording Fee | 20.00 |
| Name: Cumberland Mayor | |
| and City Council | |
| Ref: | |
| LR - Deed (No-Taxes) | |
| Surcharge | 40.00 |
| SubTotal: | 60.00 |
| Total: | 180.00 |
| 06/23/2017 12:25 | |
| CC01-JB | |
| #B617615 CC0401 - | |
| Allegany | |
| County/CC04.01.03 - | |
| Register 03 | |

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor

CUMBERLAND NEIGHBORHOOD HOUSING SERVICES, INC.

2. Reason for Exemption

| | |
|----------------------------|---|
| Resident Status | <input type="checkbox"/> I, Transferor, am a resident of the State of Maryland. <input checked="" type="checkbox"/> Transferor is a resident entity under §10-912(A)(4) of Maryland's Tax General Article, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf. |
| Principal Residence | <input type="checkbox"/> Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC §121. |

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name

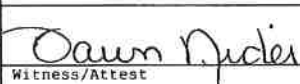
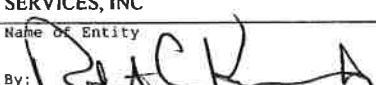
Signature

Witness

Name

Signature

3b. Entity Transferors

| | |
|---|--|
|  Witness/Attest | CUMBERLAND NEIGHBORHOOD HOUSING SERVICES, INC |
| | Name of Entity |
| | By:  |
| | Robert Keech |
| | Name |
| | President |
| | Title |

| State of Maryland Land Instrument Intake Sheet <input type="checkbox"/> Baltimore City <input checked="" type="checkbox"/> County, <u>Allegany</u> <i>Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.</i> (Type or Print in Black Ink Only—All Copies Must Be Legible) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---|------------|--------------------------------------|---|--|--|----------|-------------------------|---------------------|-----|------------|----------|----|--------|----------|-----|------|-----|------------------|--|----------|------------|--------------|-----------|--|--|--|--|--|------------------|---|--|--|--|--|--|---|--|--|--|--|--|--|--|--|--|--|-------------------------|--|--|--|--|--|--|---|--|--|--|--|--|--|--|--|--|--|--|
| 1 | Type(s) of Instruments | <input type="checkbox"/> Check Box if addendum Intake Form is Attached | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <input checked="" type="checkbox"/> Deed <input type="checkbox"/> Deed of Trust <input type="checkbox"/> Improved Sale Arms-Length [1] <input type="checkbox"/> Unimproved Sale Arms-Length [2] <input type="checkbox"/> Multiple Accounts Arms-Length [3] <input type="checkbox"/> Not an Arms-Length Sale [9] | <input type="checkbox"/> Mortgage Lease <input type="checkbox"/> Other _____ | | <input type="checkbox"/> Other _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Conveyance Type Check Box | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Tax Exemptions (if applicable) | Recordation _____ State Transfer _____ County Transfer _____ Cite or Explain Authority _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Consideration and Tax Calculations | Consideration Amount Purchase Price/Consideration \$ 0.00 Any New Mortgage \$ _____ Balance of Existing Mortgage \$ _____ Other: \$ _____ Other: \$ _____ Full Cash Value: \$ _____ | | | | Finance Office Use Only Transfer and Recordation Tax Consideration Transfer Tax Consideration \$ _____ X () % = \$ _____ Less Exemption Amount - \$ _____ Total Transfer Tax = \$ _____ Recordation Tax Consideration \$ _____ X () per \$500 = \$ _____ TOTAL DUE: \$ _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | Fees | Amount of Fees Recording Charge \$ 0.00 Surcharge \$ 0.00 State Recordation Tax \$ _____ State Transfer Tax \$ _____ County Transfer Tax \$ _____ Other \$ _____ Other \$ _____ | | Doc. 1 Doc. 2 | | Agent _____ Tax Bill: _____ C.B. Credit: _____ Ag. Tax/Other: _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i). | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>District</th> <th>Property Tax ID No. (1)</th> <th>Grantor Liber/Folio</th> <th>Map</th> <th>Parcel No.</th> <th>Var. LOG</th> </tr> <tr> <td>05</td> <td>007240</td> <td>1492/548</td> <td>104</td> <td>2225</td> <td>(S)</td> </tr> <tr> <td colspan="2">Subdivision Name</td> <td>Lot (3a)</td> <td>Block (3b)</td> <td>Sect/AR (3c)</td> <td>Plat Ref.</td> </tr> <tr> <td colspan="2"></td> <td></td> <td></td> <td></td> <td>SqFt/Acreage (4)</td> </tr> <tr> <td colspan="6">Location/Address of Property Being Conveyed (2)</td> </tr> <tr> <td colspan="6">332 N. Mechanic St., Cumberland, MD 21502</td> </tr> <tr> <td colspan="5">Other Property Identifiers (if applicable)</td> <td>Water Meter Account No.</td> </tr> <tr> <td colspan="6">Residential <input type="checkbox"/> or Non-Residential <input checked="" type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount: _____</td> </tr> <tr> <td colspan="6">Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Description/Amt. of SqFt/Acreage Transferred: 7,077 sq. ft.</td> </tr> <tr> <td colspan="6">If Partial Conveyance, List Improvements Conveyed: _____</td> </tr> </table> | | | | | | District | Property Tax ID No. (1) | Grantor Liber/Folio | Map | Parcel No. | Var. LOG | 05 | 007240 | 1492/548 | 104 | 2225 | (S) | Subdivision Name | | Lot (3a) | Block (3b) | Sect/AR (3c) | Plat Ref. | | | | | | SqFt/Acreage (4) | Location/Address of Property Being Conveyed (2) | | | | | | 332 N. Mechanic St., Cumberland, MD 21502 | | | | | | Other Property Identifiers (if applicable) | | | | | Water Meter Account No. | Residential <input type="checkbox"/> or Non-Residential <input checked="" type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount: _____ | | | | | | Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Description/Amt. of SqFt/Acreage Transferred: 7,077 sq. ft. | | | | | | If Partial Conveyance, List Improvements Conveyed: _____ | | | | | |
| District | Property Tax ID No. (1) | Grantor Liber/Folio | Map | Parcel No. | Var. LOG | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 05 | 007240 | 1492/548 | 104 | 2225 | (S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Subdivision Name | | Lot (3a) | Block (3b) | Sect/AR (3c) | Plat Ref. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | SqFt/Acreage (4) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Location/Address of Property Being Conveyed (2) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 332 N. Mechanic St., Cumberland, MD 21502 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other Property Identifiers (if applicable) | | | | | Water Meter Account No. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential <input type="checkbox"/> or Non-Residential <input checked="" type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount: _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Description/Amt. of SqFt/Acreage Transferred: 7,077 sq. ft. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| If Partial Conveyance, List Improvements Conveyed: _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | Transferred From | Doc. 1 – Grantor(s) Name(s) Cumberland Neighborhood Housing Services, Inc. | | | Doc. 2 – Grantor(s) Name(s) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | Transferred To | Doc. 1 – Owner(s) of Record, if Different from Grantor(s) | | | Doc. 2 – Owner(s) of Record, if Different from Grantor(s) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Doc. 1 – Grantee(s) Name(s) Mayor and City Council of Cumberland | | | Doc. 2 – Grantee(s) Name(s) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | New Owner's (Grantee) Mailing Address 57 N. Liberty St., Cumberland, MD 21502 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | Other Names to Be Indexed | Doc. 1 – Additional Names to be Indexed (Optional) | | | Doc. 2 – Additional Names to be Indexed (Optional) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | Contact/Mail Information | Instrument Submitted By or Contact Person Name: Michael A. Llewellyn Firm: Geppert, McMullen, Payne & Getty Address: 21 Prospect Square, Cumberland, MD 21502 Phone: (301) 777-1515 | | | | <input checked="" type="checkbox"/> Return to Contact Person <input type="checkbox"/> Hold for Pickup <input type="checkbox"/> Return Address Provided | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11 | IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Assessment Information | Will the property being conveyed be the grantee's principal residence? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Does transfer include personal property? If yes, identify: _____ Was property surveyed? If yes, attach copy of survey (if recorded, no copy required) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assessment Use Only – Do Not Write Below This Line | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Terminal Verification | | Agricultural Verification | | Whole Part | | Tran. Process Verification | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Transfer Number | Date Received: | Deed Reference: | | Assigned Property No.: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Year | 20 | 20 | Geo. | Map | Sub | Block | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Land | | | Zoning | Grid | Plat | Lot | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Buildings | | | Use | Parcel | Section | Occ. Cd. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total | | | Town Cd. | Ex. St. | Ex. Cd. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| REMARKS: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Space Reserved for County Validation

Space Reserved for Circuit Court Clerk Recording Validation

Item Attachment Documents:

Order 26,596 - approving Amendment #7 to the Community Development Block Grant (CDBG) program funding pertaining to the Dental Access Program

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

ORDER NO. 26,596

DATE: January 21, 2020

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

THAT, the following amendments to the Community Development Block Grant Program
be and are hereby approved effective January 21, 2020:

| Program | Current | Amendment | New Total |
|--------------------------------------|----------------|------------------|------------------|
| 2019 AHEC West Denture Program | \$7,000 | (\$7,000) | 0 |
| 2019 AHEC West Dental Access Program | \$8,000 | \$7,000 | \$15,000 |

Raymond M. Morriss, Mayor

Public Notice of Intent to Reprogram Community Development Block Grant Funds

Amendment #71125019

City of Cumberland

In accordance with federal regulations governing the Consolidated Planning process, the City of Cumberland is notifying the public regarding a proposal to reprogram Community Development Block Grant (CDBG) funds from activities affecting the 2019 Annual Action Plan. Reprogramming CDBG funds in a timely manner enables the City to comply with HUD "Timeliness" standards and allows the funds to be used on "shovel ready" activities.

The changes proposed for the FY 2019 Annual Action Plan primarily involve deleting funds associated with the AHEC West Denture project and reallocating these funds to the AHEC West Dental Access project. AHEC West requested to terminate their 2019 AHEC West Denture project (RR19053) originally funded at \$7,000. The funds were allocated for grants to qualifying individuals to acquire dentures at no cost. It was discovered that the denture program is designed to more efficiently provide dentures using alternative funding sources. AHEC West requested that funds (\$7,000) originally allocated for the denture project be transferred to their 2019 AHEC West Dental Access project (RR19019) which was originally funded at \$8,000 because program design is more similar to, and more suitable for, efficiently spending Community Development Block grant funds.

As a result of the aforementioned proposed changes to the 2019 Annual Action Plan, the FY 2019 AHEC West Denture project is to be canceled and funding for the AHEC West Dental Access project is to be increased from \$8,000 to \$15,000. The 2019 application documented need in excess of the original \$8,000 grant and great need still exists for emergency dental services for qualifying low-moderate income City of Cumberland residents.

Written comments concerning the proposed amendment may be provided effective Friday, December 20, 2019 through 4 PM Tuesday, January 21, 2020. Provide written comments to the City of Cumberland, Department of Community Development by mail to 57 N. Liberty Street, Cumberland, Maryland or email at lee.borror@cumberlandmd.gov. This Amendment to the 2019 Community Development Block Grant Annual Plan will be considered by Mayor and City Council at the regular meeting on Tuesday, January 21, 2020 in Council Chambers at City Hall at 6:15 PM.

ADV: Friday, December 20, 2019

Item Attachment Documents:

Order 26,597 - authorizing execution of a Bill of Sale with MD Broadband Cooperative, Inc.
to sell, assign and deliver certain assets to MD Broadband relative to the MOU pertaining
to the construction of fiber optic infrastructure in the area of downtown Cumberland

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

ORDER NO. 26,597

DATE: January 21, 2020

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

THAT, the Mayor be and is hereby authorized to execute a Bill of Sale by and between the Mayor and City Council of Cumberland and Maryland Broadband Cooperative, Inc., to sell, assign and deliver certain assets to Maryland Broadband relative to the Memorandum of Understanding pertaining to the construction of fiber optic infrastructure in the area of downtown Cumberland.

Raymond M. Morriss, Mayor

BILL OF SALE

The Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland acting by and through its Mayor and City Council (the “**Seller**”) and **MARYLAND BROADBAND COOPERATIVE, INC.**, a Maryland consumer cooperative corporation with its principal offices located at 2129A Northwood Drive, Salisbury, Maryland (the “**Purchaser**”) have entered into a Memorandum of Understanding contemporaneously herewith (the “**Agreement**”), whereby Seller has agreed to sell, assign and deliver to Purchaser, and Purchaser has agreed to purchase and acquire, certain assets. All capitalized terms used herein without definition shall have the respective meanings ascribed to them in the Agreement.

NOW, THEREFORE, Seller, for good and valuable consideration, as set forth in the Agreement, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys, assigns, releases, transfers and delivers to Purchaser, its successors and assigns, absolutely to have and to hold the same forever, subject however to all rights of reversion contained in the Agreement, all of Seller’s rights, title and interest in and to, as well as good and marketable title to, the Fiber System, as defined in the Agreement and described in Exhibit 1 attached hereto, and Seller assigns to Purchaser all third party express or implied warranty rights relating to the construction of the Fiber System and materials incorporated into the Fiber System. This Bill of Sale is being executed and delivered as a condition to the Agreement and is expressly hereby made subject to and shall have the benefits of the respective representations, warranties, covenants, terms, conditions, limitation and other provisions of the Agreement.

Seller owns outright and has full legal right, title and authority to sell, transfer, convey, assign and deliver to Purchaser, and Purchaser hereby shall have, good, valid and marketable title to and ownership of the Fiber System, free and clear of any and all liens, encumbrances or other restrictions of every kind, nature, description or character whatsoever, including, without limitation, the claims or liens of any back or taxing authority, and any and all claims or rights of others.

Purchaser shall quietly enjoy the Fiber System hereby sold, transferred, conveyed, assigned and delivered.

Seller further covenants and agrees that it will, from time to time, make, execute and deliver or cause to be made, executed and delivered all such other instruments, documents and other assurances as Purchaser may reasonably require to confirm or more effectively convey, transfer to and vest in Purchaser title to the assets described above.

This Bill of Sale shall be binding upon the Seller and its successors and assigns, and shall inure to the benefit of and be enforceable by Purchaser and its successors and assigns.

[Signature Page Follows]

IN WITNESS WHEREOF, Seller has caused this Bill of Sale to be executed in its name by its duly authorized officer as of _____, 2020.

WITNESS:

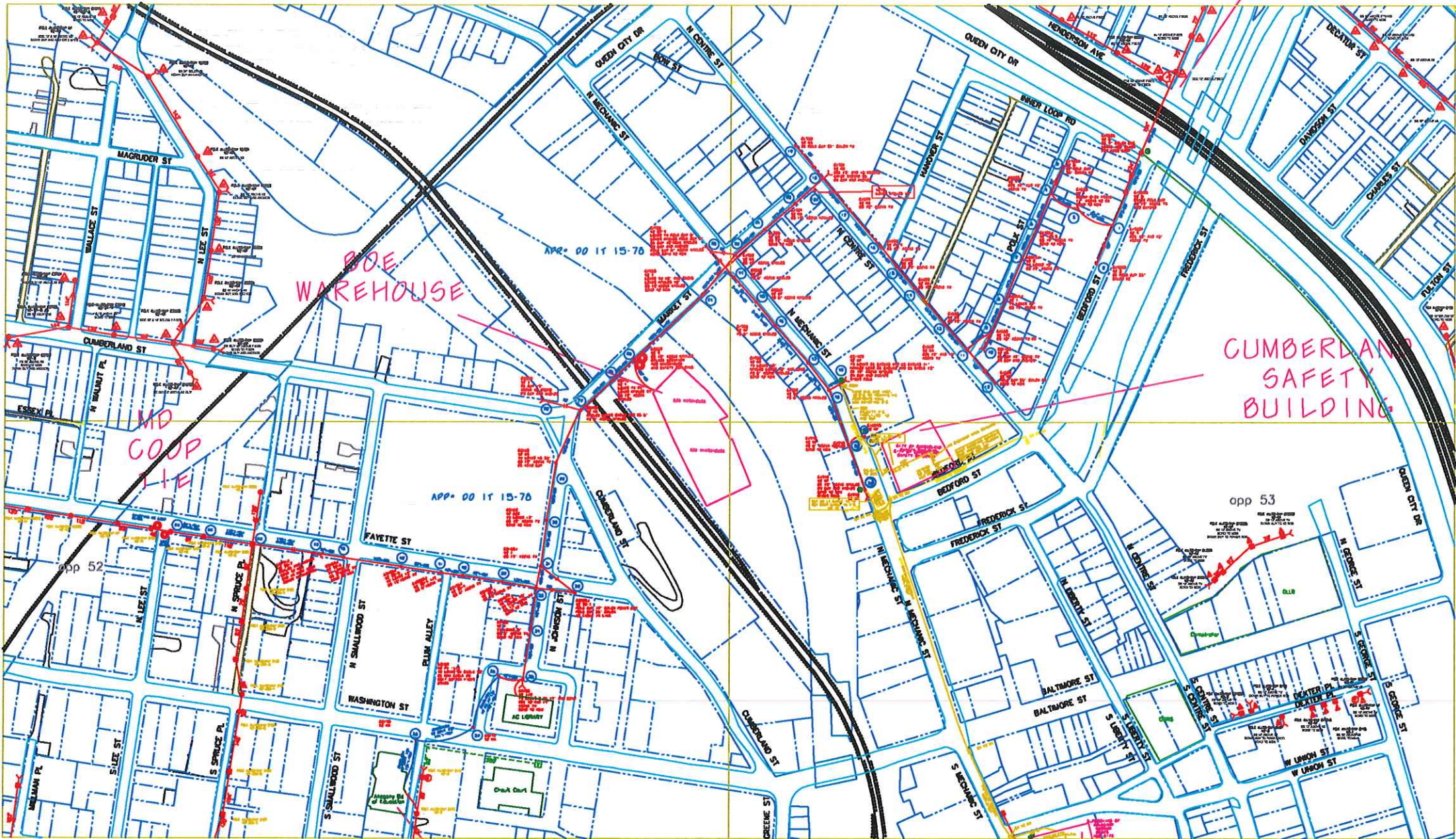
MAYOR AND CITY COUNCIL OF CUMBERLAND

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

DOWNTOWN CUMBERLAND EXPANSION

GENERAL NOTES

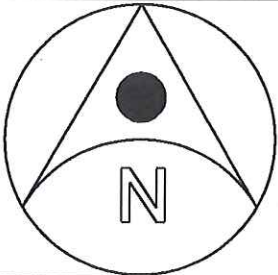
1. ALL WORK WILL COMPLY WITH APPLICABLE LOCAL, STATE, AND FEDERAL REGULATORY AGENCIES, INCLUDING, BUT NOT LIMITED TO, OSHA, NESC, DOT, RPA, ETC. GENERAL NOTES WILL APPLY TO ALL DRAWINGS.
2. THE CONTRACTOR WILL NOTIFY (IF APPLICABLE) THE ADJACENT PROPERTY OWNERS A MINIMUM OF 24 HOURS IN ADVANCE OF CONSTRUCTION.
3. ALL TRAFFIC CONTROL DEVICES WILL BE IN PLACE PRIOR TO CONSTRUCTION. DEVICES NO LONGER NEEDED WILL BE REMOVED AS QUICKLY AS POSSIBLE.
4. PEDESTRIAN TRAFFIC AREAS MUST BE MAINTAINED AT ALL TIMES. PEDESTRIANS WILL NOT BE ROUTED ON TO PRIVATE PROPERTY.
5. NO MATERIALS OR EQUIPMENT WILL BE STORED OR ALLOWED TO STAND UNPROTECTED WHERE PEDESTRIAN OR VEHICULAR TRAFFIC IS PRESENT.
6. NO EQUIPMENT OR MATERIALS WILL BE STORED ON ROAD SURFACE DURING NON-WORK PERIODS.
7. EQUIPMENT OR MATERIALS MAY BE STORED ON THE SIDEWALK IN FULL COMPLIANCE WITHIN THE PROVISIONS OF THE PERMIT AND IN COOPERATION WITH THE WISHES OF THE PERMITTING AUTHORITY INSPECTORS.
8. EXCAVATION MATERIAL WILL BE STORED AWAY FROM THE PACED ROADWAY. ALL SPILLED MATERIAL WILL BE PICKED UP IMMEDIATELY.
9. RESTORATION WILL BE TEMPORARY I.e. 4" OF HOT MIX ASPHALT (COLD MIX WHEN THE PLANTS ARE CLOSED) AND TRENCH WIDTH.
10. MUNICIPAL ROAD SIGNS, DELINEATORS, GUARDRAILS, ETC. WILL NOT BE REMOVED WITHOUT PRIOR WRITTEN PERMISSION FROM THE APPROVING AUTHORITY.
11. ALL WORK WILL BE PERFORMED IN ACCORDANCE WITH THE CITY, COUNTY, AND STATE SPECIFICATIONS AND STANDARDS.



BOE ADMINISTRATION

ALLEGANY MUSEUM

| PAGE NUMBER | SHEET INDEX |
|------------------|-----------------------------------|
| | COVER |
| | SCHEMATIC |
| | POLE ATTACHMENT SPREAD SHEET |
| | DETAILS AND NOTES |
| STRAND MAP | SHEET 1 |
| STRAND MAP 196 | SHEET 2 |
| STRAND MAP 200 | SHEET 3 |
| STRAND MAP 199-1 | SHEET 4 |
| SITE 1 | BOE WAREHOUSE |
| SITE 2 | BOE ADMINISTRATION |
| SITE 3 | CUMBERLAND PUBLIC SAFETY BUILDING |
| SITE 4 | ALLEGANY COUNTY MUSEUM HUB sht 1 |
| SITE 4 | ALLEGANY COUNTY MUSEUM HUB sht 2 |



FOR LOCATION OF UTILITIES
CALL 24 HOURS A DAY
1-800-257-7777
48 HOURS IN ADVANCE OF
ANY WORK IN THIS VICINITY

| DESIGNED BY: SKYLINE/LES | | | |
|-----------------------------------|-----------|------|----|
| DRAWN BY: LES CHECKED BY: EICHORN | | | |
| REV. | REVISIONS | DATE | BY |
| | | | |
| | | | |
| | | | |

ALLEGANY COUNTY
BOARD OF EDUCATION
AND THE CITY OF
CUMBERLAND


SITES THIS PROJECT:
CITY SAFETY BUILDING
BOE WAREHOUSE
BOE ADMIN. BUILDING
MUSEUM HUB SITE

DATE: 12-30-15
SCALE: NA
CUMBERLAND SITES

\\:\Skyline Network Engineering\Customers\DoIT\DoIT Tickets- Projects\DoIT Ticket 1668 DHMH 107 Williams St Berlin\Engineering Plans\WR TM 1668 107 Williams St.DWG

PROPOSED

| | |
|--|-------------------------------------|
| | PROPOSED FIBER (UNDERGROUND) |
| | PROPOSED FIBER (ISP) |
| | PROPOSED FIBER (AERIAL) |
| | PROPOSED FIBER (THROUGH EX CONDUIT) |
| | PROPOSED DOLT HAND HOLE |
| | PROPOSED UTILITY POLE |
| | AERIAL STORAGE |
| | DOWN GUY |
| | S/W DOWN GUY & ANCHOR |
| | DOWN GUY & ANCHOR |
| | ANCHOR |
| | REDUCE GRADE POLE GUY |
| | RISER POLE |


 PREPARED FOR:
 State of Maryland— DoIT
 45 Calvert St
 Annapolis, MD 21401

MyTime Technology Solutions
 SCALE: NO SCALE

Date: _____ SHEET 1

Filename: W7 TM 1

X:\Skyline Network Engineering\Customers\DoIT Tickets- Projects\DoIT Tickets- Berlin Engineering Plans\WR TM 1668 107 Williams St.DWG

SITE CONDITIONS

THE ACTUAL LOCATION OF EXISTING CONDUIT AND CABLES MAY VARY FROM THE LOCATION SHOWN. REPAIR OF ANY DAMAGED CONDUIT CONTAINING CABLE SHALL BE MADE BY USE OF PVC SPLIT DUCT. THE CONTRACTOR SHALL ENCLOSE THE EXISTING CABLES IN PVC.

THE LOCATIONS OF EXISTING UTILITIES SHOWN IN THIS PLAN ARE APPROXIMATE. WHEN WORK IS TO BE CONDUCTED IN THE VICINITY OF KNOWN UTILITIES, THEIR ACTUAL LOCATION MUST BE FIELD VERIFIED TO AVOID CONFLICTS OR DAMAGE TO THOSE UTILITIES. VARIATION IN LOCATION BETWEEN "RECORDED POSITIONS" AND ACTUAL POSITIONS SHOULD BE ANTICIPATED.

IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES. BURIED UTILITIES MAY EXIST IN THE AREA IN ADDITION TO THOSE SHOWN ON THE PLAN. THE CONTRACTOR SHALL CONTACT PROPERTY OWNERS WHEN WORKING WITHIN PRIVATE EASEMENTS FOR LOCATION OF UNDERGROUND TANKS, PIPELINES, DRAIN TILES, OR OTHER BURIED IMPROVEMENTS. THE CONTRACTOR SHALL ALSO NOTIFY THE UTILITY NOTIFICATION CENTER PRIOR TO COMMENCING ANY CONSTRUCTION ACTIVITIES.

THE CONTRACTOR MUST ASSUME ALL BURIED UTILITIES ENCOUNTERED ARE ALIVE AND ACTIVE UNLESS SPECIFICALLY INSTRUCTED OTHERWISE BY THE OWNERS OR OPERATORS OF SAID UTILITIES.

DAMAGE TO SUB-SURFACE STRUCTURES IS THE SOLE RESPONSIBILITY OF THE PLACING CONTRACTOR.

THE CONTRACTOR SHALL PROTECT THE EXISTING TRAFFIC CONTROL LOOPS. IF EXISTING TRAFFIC CONTROL LOOPS ARE DAMAGED DURING CONSTRUCTION, THE ENTIRE LOOPWIRE FROM FROM TERMINAL TO TERMINAL SHALL BE RED IN ACCORDANCE WITH GOVERNING AGENCY STANDARDS AND REGULATIONS AT CONTRACTOR'S EXPENSE.

REMOVAL OF EXISTING ASPHALT PAVEMENT, CONCRETE CURBS, AND CONCRETE SIDEWALKS WILL BE "NEAT LINE" WITH SAW OR PAVEMENT CUTTER, PER REQUIREMENTS AND SPECIFICATIONS OF THE AGENCY OR DEPARTMENT RESPONSIBLE FOR EACH LOCATION. IF CONCRETE PAVEMENT IS ENCOUNTERED WHILE EXCAVATING CONDUIT TRENCHES, THE CONCRETE REMOVAL WILL BE "NEAT LINE" WITH A PAVEMENT SAW.

IF CONCRETE CURB RETURNS AND/OR SIDEWALKS ARE RED DUE TO CONDUIT OR MANHOLE INSTALLATION, THE CONTRACTOR SHALL APPROVED HANDICAPPED SIDEWALK AND CURB ACCESS RAMPS IN CONFORMANCE WITH STATE STATUTES.

ALL MATERIALS NECESSARY FOR THE REPAIR OF STREETS, CURBS, SIDEWALKS, SANITARY SEWERS, STORM SEWERS, AND PUBLIC SERVICE UTILITIES, AND THE INSTALLATION OF SUCH MATERIALS SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS AND SPECIFICATIONS OF THE AGENCY OR DEPARTMENT RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE REPAIRED FACILITY.

ALL WORK SHALL CONFORM TO THE SPECIFICATIONS OF THE JURISDICTIONAL PERMIT AGENCY.

ALL OPEN TRENCH WILL BE CLEARLY MARKED WITH BARRICADES OR CONES. STEEL PLATES OR OTHER TYPES OF BRIDGING SHALL BE PROVIDED TO COVER OPEN TRENCH IN THE TRAVEL PORTION OF THE STREETS. THESE PLATES OR BRIDGING SHALL BE ADEQUATE TO SUPPORT THE NORMAL VEHICLE LOADS ANTICIPATED IN THIS AREA AND SHALL BE IN DURING ALL NON-WORKING AREAS.

ALL SURFACES TO BE RESTORED TO ORIGINAL CONDITION, AND BACKFILL TO BE COMPACTED AS SPECIFIED. TRENCH EXCAVATION IN SURFACES WHICH INCLUDE CONCRETE TREATED BASE SHALL FOLLOW LOCAL AREA SPECIFICATIONS.

TRAFFIC CONTROL

THIS PROJECT WILL INVOLVE WORKING ALONG A MAJOR ARTERIAL ROAD AND HEAVY TRAFFIC VOLUME SHOULD BE ANTICIPATED.

UNIFORM TRAFFIC FLOW SHALL BE MAINTAINED AT ALL TIMES. ONLY EQUIPMENT AND MATERIALS NECESSARY FOR IMMEDIATELY SCHEDULED OR IN PROGRESS WORK WILL BE MAINTAINED IN THE WORK AREA. ALL OTHER EQUIPMENT AND MATERIALS WILL BE "STORED OR STOCKPILED" IN SUCH A MANNER AS TO ELIMINATE HAZARDOUS CONDITIONS FOR TRAFFIC OR PEDESTRIANS DURING NON-WORKING OR SHUT DOWN PERIODS.

TRAFFIC WARNING DEVICES AND SIGNS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS (U.S. GOVERNMENT PRINTING OFFICE) AND TO THE MARYLAND STATE HIGHWAY DIVISION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION. HIGH LEVEL WARNING TYPE DEVICES ARE TO BE USED AT ALL TIMES AND SPECIAL WARNING DEVICES MAY BE STIPULATED BY THE JURISDICTIONAL PERMIT AGENCY AT ANY TIME THE USE WILL ADD TO THE SAFETY AND PROTECTION OF TRAFFIC OR PEDESTRIANS IN THE CONSTRUCTION AREA.

ALL CONDUIT TRENCHING IN PAVED AREAS SHALL BE BACKFILLED WITH CRUSHED GRAVEL OR COMPLETELY COVERED AT THE COMPLETION OF EACH WORKING DAY. ANY BACKFILLED TRENCH SHALL BE CAPPED WITH A MINIMUM LAYER OF ASPHALTIC CONCRETE COLD PATCH AT THE END OF EACH WORKING DAY.

THE CONTRACTOR SHALL MARK THE CONDUIT TRENCH AND DEFINE HIS CONSTRUCTION AREA CLEARLY WITH BARRICADES, CONES, AND/OR OTHER VISIBLE METHODS THAT ALERT THE PUBLIC OF THE CONSTRUCTION ACTIVITY.

A TRAFFIC CONTROL PLAN SHALL BE PREPARED BY THE CONTRACTOR AS REQUIRED AND SUBMITTED TO EACH PERMITTING AGENCY REQUESTING SUCH PLAN FOR REVIEW AND APPROVAL OR REVISION PRIOR TO COMMENCING ANY CONSTRUCTION ACTIVITY FOR THIS PROJECT. THE APPROVED PLAN SHALL BE SUBMITTED TO THE AGENCY AND A COPY OF THE PLAN SHALL BE KEPT AT THE CONSTRUCTION SITE AND MUST BE READILY AVAILABLE FOR REVIEW BY AGENCY REPRESENTATIVES.

AERIAL NOTES

- AERIAL CONSTRUCTION AND FIBER MENT TO BE PERFORMED TO ACCEPTABLE INDUSTRY STANDARDS.
- ALL HEIGHTS OF D CABLE WILL BE RECORDED IN THE AS-BUILDS.
- 1/4-INCH 6.6M EHS GALVANIZED STRAND WILL BE USED WITH THE APPROPRIATE HARDWARE, UNLESS OTHERWISE SPECIFIED
- 3-INCH FLANGED GALVANIZED RISER GUARD WILL BE USED WITH THE APPROPRIATE HARDWARE.
- ALL FIBER OPTIC CABLES WILL BE DOUBLE LASHED.
- STAINLESS STEEL LASHING WIRE, 0.045-INCH DIAMETER WILL BE USED WITH THE APPROPRIATE HARDWARE.

NOTE:
TASK ORDER CONTRACTOR TO ADHERE TO MARYLAND STATE HIGHWAY ADMINISTRATION'S STANDARDS SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS (GRAY BOOK) DATED JULY 2008'

PERMITS -- FRANCHISES -- EASEMENTS

PHYSICAL WORK SHALL NOT BE STARTED UNTIL THE GOVERNING AGENCY INSPECTOR AND THE CONTRACTOR ARE IN POSSESSION OF AND HAVE CAREFULLY REVIEWED AND FULLY UNDERSTAND ALL CONDITIONS AND SPECIFICATIONS SET FORTH IN THE REQUIRED PERMITS, FRANCHISES, AND/OR EASEMENTS.

PLACING FOREMAN TO HAVE A COPY OF THE PERMITS/EASEMENTS ON SITE AT ALL TIMES.

ANY CONFLICT BETWEEN WORK PRINT SPECIFICATIONS AND SPECIFICATIONS SET FORTH UNDER RELATED PERMITS, FRANCHISES, AND/OR EASEMENTS MUST BE CLEARED BY PROPER COMPANY AUTHORITY BEFORE PROGRESSING WITH WORK INVOLVED.

CONDUITS

CONDUIT WILL BE HDPE SDR11 DIRECTIONAL BORE UNLESS OTHERWISE SPECIFIED.

CONTRACTOR SUPPLIED MATERIALS SHALL CONFORM TO THE JURISDICTIONAL PERMIT AGENCY AND OWNER SPECIFICATIONS.

ALL CONTRACTOR SUPPLIED MATERIALS SHALL INCLUDE A CERTIFIED TEST REPORT CLEARLY STATING THAT THOSE SUPPLIED MATERIALS COMPLY WITH ANY SUCH SPECIFICATION.

CONDUIT IN LOCATION SHOWN ON PRINTS WITH MINIMUM COVER OF 60" ON SHA ROAD CROSSINGS AND A MINIMUM OF 36" ON SHA & COUNTY RIGHT-OF-WAYS, UNLESS OTHERWISE SPECIFIED.

TOTAL LENGTH OF TRENCH OPEN AT ANY ONE TIME TO BE KEPT TO A MINIMUM.

UTILITY SERVICES

LANDSCAPE AREAS SERVED BY IRRIGATION SYSTEMS SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION BY THE UTILIZATION OF TEMPORARY SOURCES OF IRRIGATION WATER OR BY MAKING TEMPORARY REPAIRS TO THE DAMAGED SYSTEM TO ALLOW ITS SATISFACTORY OPERATION.

ANY UTILITY DAMAGED BY CONSTRUCTION ACTIVITY SHALL BE RETURNED TO FULL SERVICE IMMEDIATELY AND ANY COST OR EXPENSE CONSIDERED TO BE LOST BY THE UTILITY USER SHALL BE THE CONTRACTOR'S RESPONSIBILITY.

LANDSCAPING

TREES AND SHRUBS TO BE D, TRIMMED, OR REMOVED SHALL BE IDENTIFIED PRIOR TO ALL SUCH ACTIVITY TO VERIFY THE NECESSITY OF SAID ACTION AND THE METHOD OF DEALING WITH THEM.

TREE AND SHRUB TRIMMING SHALL BE DONE BY A LICENSED LANDSCAPER AND SHALL CONFORM TO THE STANDARDS OF THE AMERICAN NURSERYMAN'S ASSOCIATION.

TREES AND SHRUBS TO BE D AS SIGHT SCREENING OR TO RE TREES AND SHRUBS REMOVED FOR CONSTRUCTION SHALL MEET AMERICAN NURSERYMAN'S ASSOCIATION STANDARDS FOR QUALITY AND SIZE. REMENT TREES AND SHRUBS SHALL SATISFY THE PROPERTY OWNER AS TO SIZE AND QUALITY.

EXCAVATION IN LAWN AREAS SHALL BE "NEAT LINED" WITH A SOD CUTTER TO ENSURE A SMOOTH MATCH LINE FOR REPAIR WITH APPROVED SOD.

ALL LAWN RESTORATION SHALL BE DONE BY USING SOD D TO THE GROWER/SUPPLIERS SPECIFICATIONS AND ADJACENT PROPERTY OWNER'S SPECIFICATIONS.

SOD USED TO REPAIR EXISTING LAWN AREA SHALL BE OF A BLEND THAT WILL MATCH THE ADJACENT UNDISTURBED LAWN AREA FOR BOTH COLOR AND TEXTURE.

PRIVATE IRRIGATION SYSTEMS ARE OCCASIONALLY LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY OF ADJACENT STREET AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THEIR OPERATION AND REPAIR IF DAMAGE OCCURS DURING HIS CONSTRUCTION ACTIVITY. PRIVATE IRRIGATION SYSTEMS LOCATED ON PRIVATE PROPERTY DAMAGED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IMMEDIATELY TO THE OWNER'S SATISFACTION AT NO COST TO THE OWNER.

IN DEVELOPED (PROFESSIONALLY) LANDSCAPED AREAS, NO WORK SHALL BE DONE WITHOUT THE OWNER'S WRITTEN PERMISSION OR AUTHORIZATION.

TEMPORARY BACKFILL

THE CONTRACTOR SHALL BE REQUIRED TO MAINTAIN NORMAL TRAFFIC MOVEMENT DURING NON-WORK PERIODS FOR ALL CONSTRUCTION ACTIVITY WITHIN THE LIMITS OF CITY STREETS BY THE USE OF STEEL PLATES (DESIGNED FOR H-20 LOADING) OR BACKFILLING THE TRENCH. IF THE CONTRACTOR ELECTS TO BACKFILL THE TRENCH HE SHALL "CAP" THE TRENCH WITH A 2" (COMPACTED MINIMUM) DEPTH OF CLASS "C" ASPHALTIC CONCRETE COLD MIX. IF THE CONTRACTOR ELECTS TO PLATE THE TRENCH THE PLATES SHALL BE PINNED AT EACH CORNER AND THE EDGES SHALL BE "RAMPED" WITH CLASS "C" ASPHALTIC CONCRETE COLD MIX TO PREVENT "WHEEL SHOCK" ON IMPACT. COLD MIX SHALL BE COMPACTED AND SMOOTH IN EITHER TYPE OF INSTALLATION. TO PREVENT SKIDDING, TRAFFIC PLATES SHALL BE TREATED WITH WELD BEADS TO PROVIDE TRACTION. WELD BEADS SHALL BE LOCATED 4" ON CENTER AND EXTEND THROUGH THE TRAVEL PORTIONS OF THE PLATES.

BACKFILL

BACKFILL OF CONDUIT TRENCH OR MANHOLE EXCAVATION SHALL BE 3/4" - 0 CRUSHED ROCK D IN 6" LIFTS AND COMPACTED WITH MECHANICAL VIBRATING TYPE COMPACTION EQUIPMENT TO 95% OF MAXIMUM DRY DENSITY (ASTM D-1550 OR AASHTO T-180) UNDER ALL PAVED SURFACES UNLESS OTHERWISE SPECIFIED.

BACKFILL OF CONDUIT TRENCH OR MANHOLE EXCAVATION IN NON-PAVED AREAS SHALL BE CLEAN SAND OR SILTY LOAM SOILS D IN 1'-0" LIFTS COMPACTED BY MECHANICAL VIBRATING TYPE COMPACTION EQUIPMENT TO 95% OF MAXIMUM DRY DENSITY (ASTM D698 OR AASHTO T-99) UNLESS OTHERWISE SPECIFIED.

SAND MAY BE WATER SETTLED IF THAT TYPE OF COMPACTION IS ALLOWED BY THE PERMITTING AGENCY IN EITHER PAVED OR NON-PAVED SITUATIONS. THE CONTRACTOR SHALL VERIFY THE TYPE OF COMPACTION ALLOWED PRIOR TO BEGINNING ANY BACKFILL ACTIVITY.

BACKFILL SHALL BE D IN ACCORDANCE WITH THE SPECIFICATIONS AND REGULATIONS OF THE JURISDICTIONAL PERMIT AGENCY.

CONSTRUCTION SET



6956-F AVIATION BOULEVARD
GLEN BURNIE, MD 21061
410-553-2600
WWW.SKYLINETECH.COM

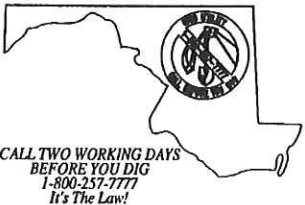
DESIGNED BY: S CRAWFORD

CHECKED BY: N GIRARD

DRAWN BY: N CALEO

REVISIONS

| REV | DESCRIPTION | DATE | BY |
|-----|-------------|------|----|
| | | | |
| | | | |
| | | | |
| | | | |



PREPARED FOR:
State of Maryland- DoIT
45 Calvert St
Annapolis, MD 21401

Skyline Technology Solutions
SCALE: NO SCALE

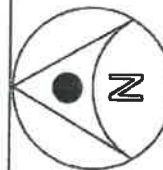
Date: / / SHEET

Filename: WR, 107

[illegible]

**ALLEGANY COUNTY
BOARD OF EDUCATION
AND THE CITY OF
CUMBERLAND**

CALL 24 HOURS A DAY
1-800-257-7777
48 HOURS IN ADVANCE OF
DEPARTURE IN EITHER
DIRECTION

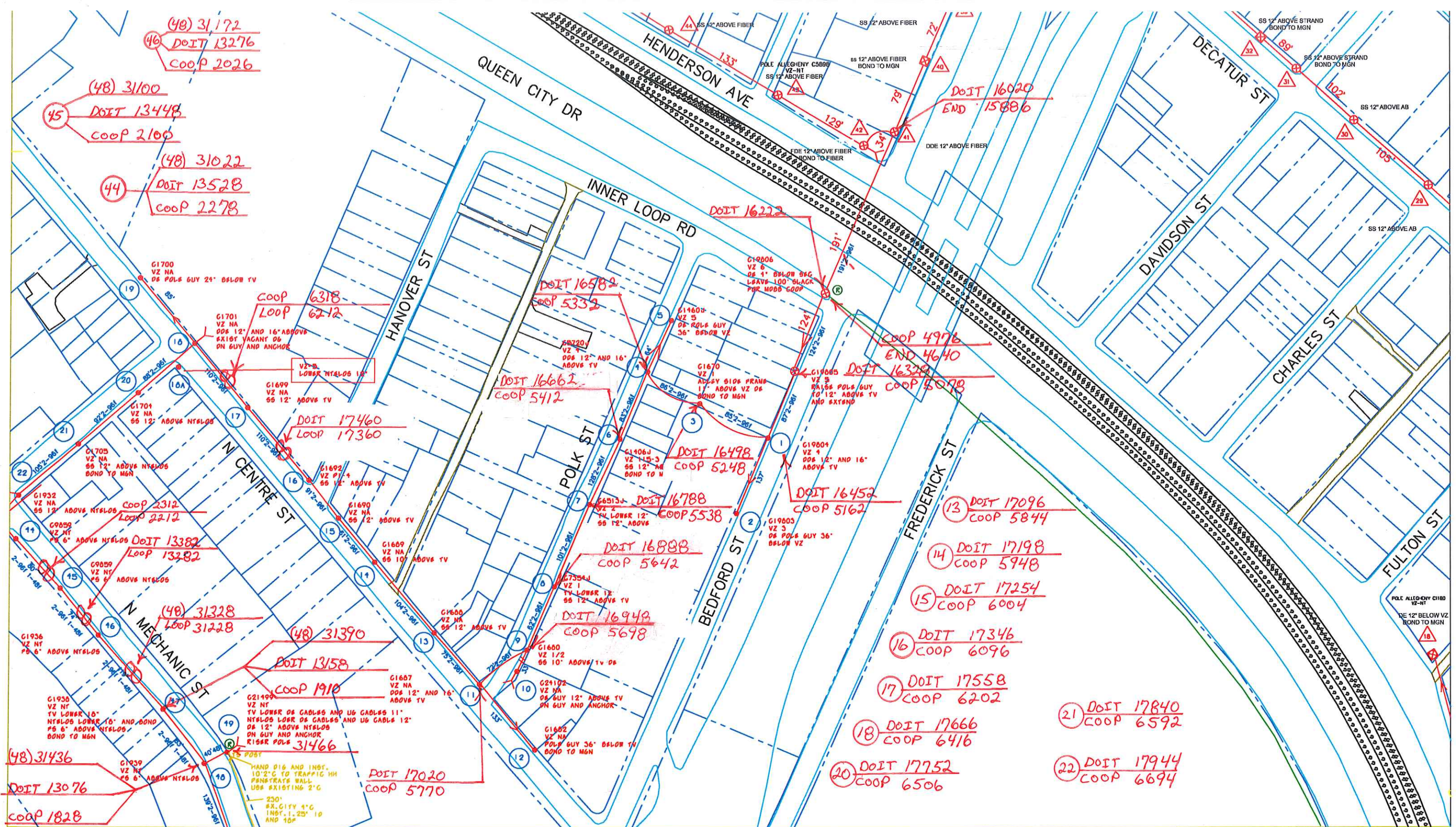




BOB ADMINISTRATION 1-96P 4,300.
RING TIE 1-96P 2,500.
M250 COOP RING TIE 1-96P 2,300.
M250 COOP 1-96P 4,300.

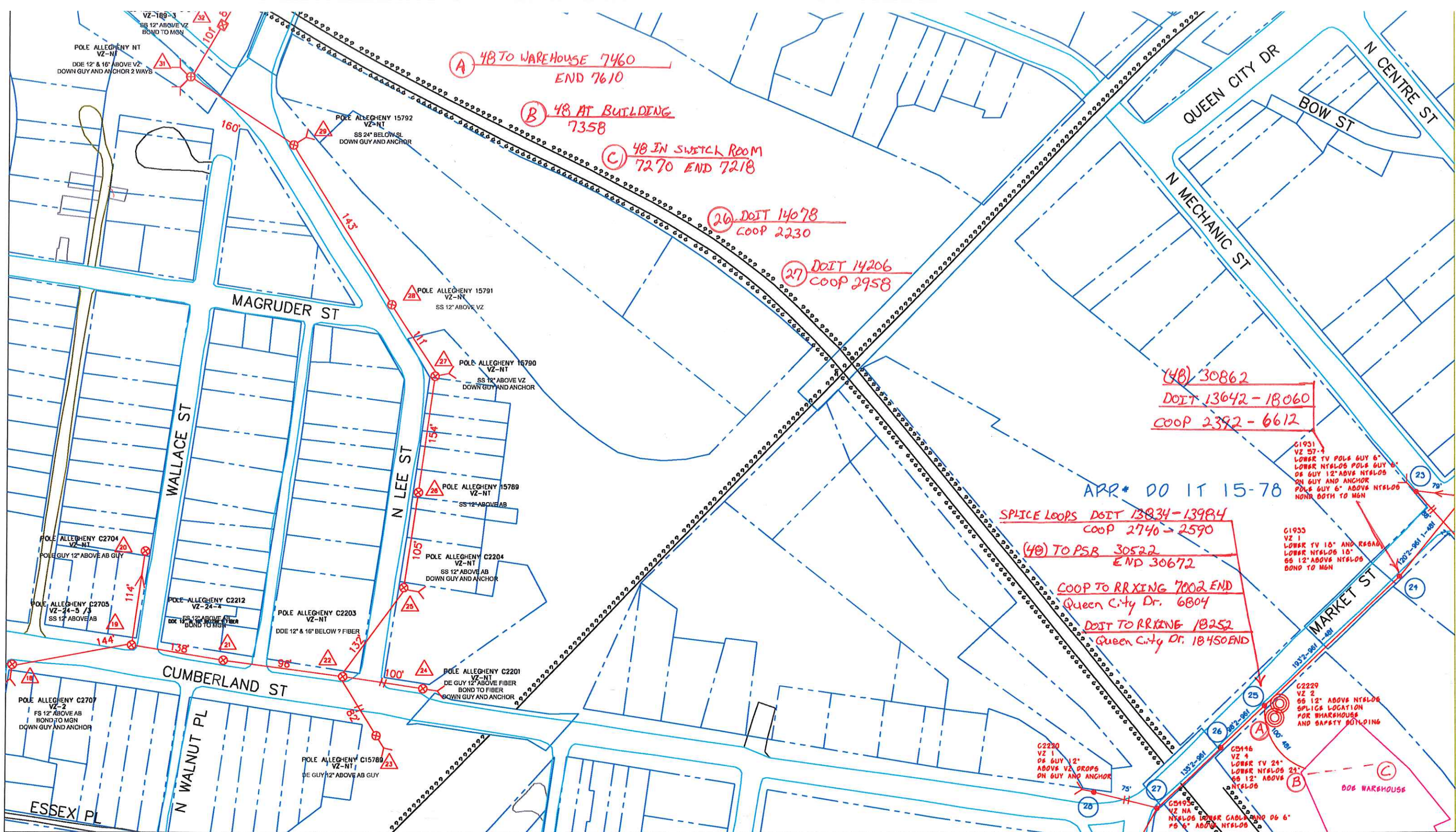
EMILY SKYLINE

2016

DATE: 12-30-15
SCALE: NA
CAMBERLAND SITES



| | | | | | |
|--|--|---|---|--|------------------------------|
|  <p>NO LIMITS.</p> | <p>FOR LOCATION OF UTILITIES CALL 24 HOURS A DAY 1-800-257-7777 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY</p> |  | <p>ALLEGANY COUNTY BOARD OF EDUCATION AND THE CITY OF CUMBERLAND</p> | | <p>DATE: 12-30-15</p> |
| | | | <p>SITES THIS PROJECT: CITY SAFETY BUILDING BOE WAREHOUSE BOE ADMIN. BUILDING MUSEUM HUB SITE</p> | | <p>SCALE: 1"=100'</p> |
| | | | <p>REVISION A: 11-13-15 ADD RIDE OUT NOTES</p> | | <p>APP# 15-78 SHT 2 OF 4</p> |
| | | | | | |



Item Attachment Documents:

Order 26,598 - authorizing execution of a Memorandum of Understanding between the City, the Cumberland Economic Development Commission, and the Allegany County Commissioners regarding the centralization of an economic development program for the City and the County

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

ORDER NO. 26,598

DATE: January 21, 2020

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

THAT, the Mayor be and is hereby authorized to execute a Memorandum of Understanding by and between the Cumberland Economic Development Corporation, the Mayor and City Council of Cumberland, and the Board of County Commissioners of Allegany County regarding the centralization of an economic development program for the City and the County.

Raymond M. Morriss, Mayor

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (this “Memorandum”), by and between CUMBERLAND ECONOMIC DEVELOPMENT CORPORATION, a Maryland not for profit corporation having its principal place of business in Allegany County, Maryland (“CEDC”); the MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, a Maryland municipal corporation (the “City”); and the BOARD OF COUNTY COMMISSIONERS OF ALLEGANY COUNTY, MARYLAND, a body politic and corporate and a political subdivision of the State of Maryland (the “County”). CEDC, the City, and the County are collectively the “Parties.”

Explanation

CEDC was formed to maximize and centralize an effective economic development program for both the City and the County. As an independent, not for profit corporation, CEDC has a Board of Directors (the “Board”), which has been and will be comprised of members of the City, the County, and the community with a combined purpose of making economic development a community priority and centralizing the operation of county-wide economic development. As a public and private partnership, the Parties believe that they will be able to assemble the resources of local governments to collectively, efficiently, and effectively promote economic development in the City of Cumberland and Allegany County.

CEDC and the City entered into a Memorandum of Understanding (the “City MOU”) on July 21, 2015, and CEDC and the City have worked cooperatively under the terms of the City MOU since that date. CEDC, the City and the County believe that it is

appropriate to advance the collective interests of the Parties by terminating the City MOU and replacing it with this Memorandum of Understanding to continue and to enhance the efforts to develop, promote and sustain economic development for the benefit of the City, the County, and its residents.

NOW, THEREFORE, in consideration of the agreements hereinafter set forth and subject to the terms of this Memorandum of Understanding, the Parties agree, as follows:

1. Recitals. The Explanation set forth above is hereby incorporated as a substantive provision of this Memorandum.

2. Effective Date. This Memorandum shall be effective when fully signed by the Parties (the “Effective Date”).

3. CEDC Obligations.

A. On or about December 2, 2014, the City adopted the Strategic Economic Development Plan that was produced by RKG Associates in collaboration with the City (the “RKG Plan”). Pursuant to the City MOU, CEDC was responsible for implementing the RKG Plan. CEDC shall have the responsibility of implementing the RKG Plan, as may be amended from time to time by the City in its sole discretion, and shall serve as the City’s exclusive agent with respect to the development, coordination, implementation and promotion of a proactive, comprehensive economic development program aimed at increasing the local tax base, attracting new employers, enabling existing employers to grow, and supporting the continued development of the arts and tourism industries.

B. On or about August 22, 2019, the County adopted the Allegany County Economic Development Strategic Plan that was produced by Thomas P. Miller & Associates in collaboration with the County (the “County ED Plan”). CEDC shall have the responsibility of implementing the County ED Plan, as may be amended from time to time by the County in its sole discretion, and shall serve as the County’s exclusive agent with respect to the development, coordination, implementation and promotion of a proactive, comprehensive economic development program aimed at increasing the local tax base, attracting new employers, enabling existing employers to grow, and supporting the continued development of the arts and tourism industries.

C. It is understood that the Parties shall endeavor in good faith and on an ongoing basis to arrive at a mutually agreeable, single, comprehensive, coordinated economic development plan for Allegany County and all subdivisions thereof (the “Consolidated Plan”). The Consolidated Plan is intended to replace the RKG Plan and County ED Plan and may, but shall not be required to, include various components thereof. CEDC shall have the responsibility of implementing the Consolidated Plan as may be amended from time to time by the City and County.

D. CEDC shall review the RKG Plan, the County ED Plan, and the Consolidated Plan from time to time and propose such changes or amendment thereto that CEDC deems necessary or desirable to best develop, promote and sustain economic development in Allegany County.

E. The City and County, individually or collectively as the case may be, shall have the ultimate authority to adopt, rescind or amend a comprehensive economic

development plan such as the RKG Plan, the County ED Plan and the Consolidated Plan. The Board shall have the authority to determine the manner and methods by which a comprehensive economic development plan is implemented.

F. The work to be performed by CEDC in the exercise of those responsibilities and duties outlined in this Section 3 may include, but shall not be limited to, the matters set forth on Exhibit 1 which is attached hereto and incorporated herein.

G. CEDC shall be funded by the City and the County as set forth in this Memorandum. It is understood that the CEDC may also accept or solicit private funding, and secure other revenue and funding streams.

H. CEDC shall be governed by the “Board.” The Board shall be comprised of: (i) one member of the governing body of the City, i.e., the Mayor or a Councilperson; (ii) two members of the governing body of the County, i.e., two Commissioners; and (iii) four individuals in good standing from the private sector that possess the requisite business acumen, expertise and experience, i.e., the at-large positions. Each at-large position shall have a two-year term. The terms of the at-large positions shall be staggered. As of the Effective Date, the at-large positions shall be filled by the four at-large positions of the then-current CEDC Board. Any Board member may nominate an individual to fill a vacant at-large position. Vacant at-large positions shall be filled by unanimous vote of the Board.

I. The Board shall have all discretion as to the operational and administrative controls of CEDC. CEDC shall maintain its own computer systems, books

and records, and it shall be solely responsible for the content of its web-based design and programs. CEDC shall maintain its own business accounts.

J. The staff of CEDC shall be comprised of an Executive Director and such other staff as the Board shall determine from time to time (collectively the “CEDC Staff”). CEDC Staff shall be, at the election of the Board, employees of the County and assigned to the CEDC. The Board shall have all discretion as to the operational and administrative control of CEDC Staff. Commencing upon the Effective Date and concluding not later than April 1, 2020 (the “Transition Period”), the Executive Director of CEDC and the County shall endeavor to identify and assign to the CEDC the appropriate County staff and consultants to provide economic development services contemplated by this Memorandum, including, without limitation: (1) Gregory Hildreth, Economic Development Specialist; (2) Ashli Workman, Director of Tourism; and (3) Jessica L. Palumbo, Marketing and Sale Manager.

K. CEDC shall work in collaboration with employees and staff of the City and the County, but CEDC shall not be subject to the direction and control of the County, the City, or its employees. The Board shall maintain the right to direct and control CEDC and CEDC Staff.

L. CEDC and its Staff shall occupy such offices at such locations as are determined by the Board. As of the Effective Date, it is understood that the CEDC will relocate its office from 60 Pershing Street, Cumberland, MD to a new location in or around Cumberland, MD that is sufficient and suitable to accommodate the expansion of its operations pursuant to this Memorandum. Further, it is understood by the Parties that

the CEDC is attempting to utilize a Governor's Capital Grant in the amount of \$420,000 to acquire a facility in Cumberland, Maryland that provides suitable accommodations for CEDC's offices and additional space needed to promote other economic development efforts such as, but not limited to, business incubation and business attraction. CEDC shall occupy its new offices no later than April 1, 2020.

M. CEDC shall promptly change its name to the "Allegany Development Corporation," or such other name the Parties may agree upon in writing, by the filing of Articles of Amendment with the Maryland Department Of Assessment and Taxation.

N. Unless and until otherwise modified by mutual agreement of the Parties, CEDC shall conduct formal monthly work sessions with the City and County, either individually or jointly, to review economic development goals, plans, programs, projects, activities and progress.

O. CEDC shall endeavor in good faith to maintain frequent communication with the City and County, and to keep the City and County reasonably informed regarding CEDC economic development activities.

P. CEDC shall be subject to the audit requirements that apply to the City and the County and copies of all audits, financial statements, and notes to financial statements from the auditors shall be disclosed to the City and the County upon completion.

Q. CEDC has determined that it is subject to the Maryland Open Meetings Act and shall continue to conduct itself in accordance with the terms of the Act.

R. CEDC has determined that it is subject to the Maryland Public Information Act and shall continue to conduct itself in accordance with the terms of the Act.

S. CEDC shall amend its Bylaws as needed to address any provision thereof which is inconsistent with this Memorandum, including, without limitation, the provisions of Section 3.H. above.

4. City's Obligations.

A. The City shall support the efforts of CEDC in pursuit of its purposes and goals.

B. During the Transition Period: (i) the City shall continue to fund its annual operational appropriation for CEDC in an amount not less than the amount established in the City MOU, i.e., \$350,000.00 (the "City Annual Appropriation"); (ii) the City Annual Appropriation shall be paid to CEDC consistent with the terms and conditions of the City MOU applicable to the same; (iii) the Parties shall negotiate in good faith to establish the amount of the City Annual Appropriation beyond April 1, 2020 that will enable the CEDC to carry out the intent and purpose of this Memorandum. It shall be the obligation of the Parties to reach an agreement on or before April 1, 2020, as to the amount of the City Annual Appropriation beyond April 1, 2020. In the event that the Parties fail to timely reach an agreement as to the amount of the City Annual Appropriation for CEDC beyond April 1, 2020, this Memorandum shall terminate and the City and CEDC shall revert to the City MOU as if the same had never been revoked or terminated pursuant to this Memorandum. ~~fund an annual operational appropriation in an~~

~~amount not less than Three Hundred Fifty Thousand Dollars (\$350,000.00) to CEDC (the “City Annual Appropriation”).~~

C. The City Annual Appropriation shall be paid to CEDC in equal semi-annual payments on July 1st and January 1st, or at such other times mutually agreed upon by CEDC and City.

D. The City Annual Appropriation shall not be contingent upon any matter other than the CEDC’s fulfillment of this Memorandum during the applicable appropriation period.

E. The City shall have the right, but not the obligation, to make such other and further funding contributions to CEDC as the City, in its sole discretion, may from time to time determine.

F. The City shall work cooperatively and collaboratively with CEDC.

G. The City shall endeavor in good faith to maintain frequent communication with CEDC, and to keep CEDC reasonably informed regarding City operations and affairs.

H. The City shall convey to CEDC certain real estate measuring about eight acres that was formerly Memorial Hospital. Development of the real estate by CEDC shall be in a manner and for purposes agreed upon by the City and CEDC. CEDC shall oversee the future development of the real estate. Any net proceeds realized from the sale of the real estate shall be placed in a special fund by CEDC and utilized for development of additional real estate for purposes of business parks, construction of shell buildings, and/or the up-fitting and building of special use buildings, all of which will be

utilized to recruit new businesses or encourage the expansion of existing businesses within the City.

5. County's Obligations.

A. The County shall support the efforts of CEDC in pursuit of its purposes and goals.

B. During the Transition Period: (i) the County shall continue to fund its annual operational appropriation for tourism and economic development in an amount not less than the amount established in its current County budget; (ii) the County shall utilize funds appropriated for tourism and economic development in its current County budget to fully fund the cost of County staff assigned to CEDC and the cost of services provided by CEDC on behalf of the County pursuant to this Memorandum; (iii) the Parties shall negotiate in good faith to establish the amount of funding due and payable by the County to CEDC beyond April 1, 2020 that will enable CEDC to carry out the intent and purpose of this Memorandum (the "County Annual Appropriation"). It shall be the obligation of the Parties to reach an agreement on or before April 1, 2020, as to the amount of the County Annual Appropriation beyond April 1, 2020. In the event that the Parties fail to timely reach an agreement as to the amount of the County Annual Appropriation for CEDC beyond April 1, 2020, this Memorandum shall terminate and the City and CEDC shall revert to the City MOU as if the same had never been revoked or terminated pursuant to this Memorandum. ~~fund an annual operational appropriation in an amount not less than Three Hundred Fifty Thousand Dollars (\$350,000.00) to CEDC (the "City Annual Appropriat~~

C. Upon request of CEDC, the County shall provide not more than two (2) automobiles to CEDC. The County shall pay all costs associated with the acquisition, insurance, maintenance, and repairs for any automobile supplied to CEDC.

D. The County shall deduct from the County Annual Appropriation the amount required to pay salaries and benefits to CEDC Staff and the cost of automobiles supplied to the CEDC. The balance of the County Annual Appropriation shall be paid to CEDC in equal semi-annual payments on July 1st and January 1st, or at such other times mutually agreed upon by CEDC and the County.

E. The County Annual Appropriation shall not be contingent upon any matter other than the CEDC's fulfillment of this Memorandum during the applicable appropriation period.

F. The County shall have the right, but not the obligation, to make such other and further funding contributions to CEDC as the County, in its sole discretion, may from time to time determine.

G. The County shall work cooperatively and collaboratively with CEDC.

H. The County shall endeavor in good faith to maintain frequent communication with CEDC, and to keep CEDC reasonably informed regarding County operations and affairs.

I. Nothing contained herein shall be construed to require the transfer of any real estate from the County to CEDC, including, but not limited to, County owned properties within its business parks.

6. Termination. This Memorandum may be terminated by any Party upon not less than one hundred eighty (180) days prior written notice to all other Parties. Upon termination of this Memorandum by the County, CEDC and the City shall revert to the City MOU.

7. Governing Law. The Parties agree that this Memorandum shall be governed by the laws of the State of Maryland.

8. Notices.

A. Any communication required or permitted by this Memorandum must be in writing, except as expressly provided otherwise in this Memorandum.

B. Any communication shall be sufficiently given and deemed given when delivered by hand or five (5) days after being mailed by first-class mail, postage prepaid, and addressed as follows:

- (1) If to CEDC, to:
Paul J. Kelly, Jr.,
Executive Director of the CEDC
60 Pershing Street
Cumberland, MD 21502
- (2) If to the City, to:
Mayor Raymond Morris
Mayor and City Council of Cumberland, Maryland
57 N. Liberty Street
Cumberland, MD 21502
- (3) If to the County, to:
President Jacob C. Shade,
Board of County Commissioners
701 Kelly Road
Cumberland, MD 21502

C. Any communications hereunder sent to one party shall also be sent to each of the other Parties.

D. Any addressee may designate additional or different addresses for communications by notice given under this Paragraph to each of the others.

9. Non-Business Days. If the date for making any payment or the last day for performance of any act or the exercising of any right shall not be a Business Day, such payment shall be made or act performed or right exercised on or before the next preceding Business Day.

10. Severability. If any term or provision of this Memorandum, or the application thereof to any person or circumstance, shall to any extent be found to be invalid, void, or unenforceable, the remaining provisions of this Memorandum and any application thereof shall, nevertheless, continue in full force and effect without being impaired or invalidated in any way.

11. Entire Memorandum; Amendments. This Memorandum constitutes the entire contract between the Parties, and this Memorandum shall not be changed except in writing signed by all of the Parties.

12. Binding Effect. Subject to the specific provisions of this Memorandum, this Memorandum shall be binding upon and inure to the benefit of and be enforceable by the Parties and their respective successors and assigns.

13. Time. Time is of the essence in this Memorandum and each and all of its provisions.

14. Liability of Officers and Agents. No officer, agent or employee of the City, the County or CEDC shall be subject to any personal liability or accountability by reason of the execution of this Memorandum or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute such documents in their official capacities only, and not in their individual capacities. This Paragraph shall not relieve any such officer, agent or employee from the performance of any official duty provided by law.

15. Counterparts. This Memorandum may be executed in several counterparts, including separate counterparts. Each shall be an original, but all of them together constitute the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Memorandum to be executed in their corporate names by their duly authorized officers, all as of the date first above written.

ATTEST:

CUMBERLAND ECONOMIC
DEVELOPMENT CORPORATION

_____ By _____ (SEAL)
Paul J. Kelly, Jr.
Executive Director

ATTEST:

MAYOR AND CITY COUNCIL OF
CUMBERLAND, MARYLAND

_____ By _____ (SEAL)
Raymond Morriss
Mayor

ATTEST:

_____ By _____ (SEAL)
Jacob Shade
President

EXHIBIT NO. 1

1. Developing, implementing and updating plans which target and recruit companies to locate new businesses within Allegany County or expand within the Allegany County.
2. Developing, implementing and updating marketing plans and materials to recruit new businesses to Allegany County and encourage existing businesses to expand within Allegany County.
3. Managing business recruitment prospects that are considering locating new or expanding existing businesses within Allegany County.
4. Developing, implementing and updating plans to retain businesses within the Allegany County.
5. Developing, implementing and updating plans to promote and support entrepreneurial ventures and small business development activities within Allegany County.
6. Maintaining regular contact with existing businesses located within Allegany County.
7. Hiring experts, professionals, consultants, accountants and lawyers to advance CEDC business and its efforts to develop, promote and sustain economic development within Allegany County.
8. Maintaining contact with and making presentations to local civic and business organizations within Allegany County that are important supporters of and stakeholders in the economic development efforts of the City, the County and CEDC.
9. Participating in organizations and associations which develop, promote and sustain economic development efforts in Allegany County and the region, including, without limitation, the Greater Cumberland Committee, the Allegany County Chamber of Commerce, and the Maryland Economic Development Association ("MEDA").
10. Developing, implementing and updating work force development plans and strategies, and coordinating work force development efforts with educational institutions and government agencies tasked with promoting work force development.

11. Developing, implementing and updating tourism plans and strategies.
12. Formulating recommendations for the improvement of City and County operations that would serve to develop, promote and sustain economic development within Allegany County.
13. Formulating recommendations for the improvement of City and County communications with important supporters of and stakeholders in Allegany County economic development activities.
14. Formulating recommendations for the creation of partnerships by and between the City, the County and/or important community supporters and stakeholders relative to Allegany County economic development efforts.
15. Providing timely reports to the City and the County as described herein.
16. Apply for grants and other funding that advance economic development interests.
17. Representing the City and the County at local, state, national, and international economic development events.
18. Developing and implementing plans to promote Allegany County as a viable place for business, recreation, and residency.
19. Creating and maintaining a catalog of assets to be leveraged for public and private investment.
20. Marketing City and County owned assets for business creation, attraction, expansion and retention efforts in Allegany County.
21. Acquiring and managing assets to develop, promote and sustain economic development efforts in Allegany County.

Item Attachment Documents:

Order 26,599 - authorizing execution of an Amendment to the 2017 MHAA Grant - Canal Place Heritage Area Partnership Programming (FY17) pertaining to several revised financial documentation policies for awarded grants

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

ORDER NO. 26,599

DATE: January 21, 2020

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

THAT, the Mayor be and is hereby authorized to execute an Amendment to the 2017 MHAA Grant – Canal Place Heritage Area Partnership Programming (FY17) pertaining to several revised financial documentation policies for awarded grants.

Raymond M. Morriss, Mayor



Maryland
DEPARTMENT OF PLANNING
MARYLAND HISTORICAL TRUST

January 9, 2020

Sandi Saville
Mayor and City Council of Cumberland
City of Cumberland
57 North Liberty Street
Cumberland, Maryland 21502
MD

RE: 2017 MHAA Grant - Canal Place Heritage Area Partnership Programming (FY 2017)

Dear Ms. Saville:

In an effort to expedite grant administrative processes and improve customer service, the Maryland Historical Trust (MHT) has revised several financial documentation policies for grants awarded or administered by MHT. These policies are contained in the MHAA Grants Manual, which is included with this letter. The Grants Manual sections will supplement certain sections of your Grant Agreement, as explained in the table below.

| Grants Manual Section | Grant Agreement Section(s) | Changes |
|---------------------------|---|---|
| Budget | Expenditure of Grant Proceeds | Changes when you must get approval to make changes to your budget. |
| Amendments and Extensions | Grant and Project Terms – Extensions; Amendments | Allows email extensions and minor amendments to be completed via email. |
| Requests for Disbursement | Disbursement of Grant Proceeds; Disbursement Schedule | Changes the process for requesting disbursement of funds. |
| Financial Documentation | Disbursement of Grant Proceeds | Clarifies what types of documentation are required, when documentation is required, and implements a new system for financial verification and expense certification. |

The three above -reference sections of your Grant Agreement are hereby amended to incorporate the three above- referenced sections of the Grants Manual, as set out in the MHAA Grants Manual.

Your signature below indicates your consent to the amendment to the Grant Agreement as described in this letter. This amendment only affects the three sections of the Grant Agreement listed in the chart above. All other terms and conditions in the Grant Agreement shall remain in full force and effect.

Please sign below, scan the letter, and email it back to jen.ruffner@maryland.gov. If you have any questions regarding the Manual provisions, please email jen.ruffner@maryland.gov.

Sincerely,

Jennifer Ruffner
Administrator, Maryland Heritage Areas Program

Concurrence:

MAYOR AND CITY COUNCIL OF CUMBERLAND

By: _____
Name: _____
Title: _____

[*This amendment must be signed by a person legally authorized to sign grant documents for the grantee]



Maryland Heritage Areas Authority Grants Program

GRANTS MANUAL

Revised 9/3/2019

Maryland Heritage Areas Authority
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032
mht.maryland.gov

Jennifer Ruffner
Administrator
410-697-9586
jen.ruffner@maryland.gov

Ennis Barbery Smith
Assistant Administrator
410-697-9555
ennis.smith@maryland.gov

Table of Contents

| | |
|--|----|
| Getting Started | 4 |
| Project Summary Sheet | 4 |
| Grant Agreement and Legal Documents | 4 |
| Scope of Work..... | 5 |
| Budget | 5 |
| Grantee Contribution (“Match”) Requirements..... | 5 |
| Timeline..... | 5 |
| Other Legal Documents | 6 |
| MHT Project Review..... | 6 |
| Easement Conveyance and Review | 7 |
| Policies | 8 |
| Indirect Costs | 8 |
| Procurement | 8 |
| Recognition of Support | 9 |
| Review of Draft Materials | 9 |
| Amendments and Extensions | 10 |
| Insurance | 10 |
| Progress Reports and Requests for Disbursement | 11 |
| Progress Reports | 11 |
| Requests for Disbursement | 11 |

| | |
|--|----|
| Financial Documentation | 13 |
| Documentation of Expenses | 13 |
| Submitting Proof of Project Expenses | 14 |
| Resources | 15 |
| Forms | 18 |
| Appendix A – Easement Requirements | 21 |
| Appendix B – Insurance Requirements..... | 23 |

Getting Started

Project Summary Sheet

The first thing you need to do when you are notified that you have received a Maryland Heritage Areas Authority (MHAA) grant award is log in to your online grant account (go to <https://mht.maryland.gov> and click the “My Grant Account” button at the top of the left sidebar) and fill out the Project Summary Sheet, which you will find under the Requirements tab. Take a few minutes to review the information on the sheet to make sure it is still up to date and accurate.

Note who your project monitor is, as that is the person you will communicate with while working on your project.

Please pay special attention to the section titled “Special Conditions.” If it is blank, there are no conditions particular to your project; however, if there are conditions listed, you need to make sure you address those conditions. Some may have a deadline associated with them (for example, when you need to document your match); others must be completed before you begin work on the project.

You will also see the Project Start and End dates listed. The start date is the day you are allowed to begin incurring grant and match expenses and will be the same for every project that is funded in a given grant round. The end date is when you expect to finish your project. Any expenses incurred outside of those two dates are not eligible for inclusion, so if your timetable has changed, now is the time to let us know!

If you need to make changes to any of the information on the sheet, you can do so in the fields provided (or at the bottom of the form). There is an opportunity to upload documents as part of this form, if—for example—you would like to upload an updated version of your project budget. However, there is no need to upload documents.

You **MUST** submit the Project Summary Sheet, even if there are no changes, as without this form, we cannot begin to draft your grant agreement. The faster you complete this step, the sooner you’ll receive your grant agreement in the mail for signature.

Grant Agreement and Legal Documents

Once you have completed your Project Summary Sheet online and any other outstanding requirements, MHT/MHAA staff will begin generating your Grant Agreement. As a result of the volume of grants that MHAA awards, please be aware that you may not receive your grant agreement for signature until late fall or early in the new year.

The Grant Agreement is the legal contract between your organization and the State of Maryland. Be sure to review the entire document with your team, paying special attention to the Grant Budget, Scope of Work and Timeline.

The Grant Agreement must be signed by someone who is legally authorized to enter into contracts for your organization. If you are not sure who is legally authorized, check your organizational bylaws or corporate resolution.

You must be in good standing with the State Department of Assessment and Taxation (or qualified to do business in Maryland if your organization is located outside the state) in order to have your grant agreement executed. If you are not in good standing, it is usually an easy fix (and can sometimes be fixed online) but you will need to resolve the issue before we can issue your Grant Agreement. You can check your status at <http://www.dat.maryland.gov/> - click "Search Business Database" in the left sidebar.

Scope of Work

This is what you have been approved to do as a part of this grant-funded project. If an activity is not included in the Scope of Work or Budget, you must get approval from your Project Monitor before including that work in the project. If you don't get approval, your risk not having those expenditures covered in the grant project.

Budget

The budget shows the specific line items for expenses you are allowed to include in your project, for both the grant funds and your matching contribution. You will need to track and report on your project spending using the line items listed in the approved budget in your Grant Agreement, and not the budget that was in your application.

If you need to make minor changes to the budget, including adjusting line item amounts, you may do so without prior approval. If, however, you need to add or delete new line items, you must get approval from your Project Monitor before including that work in the project budget.

Grantee Contribution ("Match") Requirements

The amount of support your organization is required to contribute to the project is detailed in the budget in your Grant Agreement. Your matching contribution, if required, must be documented in the same way as your grant fund expenses (see the **Financial Documentation** section).

Timeline

The Timeline listed in your Grant Agreement includes a Project Start Date, which is the same for all grantees, report dates, which vary, and a Project Completion Date.

The Project Start Date is the date the grant was awarded and is the first day you can incur grant and matching contribution expenses. Even if your project will not start right away, your Project Start date stays the same.

The Project Completion Date is the last day you can incur grant and matching contribution expenses. Any expenses incurred after this date are ineligible.

If at any point you think you will not be able to finish your project by the Project Completion Date, email your Project Monitor and request an extension.

Other Legal Documents

If your organization is a nonprofit, and you have not received a grant from MHAA or the Maryland Historical Trust (MHT) in the last three years, you will be asked to complete a document called a **Corporate Resolution**. This document must include the signatures of at least two authorized signatories for your organization, including the person who signs your Grant Agreement. The Secretary of your organization, or another appropriate officer, must sign as a “witness.” Neither of the two authorized signatories are permitted to serve as the witness. The Corporate Resolution certifies that your organization approves receipt of the grant award and certifies who those authorized signatories are.

If your organization received a capital grant of \$90,000 or more, you will be required to complete a **Minority Business Enterprise Plan** when you sign your Grant Agreement. In this plan, you set a goal for your organization to make a best effort to hire a Minority Business Enterprise (MBE) firm to complete some or all of your project. There is no predetermined goal. You should simply consider your project and decide on a percentage of the work for which you would like to hire an MBE firm or multiple MBE firms. While you are not required to meet your goal – you must make your best effort to achieve the goal. If for some reason utilizing an MBE firm is not feasible for your project, you should contact your project monitor to discuss the circumstances. You may be eligible to request a waiver from the requirement.

MHT Project Review

Any projects which receive Maryland state funding must be reviewed to assess the effect of the project on National Register and National Register-eligible historic properties, as required under *Sections 5A-325 and 5A-326 of the State Finance and Procurement Article* – see <https://mht.maryland.gov/projectreview.shtml>. Projects that take place on preservation easement properties, or for which a preservation easement is required, will be reviewed through the easement review process (see below).

All other projects will be initially reviewed by MHT Compliance staff prior to award of the grant. If MHT requires additional information in order to complete their review, that information is listed under “Special Conditions” on your Project Summary Sheet. If you make substantial

changes to the scope of your project, you may need to have MHT Compliance staff review your project again.

If you need to provide MHT with additional information, you must do so prior to beginning work. If MHT staff have placed special conditions on your project as a result of the project review, you must adhere to those special conditions or risk forfeiting your grant award.

Easement Conveyance and Review

If your project takes place on a property on which MHT holds a preservation easement, you must ensure that you have approval from the Director of MHT before starting the project. If you have not already done so, be sure to submit a Change/Alteration Form with as much detail as possible. The form is available on the MHT website (https://mht.maryland.gov/easement_existing.shtml).

If your project property does not currently have an easement on it, but a preservation easement is a condition of your grant award, you must convey the easement to MHT before receiving your final grant payment. In addition, you must seek approval from the MHT Director for all proposed work, prior to beginning that work, as if the easement were already in place.

If an easement is required for your project, you will receive a complete Easement Conveyance Packet from MHT easement staff.

See **Appendix A** for additional information on easement conveyance, review and related requirements.

Policies

Indirect Costs

Indirect costs are those operating costs that are for the joint benefit of both the grant project and your other organizational activities. Indirect costs are frequently referred to as overhead, operating, or administrative costs, and can include rent, utilities, salaries, personnel costs, and professional service fees.

Maryland law and MHAA's new policy regarding indirect costs allow non-profit organizations¹ who are completing MHAA Non-Capital projects are eligible to include indirect costs in their grant budgets. Indirect costs are limited to 10% or less of the total grant award amount, and the grantee must still be able to complete the entire project using the remaining funds. If you choose to include indirect costs in your budget, your grant amount will not change.

If your approved project budget does not currently include indirect costs and you would like to add them, please contact your Project Monitor to discuss a budget amendment.

Note that you are not required to provide documentation of the specific indirect costs when providing financial documentation – you only need to certify that you have indirect expenses equal to 10% of your grant.

Procurement

You are expected to ensure that costs for goods and services obtained to carry out the project are reasonable and customary for the type of work performed and materials purchased. You must follow the procurement guidelines for your type of organization, as detailed below.

Government agencies: Government organizations should follow your normal procurement procedures and must be able to document that applicable procurement procedures were followed, if requested by MHAA staff.

Non-profits: Non-profit organizations should use a procurement process that allows you to obtain project goods and services at reasonable and customary prices, and if requested by MHAA staff, must be able to document that expenditures are reasonable and customary.

Procurements greater than \$500 and less than \$10,000: You are strongly encouraged to obtain written bids from two or more vendors for any goods and services for which costs are expected

¹ This does not include grants to heritage area management entities, or grants to nonprofit organizations that were awarded before October 2018.

to be **greater than \$500 but not more than \$10,000.**

Procurements greater than \$10,000: If costs for goods or services from any one vendor are expected to **exceed \$10,000** written bids from at least 3 vendors must be obtained. You must be able to provide documentation that at least 3 written bids were obtained, if requested by MHAA staff.

When bids are obtained, grant recipients are not required to select the lowest bid, but must be able to provide documentation on why a vendor other than the low bidder was selected and what criteria other than the most favorable bid price were considered.

Sole-source procurement of goods and services should not be utilized unless there is a demonstrable and justifiable need and it can be demonstrated that competitive procurement is impractical because only one product or service vendor can meet specific project requirements. As with all procurements, expenditures must be reasonable and customary for the type of goods and services being obtained. If requested by the Grantor, grant recipients must be able to document project requirements that justified the sole source procurement and that expenditures are reasonable and customary for the goods and services obtained.

Recognition of Support

It is important to acknowledge the support of MHAA when talking about your grant-funded project, and when producing materials that were supported by your grant. At a minimum, you should include either the MHAA logo, or the following statement:

This Project has been financed in part with State Funds from the Maryland Heritage Areas Authority, an instrumentality of the State of Maryland. However, the contents and opinions do not necessarily reflect the views or policies of the Maryland Heritage Areas Authority.

If you aren't sure how to incorporate acknowledgement into your project, contact your Project Monitor to discuss your options.

Don't forget to also acknowledge the technical support of your local heritage area management entity by including their logo as well.

Review of Draft Materials

Prior to producing materials funded as part of your grant project, you must obtain approval from your Project Monitor, who will be reviewing them to ensure the content is up to MHAA's standards, that you have properly acknowledged MHAA support, and that the materials are acceptable based on your approved Scope of Work. This includes drafts of brochures, wayside panels, web pages, video scripts, advertisements, press releases, and signage.

Be sure to give your Project Monitor plenty of time to review the materials. Do not send them

for review an hour before you need to finalize them.

Amendments and Extensions

You may find that your project does not play out in the way you had planned when you originally submitted your grant application. This is not unusual. If you find that you are getting off track with your timeline, budget or deliverables, reach out to your Project Monitor as soon as possible to discuss your options. If your Project Monitor determines that an amendment or extension is warranted, they will work with you to finalize the details of the changes that are needed and will work with you on an extension or an amendment to your grant.

If you simply need more time to complete your project, you can email your project monitor explaining the reasons for the need. See the list of information you should include in your email in the Amendment Request form in the **Forms** section. Once approved, your Project Monitor will send you an email granting your extension. You will have 10 days in which to reject the extension. After that, it is considered accepted. Note that if your Project Monitor has not heard from you and your Project Completion date is approaching, they may proactively implement an extension.

If changes to your scope or budget are needed, you will need a grant agreement amendment. This may include changes to your budget (adding or removing line items) or minor changes to the scope of work (adding or removing work items). In these cases, your Project Monitor will work with you on the changes and will send an email amending the grant. You will have 10 days in which to reject the amendment. After that, it is considered accepted.

If the changes needed are major changes to the project (adding major new elements to the scope of work or budget), approval of those changes will need to be approved by the Maryland Heritage Areas Authority directly. Your Project Monitor can help you with that process.

Insurance

You are required to maintain certain levels of insurance coverage in relation to your grant-funded project. See **Appendix B** for details on those requirements. You must provide proof of insurance if requested by MHAA/MHT staff.

Progress Reports and Requests for Disbursement

Progress Reports

For most projects, you will be required to submit two reports through the online grants management system (visit <https://mht.maryland.gov> and click the “My Grant Account” button at the top of the left sidebar). In the online grants system, you will click on the “Requirements” tab, and then should see the available reports for your project. If you are having problems finding your report forms, please contact your Project Monitor, as the forms may be in another member of your organization’s online account.

A Mid-Project report must be submitted at roughly the mid-point of your project. Once the project is complete, and all work finished, you will also need to submit a Final, or Project Completion Report. The deadlines for both reports are listed in your Project Timetable in your grant agreement. If you are not able to complete a report on time, be sure to let your Project Monitor know, and request an extension if you are behind schedule.

In addition to answering the questions on the report forms, you will want to upload supporting materials for your reports, including photographs of the work, drafts and final versions of all work products, and other documentation that the project is underway at the mid-point, and completed at the end point.

Requests for Disbursement

For most grants, you will receive three payments, or disbursements. After you have fulfilled all outstanding Special Conditions and returned your signed Grant Agreement (and Corporate Resolution, if applicable) to MHT/MHAA staff, you should expect to receive a disbursement of 25% of your total grant award within about 60 days.

You must be in good standing with the Maryland State Department of Assessment and Taxation in order to receive a disbursement. If you are not in good standing, and owe the State of Maryland money, you risk having your grant payment recaptured, so it is a good idea to check your status every time you submit a request for disbursement.

The second and third disbursements are reimbursable, meaning you must certify that you have incurred expenses for both grant and match funds to request the second and third disbursements. Your second disbursement will generally be 50% of the total grant if you are able to certify that you have incurred approximately 50% of your total project costs (grant and matching funds combined). Your final disbursement will be the balance of funds available, based on your final expenditures, and will not be issued until all project expenses have been

incurred and all work products are finished and approved by MHAA/MHT staff².

MHAA reserves the right to withhold disbursement of grant funds if you have not incurred sufficient project expenditures by the date of the Request for Disbursement.

In order to receive your 2nd or 3rd payments, you must complete your mid-project or final report form, and submit it through the online grants system. Be sure to check the box requesting your disbursement on the form. You will also need to upload a Certification of Expenses form, which shows the expenses you have incurred to date (both grant and matching funds) and includes your project manager's signature certifying that the expenses are valid and accurate.

When reviewing your request for disbursement, we will ask the following questions:

Is the cost eligible? – Has it been incurred in the grant period? Is it related to the approved scope of work and/or budget? (See your grant agreement for approved grant period, project scope and budget, if applicable.)

Is the cost necessary? – If there were no grant funds involved, would the cost have had to be incurred, or incurred at the amount stated?

Is the cost reasonable? – Is it in line with costs for the same item or service in your area?

(Reasonable and necessary often go hand in hand, but MHAA staff will always ask if the expenditure is necessary before we ask whether it is reasonable.)

Is the cost verifiable? – Do you have proof of the project expense? (Invoices, receipts, contracts, and so on).

Payments are generally processed within forty-five (45) days of approval of your request for disbursement.

² Note that if you are required to convey a preservation easement as part of your grant project, the easement conveyance must be finalized before you will receive your final payment.

Financial Documentation

The following guidelines will help you understand the types of records MHT expects you to retain and provide upon request to document your grant expenses, as well as some suggestions to help make the documentation process easier as the project progresses.

Documentation of Expenses

You must retain the following records, and provide them upon request:

Proof of all project expenses, both grant-funded and grantee contributed.

For cash expenses, retain copies of your invoices, receipts, timesheets (if your grant allows staff time as cash match) and/or contracts supporting the cost breakdown in your approved grant budget. Documentation should show what was purchased or funded, when it was purchased, or when the work was completed, and how much it cost. Quickbooks and other accounting system printouts are not sufficient documentation, unless your organization is a government agency using a government agency system print-out.

For donated services or materials (such as paint, photography, architectural fees, etc.), vouchers or other official documentation, signed by the appropriate person must be retained to verify what the goods or services being claimed were and what they were valued according to reasonable market rate costs. If included in your approved project budget, staff and/or volunteer time contributions must also be documented by a timesheet or spreadsheet that includes the rate used to calculate the value. The value of unpaid volunteer time can be valued at the current rate of volunteer time for Maryland set by the organization Independent Sector (http://independentsector.org/volunteer_time). You should always check Independent Sector's website for the most up-to-date hourly rate before submitting a request for disbursement. (Note, in order to see the Maryland rate, you must provide your name, email address and organization. If you are not comfortable doing that, email your Project Monitor and they can provide you with the current information).

Note: For property acquisition, grantees have two options: 1.) get reimbursed for the property purchase after the purchase is complete, or 2.) make arrangements with your project monitor to have a joint check issued directly to you and the title company and delivered to the title company at settlement. If you choose to have a check issued to the title company, you will be required to provide proof of title work, insurance and a purchase agreement before the check will be issued.

Submitting Proof of Project Expenses

A percentage of MHAA's grantees each fiscal year will be randomly selected and required to provide financial documentation of their expenses. If selected, you will need to submit those materials as part of your final report. If your project is selected, you will be notified prior to submission of your final report that you must include, in addition to a Certification of Expenses form, all proof of project expenses, both grant-funded and grantee contributed.

Regardless of whether or not you are required to submit proof of grant expenses, you still must retain these records, as your files are subject to state audit and must be retained for five years from the project completion date.

Failure to submit documentation upon request could result in recapture of your grant funds and cancellation of your grant. It is critical that you retain these records and provide them upon request.

Even if you are asked to provide financial documentation, you do not need to submit proof of payment (i.e. copies of bank statements, cancelled checks, and/or credit card statements) for project expenses. As a standard accounting practice, however, we encourage you to retain that documentation for your records.

Resources

The following listing of helpful resources is meant to serve as a starting place for a variety of questions that may arise, related to your grant project. Always feel free to contact your project monitor and your local heritage area for technical assistance.

| I need to know about... | ... where do I find this information? |
|--|--|
| Historic Preservation | |
| General preservation principles; how MHT evaluates changes to historic properties | The Secretary of the Interior's Standards http://www.nps.gov/tps/standards.htm |
| Specifics of preservation "best practice", for example, guidance on how to repoint masonry or restore plaster, or how to adapt for accessibility, among other subjects | National Park Service Preservation Briefs http://www.nps.gov/tps/how-to-preserve/briefs.htm |
| I need technical preservation advice above and beyond the written materials referenced above. Can MHT help? | Yes, MHT offers technical preservation assistance through the Office of Preservation Services. Contact your Project Monitor for more information. |
| Lead Paint | http://www.epa.gov/lead/ http://mde.maryland.gov/programs/Land/LeadPoisoningPrevention/Pages/index.aspx |
| Easements | http://mht.maryland.gov/easement.shtml |
| What is a preservation easement? Do you have a sample easement? | MHT Easement Conveyance Packet http://mht.maryland.gov/documents/PDF/easement/easement_procedures_conveyance_grants.pdf |
| What documents do I need to provide to MHT so MHT can create an easement on my property? | MHT Easement Conveyance Packet http://mht.maryland.gov/documents/PDF/easement/easement_procedures_conveyance_grants.pdf |

| | |
|--|--|
| How do I get MHT's approval for changes to an easement property? | MHT Application for Change/Alteration to Easement Property http://mht.maryland.gov/documents/PDF/easement/Easement_Change_Alteration_Application_2017.pdf |
| When will MHT's Easement Committee meet to review my application? When are applications due? | Easement committee meets approximately every three weeks. The dates are posted annually with a link on this page: http://mht.maryland.gov/easement.shtml |
| Hiring an architect, engineer, contractor, or consultant | Be sure to follow the procurement requirements listed on Page 8. |
| Does MHT have a list of consultants and contractors? | The Maryland Association of Historic District Commissions (MAHDC) maintains a directory online: http://mahdc.org/contractor-directory/ Preservation Maryland maintains a directory online: http://preservelist.org/ |

| Grant Financial & Reporting Requirements | |
|--|--|
| Where do I find the Certification of Expenses form? | You can download the form from within your online report (requirement) form, or you can download it here: https://mht.maryland.gov/documents/word/certificationofexpenses.xlsx |
| How do I check if I'm in good standing with the State Department of Assessment and Taxation? | Visit https://dat.maryland.gov/Pages/default.aspx and click on "Search the Business Database." |
| How do I sign up for Direct Deposit? | To sign up for direct deposit with the state, go to the following website: http://comptroller.marylandtaxes.gov/Vendor_Services/Accounting_Information/Electronic_Funds_Transfer/ If you have issues with the website, call the Comptroller at 1-888-784-0144 and select option |

| | |
|--|------------------|
| | 7 from the menu. |
|--|------------------|

| | |
|---|--|
| Other Funding Sources for Preservation Projects | http://mht.maryland.gov/documents/PDF/grants/Grants_Funding_Sources.pdf |
| Where do I find information about best practices for oral history projects? | https://www.oralhistory.org/about/principles-and-practices-revised-2009/ |
| Where do I find information about best practices for museums? | http://ww2.aam-us.org/resources/ethics-standards-and-best-practices/standards |
| Where do I find information about best practices for designing wayside exhibits (also called interpretive signs)? | https://www.nps.gov/subjects/hfc/upload/Wayside-Guide-First-Edition.pdf |
| Where do I find resources about the Indigenous peoples of Maryland? | <p>Whose land am I on (Indigenous-led interactive mapping resource)? https://native-land.ca/</p> <p>Resources related to Indigenous peoples of Maryland: https://goci.maryland.gov/maryland-commission-on-indian-affairs/</p> |

Forms

Certification of Expenses Form

This form is available in Excel format here:

<https://mht.maryland.gov/documents/word/certificationofexpenses.xlsx>

| Maryland Historical Trust Grants CERTIFICATION OF EXPENSES | | | | | | |
|---|--|--|---------|---|---------------------------------|--|
| GRANTEE - FEDERAL ID NUMBER (F.E.I.N.) | | | | DATE OF CERTIFICATION | | |
| | | | | | | |
| NAME AND ADDRESS OF GRANTEE | | | | NAME, E-MAIL, AND TELEPHONE NUMBER OF GRANTEE CONTACT | | |
| | | | | | | |
| USE OF FUNDS (Provide a detailed list of your expenses to date - add more lines as needed. Line items should match those in your approved project budget.) | GRANT FUNDED EXPENSES INCURRED TO DATE | GRANTEE REQUIRED CONTRIBUTION INCURRED TO DATE (if applicable) | | OTHER PROJECT COSTS INCURRED TO DATE (if applicable, non-state costs incurred in addition to the grant funds and the required Grantee's Contribution) | TOTAL EXPENSES INCURRED TO DATE | |
| | | Cash | In-Kind | | | |
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | | | | | | |
| 11 | | | | | | |
| 12 | | | | | | |
| Total: | \$ - | \$ - | \$ - | \$ - | \$ - | |

CERTIFICATION

I certify that this Certification of Expenses is made in accordance with the terms and conditions of the Grant Agreement between the Grantee and the Maryland Department of Planning dated _____ and any subsequent amendments (if applicable), and that the amounts listed are correct.

Signature

Title

Date

STATE USE ONLY

| Date Received | Payment Requested? | Amount Requested | Amount Approved | Payment Reviewed By | Payment Approved By | PCA Code |
|----------------------|---------------------------|-------------------------|------------------------|------------------------------|----------------------------|-----------------|
| | | | | | | |
| | | | | MHT Assistant Grants Manager | MHT Fiscal Manager | |

Amendment Request Form

Requests to extend your Project Completion date, and requests to amend your project scope and/or budget are considered on a case-by-case basis. All requests must be submitted in writing via email to your Project Monitor before your project completion date.

Please provide the following information:

1. Fiscal Year the grant was awarded and the name of the grant project;
2. Name and address of the grant recipient;
3. The reasons for requesting an extension / amendment;
4. The current project completion date as specified in the grant agreement "Exhibit A- Scope of Work and Timetable" or, if an extension was previously approved, the current end date;
5. A revised scope of work (if applicable)
6. A revised version of your project budget (if applicable)
7. The revised timeline (if applicable)
8. The new project completion date that you are requesting (generally extensions of more than 1 year will not be approved but can be considered).

The timely completion of grant projects is critical not only for the development of heritage tourism products across Maryland, but to the continued support of the Maryland Heritage Areas Program by our elected officials. Failure to complete grant projects by the date specified in the grant agreement, or by the date specified in an approved grant extension, may result in cancellation of the grant and the rescinding or recovery of funds for uncompleted portions of the project. Your assistance in closing or extending any soon to be overdue grants with your organization is appreciated.

Appendix A – Easement Requirements

If your grant agreement indicates that you must convey an easement or preservation agreement as a condition of your grant award (check your grant agreement, **Exhibit A – Special Conditions**), the following information will apply to your project.

As a condition of disbursement of your grant, you may be required to execute, or have the owner of the property where the project is taking place to execute, one of the following agreements:

- A Deed of Preservation Easement Agreement (an “Easement”), or a modification to an existing Easement (a “Modification”) encumbering the historic real property assisted by the grant; or
- A preservation and maintenance agreement (a “Preservation Agreement”), or a modification of an existing Preservation Agreement (also a “Modification”), for historic property other than real property.

“Historic property” means a site, building, structure, monument, or object which is individually listed in, or is individually eligible for listing in the Maryland Register of Historic Properties.

The Easement or Preservation Agreement requires that you or the owner of the project property:

- maintain the project and the project property in good order, condition and repair;
- permit MHT to enter upon and inspect the project during construction;
- prevent any waste of the project property; and
- prevent any demolition or modification of the improvements on the project property without MHT’s prior written consent.

If you or the owner of the project property are required to execute an Easement or Modification, you or the property owner must also provide the following documentation:

- an owner’s policy of title insurance for the project property, along with a bring to date title search updating the policy to the date of the Easement, satisfactory in form and content to MHT and its legal counsel;
- evidence of property/hazard insurance, commercial general liability or other insurances coverages in accordance with the insurance requirements set out in Exhibit B of this Manual;

- evidence that the Easement or Modification has been recorded among the applicable land records of the county in which the project property is located; and
- any other instrument or document required by MHT, including the subordination of any encumbrances with respect to the project property which are prior to the lien of the Easement, and the foreclosure of which could extinguish the Easement.

The Easement requirements include the following:

- The Easement will have a term of duration equal to the longer of (i) fifteen years or (ii) one year for every \$5,000 increment of the Grant, or portion thereof, as further described in Exhibit A- Special Conditions of your grant agreement, if applicable;
- If there are no prior existing liens on the project property, the Easement must be a first lien encumbrance with respect to the project property, prior to all other liens; and
- You must reimburse MHAA all Grant funds that have been disbursed if the Easement is determined, by court finding or otherwise, to be not legally enforceable by MHT for any reason, and you will not be entitled to disbursement of any further Grant funds.

If you or the property owner executes a Preservation Agreement, Grantee must provide, or cause the owner of the Property to provide the following documentation:

- evidence of property/hazard insurance, commercial general liability or other insurances coverages in accordance with the insurance requirements set out in Exhibit B of this Manual; and
- Any other instrument or document requested by MHT.

An existing Easement or Preservation Agreement that is satisfactory to MHT may satisfy these requirements.

Appendix B – Insurance Requirements

As a condition of disbursement of the grant, you must carry, and may be required to provide evidence of the following insurance coverages satisfactory to MHT with respect to the property where the project will take place.

Insurance coverages must be provided by a company that is registered with the Maryland Insurance Agency and authorized to do business in the State.

If you are a government entity, the insurance requirements may be satisfied through evidence of a self-insurance program satisfactory to MHT.

Hazard Insurance

You must carry, and may be required to provide evidence satisfactory to MHT that the project property is insured against loss or damage by fire and such other hazards, casualties, and contingencies as may be required from time to time by MHT, in amounts satisfactory to MHT, but not less than the total amount of the Grant plus the outstanding principal balances of any mortgages on the property.

You must have the hazard insurance policy endorsed to add MHT as an additional insured (but without obligation on the part of MHT to make premium payments), with rights to prior notice of policy cancellation.

You must maintain property insurance on the project property from the Project Commencement Date throughout the term of the Easement, Preservation Agreement or Modification, as applicable. If requested by MHT, you must submit evidence of such insurance coverage to MHT.

Commercial General Liability Insurance

You must carry, and may be required to provide evidence satisfactory to MHT that the project property is insured under a comprehensive general liability insurance in amounts satisfactory to MHT.

You must have the comprehensive general liability insurance policy endorsed to add MHT as an additional insured (but without obligation on the part of MHT to make premium payments), with rights to prior notice of policy cancellation.

You must maintain comprehensive general liability insurance on the project property from the Project Commencement Date throughout the term of the Easement, Preservation Agreement or Modification, as applicable. If requested by MHT, you must submit evidence of such insurance coverage to MHT.

Flood Insurance

If your project property is located in a 100-year flood plain, you must carry, and may be required to provide evidence satisfactory to MHT that the Property has flood insurance.

You may be required to provide evidence showing whether the project property is located in a 100-year flood plain, as designated by the United States Department of Housing and Urban Development.

If the project property is located in a 100-year flood plain, you must obtain flood insurance coverage in amounts satisfactory to MHT.

You must have the policy endorsed to add MHT as an additional insured (but without obligation on the part of MHT to make premium payments), with rights to prior notice of policy cancellation.

You must maintain flood insurance on the project property from the Project Commencement Date throughout the term of the Easement, Preservation Agreement or Modification, as applicable. If requested by MHT, you must submit evidence of such insurance coverage to MHT.

General Contractor's Insurance

You must carry, and may be required to provide evidence satisfactory to MHT of general contractor's insurance coverage for comprehensive public liability, property damage liability/builder's risk, and workers' compensation in the form and amounts required by MHT.

You must require general contractor's insurance from the Project Commencement Date until the project is completed. If requested by MHT, you must submit evidence of such insurance coverage to MHT.