



# Mayor and City Council of Cumberland

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

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

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## AGENDA

M&CC Regular Meeting  
3 Pershing Street, Cumberland, MD

DATE: May 21, 2024

### OPEN SESSION – 6:15 PM

#### Pledge of Allegiance

#### Roll Call

#### Statement of Closed Meeting

#### Presentations

1. Recognition of Deborah Mullan and Carol Brown
2. Recognition of Cumberland Fire Department "C" Crew for their firefighting and rescue efforts during a house fire at 213 Arch Street

#### Director's Reports

##### (A) Administrative Services

1. Administrative Services Monthly Report for April 2024

##### (B) Public Works

1. Maintenance Division Monthly Report for April 2024

##### (C) Fire

1. Fire Department Monthly Report for April 2024

##### (D) Police

1. Police Department Monthly Report for April 2024

#### Public Comments – FOR AGENDA ITEMS ONLY

All public comments are limited to 5 minutes per person

## **Unfinished Business**

### **(A) Ordinances**

1. Ordinance 3977 (*2nd and 3rd readings*) - authorizing the transfer of a parcel of real property located at Rear Greene Street, Lots Nos. 33 and 34 of Block 33 of the Cumberland Development Company's Ridgedale Addition, to Betsy and Thomas Harrison for the purchase price of \$600

## **New Business**

### **(A) Resolutions**

1. R2024-02 (*1st reading only*) - granting the Western Maryland Scenic Railroad Corporation, Inc. a property tax credit for the 2024-2025 tax year, as provided for by Section 9-302(b)(4) of the Tax Property Article of the Annotated Code of Maryland

### **(A) Ordinances**

1. Ordinance 3978 (*1st reading*) - authorizing the transfer of a parcel of real property located at 461 Goethe Street, to Tyler Thompson for the purchase price of \$100
2. Ordinance 3979 (*1st reading*) - providing for the annual expenditure appropriation for the FY25 General Fund
3. Ordinance 3980 (*1st reading*) - providing for the annual expenditure appropriation for the FY25 Special Purpose Funds
4. Ordinance 3981 (*1st reading*) - providing for the annual expenditure appropriation for the FY25 Water Fund
5. Ordinance 3982 (*1st reading*) - providing for the annual expenditure appropriation for the FY25 Sewer Fund
6. Ordinance 3983 (*1st reading*) - providing for the City Tax Levy for FY25
7. Ordinance 3984 (*1st reading*) - providing for an increase in water rates effective July 1, 2024

### **(B) Orders (Consent Agenda)**

1. Order 27,465 - authorizing the execution of a Tolling Agreement with CSX Transportation, Inc. for the purpose of developing a plan for the City to access the CSX Yard in Cumberland, MD to perform Sewer repair work without interfering with CSX's rail operations
2. Order 27,466 - accepting a donation from Renee Mason in the amount of \$5,000.00 for the purpose of upkeep, maintenance and improvements at the Gene Mason Sports Complex
3. Order 27,467 - authorizing a set fee of \$1,500 for any entity wanting to sponsor a Free Swim Day at the Constitution Park Pool

- [4.](#) Order 27,468 - declaring certain City-owned properties located at 310 Columbia Street, 414 Goethe Street, 308 Cumberland Street and 118 Winton Place to be surplus and authorizing them for sale
- [5.](#) Order 27,469 - declaring certain fire equipment to be surplus and authorizing it for disposal
- [6.](#) Order 27,470 - authorizing the execution of Change Order No. 4 to the original contract with Casey Smith, LLC, dba ServicePro, for the “Residential Grass Mowing Project” (14-22-M) to add/remove properties recently acquired or sold by the City for the increased cost \$780, bringing the new contract value not to exceed \$61,610

### **Public Comments**

All public comments are limited to 5 minutes per person

### **Adjournment**

**File Attachments for Item:**

2. Recognition of Cumberland Fire Department "C" Crew for their firefighting and rescue efforts during a house fire at 213 Arch Street



# Council Agenda Summary

Meeting Date: May 21, 2024

Key Staff Contact: Fire Chief Shannon Adams

**Item Title: Recognition of Cumberland Fire Department “C” Crew for firefighting and rescue during house fire**

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

Recognize firefighters from Cumberland Fire Department “C” Crew for their efforts in rescuing three (3) people while extinguishing a structure fire that occurred on July 24, 2023 at 12:31 p.m., at 213 Arch Street.

During fire fighting and rescue operations, ambulances from the City and Allegany County transported a total of four (4) patients to the hospital. All injured parties were treated and released, except one patient who received treatment for several days before being discharged from the hospital.

The quick actions, the display of critical decision-making abilities, and the swift and effective execution of teamwork and lifesaving efforts of the Cumberland Fire Department “C” Crew contributed to the successful outcome of the incident.

***Amount of Award:***

***Budget number:***

***Grant, bond, etc. reference:***

**File Attachments for Item:**

. Administrative Services Monthly Report for April 2024

## **Administrative Services Monthly Report for April, 2024**

**2024**

Honorable Mayor and City Council  
City Hall  
Cumberland, Maryland 21502

Dear Mayor and City Council Members:

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

### **Information Technology Department**

April 2024

Johnna Byers, Director

#### **Statistics**

141 new help desk requests

121 help desk requests resolved

#### **Activities**

Major department initiatives in the past month include:

- Move various departments due to City Hall HVAC project, including moving them to different location, then maybe another different location, then back
- Assist with police mobile data terminal issues
- Continue to assist police with body cam project including fulfilling requests from State Attorney's Office
- Assist with Time and Attendance HR Project
- Help with iGov tax issues
- Configure new virtual server equipment
- Assist with communication problems at remote water sites

## **Parks and Recreation**

April 2024

Ryan Mackey, Director

- Meetings attended:
  - Monthly Parks and Rec Advisory Board Meeting on 4/1/24
  - Special Events Committee 4/2/24, 4/16/24, and 4/30/24
  - Shade tree Commission 4/15/24
  - National Night Out Planning Meeting
    - Parks and Rec will host movie night
- Events:
  - Arbor Day – April 22
  - Leadership Allegany 4/24/24
  - Pavilion Rental Started
  - Field Usage Started
- Upcoming:
  - Pool Opening May 25
  - Concerts in the Park May 26

## **Community Development Report**

April 2024

Kevin Thacker, Code Compliance Manager

### **Noted Activity:**

- 138 Baltimore ST, \$157,000 improvement
- 215 Bowen ST, \$564,594 improvement (non-taxable)
- 307 & 309 Arch ST, \$500,000 new home construction
- 303 & 305 Arch ST, \$500,000 new home construction
- 619 Washington ST, \$270,8000 garage and expansion
- 55 Baltimore ST, \$125,000 improvement

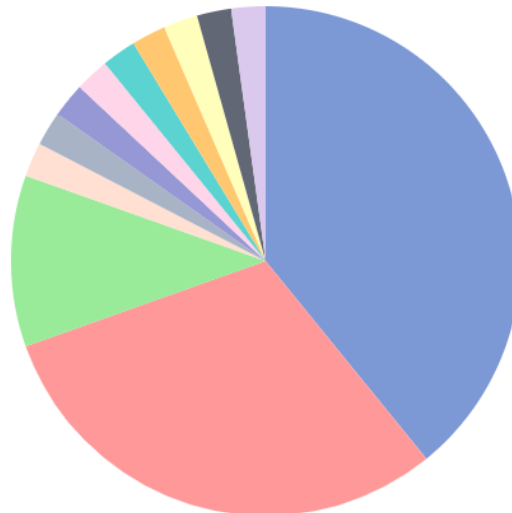
### **Code Enforcement Activity:**

70 new cases received – 30 of those are still open

42 violations were found

40 cases have been resolved

Open Date From: 04/01/2024  
Open Date To: 04/30/2024



Violations by Violation Type			
	Dwellings, yards and lots to be kept clean	18	39.1%
	Cutting of weeds	14	30.4%
	Duties of owner and operator	5	10.9%
	Accessory uses and structures	1	2.2%
	Certain conditions declared nuisances	1	2.2%
	Licensing of rental dwelling units	1	2.2%
	Order to vacate	1	2.2%
	Permits and certificates	1	2.2%

### Permits/Reviews & Rental Licenses:

73 Total Permits/Reviews were issued

46 Rental Inspections were completed

#### Building

Residential.....8

Commercial.....4

#### Miscellaneous

Residential.....16

Commercial.....2

#### Occupancy

Residential ..... 1

Commercial ..... 2

#### Signage

Commercial ..... 3

#### Electrical

Residential.....8

Commercial.....2

#### Plumbing

Residential.....7

Commercial.....1

#### Utility

Residential ..... 4

Commercial ..... 0

#### Demolition

Residential ..... 5

Commercial ..... 7

#### Public ROW

.....3

#### Rental Licenses

Residential.....17

#### Rental Inspections

Passed ..... 39

Failed ..... 7

#### Plans, Reviews, Amendments and Appeals

(ZA, RPR, SR, ZMA, ZTA, SRA)

(Type) Issued .....1

#### Certificates of Appropriateness

Issued..... 10

#### Request for Change/Amendment

Issued..... 1

### Revenue from 'Issued' Permits/Reviews:

Building Permits .....\$6798.47

Miscellaneous Permits .....262.00

Occupancy Permits .....60.00

Sign Permits .....31.00

Utility Permits .....00

Plan reviews, Amendments & appeals.....153.75

Zoning Classification Détermination (info request) .....0.00

Municipal Infractions (citations).....0.00

Certificates of appropriateness.....211.00

Rental Licenses (new & renewals) .....836.00

Paid Rental Inspection Requests .....0.00

**TOTAL .....\$13,996.97**

Demolition Bonds Collected.....\$0.00

## Community Development Programs

April 2024

Lee Borrer, Senior Community Development Specialist

CDBG regular activities-all years moving along, we passed the 2024 May 2 HUD Timeliness Test for expending funds in a timely manner, some construction projects were slightly delayed. There has been no announcement of the 2024 Annual Action Plan award amount as of April 30, 2024.

Community Development Block Grant (CDBG) Monthly Activity	April 2024 Report	Original Budget	Lifetime Funds Exp	Remaining Balance
Baltimore Street Redesign	2020	\$402,700.00	\$285,520.96	\$117,179.04
AYEPS Youth Center Facil Rehab	2020	\$4,753.75	\$4,364.49	\$389.26
2020 Grant Totals		\$407,453.75	\$289,885.45	\$117,568.30
(May 2 amend) incr. Long Term Prescript	2021	\$2,068.98	\$1,364.00	\$704.98
(May 2 amend) YMCA Trans Shelter 3 fl floor	2021	\$56,642.48	\$0.00	\$56,642.48
2021 Grant Totals		\$58,711.46	\$1,364.00	\$57,347.46
Balt Street Redesign	2022	\$188,384.50	\$0.00	\$188,384.50
AYEP Youth Center Rehab	2022	\$10,000.00	\$9,337.93	\$662.07
2022 Constitution Park Trail (Admin Feb 20 amend)	2022	\$9,246.89	\$0.00	\$9,246.89
Admin	2022	\$98,452.85	\$98,452.85	\$0.00
Ind Cost	2022	\$11,184.60	\$11,184.60	\$0.00
FH	2022	\$11,115.66	\$11,115.66	\$0.00
Gilchrist Security for Transi Housing	2022	\$30,820.00	\$29,614.00	\$1,206.00
2022 Grant Totals	2022	\$359,204.50	\$159,705.04	\$199,499.46
JFV (formerly gazebo/bb ct) (Feb 20 amend)	2023	\$0.00	\$0.00	\$0.00
AYEPS Youth Center Facil Rehab	2023	\$20,000.00	\$0.00	\$20,000.00
Admin	2023	\$117,000.00	\$40,349.31	\$76,650.69
Ind Cost	2023	\$12,000.00	\$5,671.00	\$6,329.00
FH	2023	\$11,000.00	\$3,282.06	\$7,717.94

YMCA Gil Trans Shelter Ext Elect/Safe/Cam	2023	\$124,935.00	\$0.00	\$124,935.00
FAI ALU Roof	2023	\$18,026.00	\$0.00	\$18,026.00
FAI Water Tank Imps	2023	\$60,000.00	\$0.00	\$60,000.00
FAI Gen Installation LEC	2023	\$18,000.00	\$0.00	\$18,000.00
Assoc Char Short Term	2023	\$11,435.00	\$1,798.00	\$9,637.00
PHA JFV Sidewalk Imps (Feb 20 amend)	2023	\$71,126.00	\$0.00	\$71,126.00
FCRC Domestic Violence IPV classes	2023	\$20,500.00	\$12,488.85	\$8,011.15
Targ City Foot/Bike Patrols	2023	\$4,960.00	\$3,380.77	\$1,579.23
YMCA Food Trans Shelter	2023	\$8,000.00	\$2,759.22	\$5,240.78
Constitution Park Trails	2023	\$303,000.00	\$60,345.41	\$242,654.59
2023 Grant Totals		\$799,982.00		\$669,907.38
			Total All Yrs	\$1,044,322.60
April 2024 CDBG Report 5/3/24				
Balances:	Year	IDIS grant rpt		
\$117,568.30	2020			
\$57,347.46	2021			
\$199,499.46	2022			
\$55.04	2022 PI			
\$669,907.38	2023			
\$82,795.64	2020 cv	*change each month		
	OLD 20			
\$174,915.76	21			
\$1,127,173.28	Total All	20,21,22,23, PI, CV		

CDBG-CV CARES ACT FUNDS- 86.11% expended; estimated to all be completed by December 2024.

CARES ACT CDBG Monthly Report		Amount Funded	Expended	Funds Remain
CV3 AYEP Youth Center Rehabilitation SEE FUNDS ADDED		\$190,050.73	\$184,709.23	\$5,341.50
CV Constitution Park Improvements/Trails		\$14,153.74	\$0.00	\$14,153.74
CV Constitution Park Improvements/Playground		\$63,300.40	\$0.00	\$63,300.40
TOTAL CDBG CV BALANCE				\$82,795.64
	B20MW24001 Award (1st rd)	\$476,251.00		
	B20MW24001 Award (3rd rd)	\$119,910.00		

## **Historic Planning/Preservation**

April 2024

Ruth Davis-Rogers, Historic Planner/Preservation Coordinator

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

### **Historic Preservation Commission Meeting (HPC)**

- Supported March HPC Meeting scheduled for April 10<sup>th</sup>, 2024 (at the County Administration Building).
- Reviewed and administered Certificate of Appropriateness permits/administrative approval.
- Consulted with building owners on projects requiring COA permits.

### **Meetings & Events**

Attended

- Various city and dept. staff meetings
- Mtg. on Passages of the Western Potomac Heritage Area
- Attainable Housing Mtg.
- Mtg. w/ Estonia Delegation
- Carver Mtg.
- MHAA Grant Review Meeting
- MAHDC Meeting
- DHCD TAG grant meeting
- DHCD Revitalization Fund meeting
- Central Ave. Project Public Meeting
- Wills Creek Museum Grand Opening (gave walking tours and conducted oral histories)
- DDC Promotions Meeting

### **Grants, Tax Credits and Section 106 reviews**

Administered/managed funding/grants for:

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



## Human Resources

March and April 2024

April Howser, HR Officer/Justin Lam, HR Associate

### March 2024

- Coordinated, Oversaw and helped with FAQs regarding new Time & Attendance system
- Administered Police Testing
- Administered Fire Testing
- Annual OSHA Reporting
- Annual ACA Reporting
- Completed, Distributed and Submitted Annual W2s
- Completed Workers' Comp Code Project
- Took over retirement and employee milestone awards project
- Oversaw transition of City's Drug testing policy from Occ Health to Aeon Technologies
- Trained and implemented new health enrollment program (Simon)
- Rick Management meetings, reporting & management
- Bi-Weekly payroll
- YMCA enrollments
- Administered Q2 sick bonuses
- Conducted and sat in on employment interviews for various departments
- LGIT Training
- Employee inquiries & updates

	24-Mar
Open positions	5
New Hires	4
Retirements	1
Resignations	5
Terminations	1
FMLA	12
Workers Comp	9
Elected Officials	5
FT Employees	231
PT Employees	23
Contractual Employees	5

### April 2024

- Administered Police Testing
- New Time & Attendance System Implementation

\* Determined New Implementation timeline for T&A and distributed timeline City-Wide

\* Implemented Advanced Scheduling for new T&A for Departments 230 & 310

\* Held specialized training sessions for Police Department & Public Works

- Employee benefit investigation
- Employment Interviews with Parks & Rec, City Clerk & Public Works
- Seasonal Employees' orientations, paperwork, etc.
- Meeting & implementing new Drug & Dental programs for FY'25

- Administered FMLA & Worker's Comp programs for City
- Retirement and employee milestone awards
- Administered City's Drug testing
- Rick Management meeting, reporting & management
- Bi-Weekly payroll
- YMCA enrollments
- Administered Q3 sick bonuses
- LGIT Training
- Employee inquiries & updates
- Reasonable Suspicion Training

	24-Apr
Open positions	3
New Hires	1
Retirements	1
Resignations	1
Terminations	0
FMLA	3
Workers Comp	0
Elected Officials	5
FT Employees	239
PT Employees	18
Contractual Employees	5

**Comptroller's Office**  
Financial Activity Report  
April 2024  
Mark Gandolfi, City Comptroller

**Cash Flow:**

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

On April 1, 2024, the City had a cash balance of \$9.9 million (\$8.3 million invested in a value money market program and \$1.6 million participating in a sweep program at First United Bank). Receipts exceeded disbursements by \$630 thousand resulting in a cash balance of \$10.5 million at April 30, 2024 (\$8.3 million invested in a value money market program and \$2.2 million participating in a sweep program at First United Bank).

As of April 30th, the significant tax receivable balances are reflected in the table below.

Taxes receivable (General Fund)						\$ 1,899,014
	Beg Balance	New Billings	Adjustments/ Abatements	Collections	Bad Debt	Ending Balance
FY 2024	\$ 1,396,478	\$ 21,890	\$ (6,814)	207,317	\$ -	\$ 1,204,237
FY 2023	565,905	-	(570)	84,962	-	480,373
FY 2022	202,386	-	(274)	122,408	-	79,704
FY 2021	33,768	-	(292)	850	-	32,626
FY 2020	43,159	-	(292)	109	-	42,758
FY 2019	10,941	-	(292)	109	-	10,540
FY 2018	10,948	-	(292)	-	-	10,656
FY 2017	9,210	-	(50)	-	-	9,160
FY 2016	8,279	-	(57)	(8)	-	8,230
FY 2015	6,980	-	(57)	-	-	6,923
FY 2014	5,044	-	(57)	-	-	4,987
FY 2013	2,244	-	(57)	-	-	2,187
FY 2012	1,742	-	(57)	-	-	1,685
Prior FY's	5,003	-	(662)	(607)	-	4,948
	\$ 2,149,431	\$ 21,890	\$ (9,823)	\$ 415,140	\$ -	\$ 1,899,014

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

Real property (non-owner occupied)	\$712,929
Personal Property	175,224
Real Property (semiannual payments)	311,979
Real Property (Half Year)	4,105
	<u>\$1,204,237</u>

The City's liquidity position continues to be strong as illustrated in the following cash and investments table. Restricted cash and investments are comprised primarily of invested American Rescue Plan Act

(ARPA) funds received in advance and bond proceeds restricted to associated capital projects and expenditures.

<b>Cash and Investment Summary</b>		
<b>April 30, 2024</b>		
	Cash	Investments
Beginning Balance	\$ 9,888,320	\$ 30,271,340
Add:		
Cash Receipts	5,531,166	137,895
Investment Transfer	-	-
Less:		
Disbursements	4,901,645	-
Investment Transfer	-	-
Ending Balance	\$ 10,517,841	\$ 30,409,235
Restricted	\$ 2,176,283	\$ 7,095,591

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

<b>Restricted Cash</b>				
	<b>4/1/2024</b>	<b>Increase</b>	<b>Utilization</b>	<b>4/30/2024</b>
Police Seizures	\$ 78,551	\$ -	\$ -	\$ 78,551
Bowers Trust	48,103	219	-	48,322
Mason Sports Complex Donation	5,000	-	-	5,000
Infill Development Allegany County	-	345,000	-	345,000
National Opioid Settlement	49,005	-	-	49,005
GOB 21	202,204	71,731	148,649	125,286
Capital Projects	1,408,370	6,401	-	1,414,771
Demolition & Fiscal Agent Bonds	110,627	250	529	110,348
	\$ 1,901,860	\$ 423,601	\$ 149,178	\$ 2,176,283

<b>Restricted Investments</b>				
	<b>4/1/2024</b>	<b>Increase</b>	<b>Utilization</b>	<b>4/30/2024</b>
DDC	\$ 2,883	\$ 13	\$ -	\$ 2,896
ARPA	7,060,532	32,163	-	7,092,695
	\$ 7,063,415	\$ 32,176	\$ -	\$ 7,095,591

Increases to GOB21, ARPA, Capital Projects, Bowers Trust and DDC are interest earnings.

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

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

GOB21 is the FY21 general obligation bond issuance restricted for scheduled capital projects and equipment.

National Opioid Settlement is for opioid intervention in Cumberland.

### **Capital Projects and Associated Debt:**

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

Available Bond Proceeds				
	4/1/2024	Increase	Utilization	4/30/2024
CDA 2021	2,926,090	-	15,649	2,910,441
CDA 2023	1,622,974	-	71,899	1,551,075
GOB 21	202,203	-	76,919	125,284
	\$ 4,751,267	\$ -	\$ 164,466	\$ 4,586,800

CSO Projects				
	4/1/2024	Increase	Utilization	4/30/2024
Evitts Creek Phase 3 Debt	\$ 2,297,851	\$ -	\$ -	\$ 2,297,851
Evitts Creek Phase 3 Grant	5,418,560	-	-	5,418,560
Evitts Creek Phase 4 Debt	3,550,900	-	-	3,550,900
Grit Removal and UV Disinfection	4,445,000	-	-	4,445,000
78" Pipeline Debt	19,941,232	-	-	19,941,232
78" Pipeline Grant	46,338,060	-	-	46,338,060
	\$ 81,991,603	\$ -	\$ -	\$ 81,991,603

CDA 2021 \$16K utilization includes \$12K toward hydrant and valve replacements and \$4K toward SCADA improvements. CDA 2023 \$72K utilization includes \$66K for virtual servers and \$6K toward a filter building design. GOB21 \$77K utilization includes \$7K toward the Baltimore Street bridge, \$26K toward cross connections, \$24K toward hydrant/valve replacements and \$21K toward SCADA improvements; reduced by \$1K interest earned.

Remaining CDA 2021 funds are primarily allocated to Baltimore Street redevelopment (\$1.3M), fuel pump station (\$478K), City Hall elevator modifications (\$156K), cross connections/hydrants valves (\$81K), 5-ton dump truck (\$196K), Marion Street bridge (\$100K), Baltimore Street bridge (\$168K) and Decatur Street lighting (\$140K). Remaining GOB21 funds are primarily allocated to the Baltimore Street bridge (120K). Remaining CDA 2023 funds consist primarily of an ambulance (\$385K), 5-ton dump truck (\$190K), water filtration building design (\$486K), cross connections (\$72K), anaerobic digester (\$75K) and WWTP roof replacements (\$61K).

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

### **COVID-19:**

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

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

As of April 30, 2024, the City utilized \$13.4 million of the \$19.6 million ARPA award and is on track to obligate all funds by December 31, 2024 and fully expend all funds by December 31, 2026. Remaining projects include

park improvements, assistance to small businesses, residential property improvements and demolition, South End and Industrial Boulevard water main replacements, 4" to 6" water line replacements and City Hall HVAC replacement.

Available Funding (*as of April 30, 2024*):

Purpose	Awarded	Allocation				
		Budgeted	Allocated Interest Earned	Utilized Interest Earned	Utilized ARPA Budget	Remaining
American Rescue Plan Act (ARPA)	\$19,595,850					
Premium Pay		\$ 833,952			\$ 833,952	\$ -
Revenue Loss		\$10,000,000			\$ 10,000,000	\$ -
Respond to the health emergency						
Community Programs						
Amphitheatre and Pavilion 1&2		\$ 174,350	\$ 1,824	\$ 1,824	\$ 174,350	\$ -
Pool Area		\$ 71,250	\$ 73,228	\$ 73,228	\$ 71,250	\$ -
Union Rescue Mission		\$ 749,000			\$ 749,000	\$ -
YMCA Bus Replacement		\$ 216,000			\$ 216,000	\$ -
Duck Pond Remediation		\$ 16,844	\$ 12,426	\$ 12,426	\$ 16,844	\$ -
City of Cumberland Park Signage		\$ -	\$ 69,676	\$ 69,676	\$ -	\$ -
Promoting the Community		\$ 32,386			\$ 32,386	\$ -
Janes Place for Abused Children		\$ 40,777			\$ 40,777	\$ -
DDC Assistance to Small Businesses		\$ 183,500			\$ 113,465	\$ 70,035
Community Development Property Improvement		\$ 264,960			\$ 191,188	\$ 73,772
Affordable Housing Assistance		\$ 390,516			\$ 197,589	\$ 192,927
Demolition Assistance		\$ 20,000			\$ 20,000	\$ -
Skate Park - Mason Rec Complex		\$ -	\$325,000	\$ 2,400	\$ -	\$ 322,600
Park General Infrastructure		\$ -	\$ 78,164	\$ -	\$ -	\$ 78,164
Constitution Park Trail		\$ -	\$ 71,836	\$ -	\$ -	\$ 71,836
PPE						
General		\$ 29,269			\$ 29,269	\$ -
Facilities and Equipment		\$ 22,216			\$ 22,216	\$ -
Prisoner Processing Improvements		\$ 62,099			\$ 62,099	\$ -
HVAC Improvement at City Hall		\$ 1,415,278	\$201,380		\$ 324,225	\$1,292,433
Infrastructure Investments						
South End & Industrial Blvd Water Mains		\$ 4,894,228			\$ 224,704	\$4,669,524
Replace 4" Water Lines with 6" (City-Wide)		\$ 179,224			\$ 105,037	\$ 74,187
Total:	\$19,595,850	\$19,595,850	\$833,533	\$159,553	\$ 13,424,351	\$6,845,479

### **Comptroller's Office**

Fiscal Year 2024 General Fund

Quarterly Budget Review

March 31, 2024

### **General Fund:**

The table below illustrates the differences between the Adopted FY24 budget and the unofficial revised budget with an explanation for the most significant variances. The revised FY24 General Fund budget estimates indicate a \$3.3 million increase in unassigned fund balance is expected.

**City of Cumberland**  
**FY 2024 Adopted vs Revised Comparison**

	<b>Adopted Budget</b>	<b>Revised Budget</b>	<b>Change Fav (Unfav)</b>
<b>Revenues</b>			
Taxes	\$ 13,785,995	\$ 14,420,343	634,348
Licenses & Permits	120,000	121,916	1,916
Intergovernmental	8,519,973	9,030,292	510,319
Charges for Services	1,829,765	2,028,089	198,324
Fines, Forfeitures & Interest	1,269,076	1,489,769	220,693
Miscellaneous	1,395,357	1,495,518	100,161
Financing Proceeds	1,925,686	1,832,697	(92,989)
Original Issue Premium	-	-	-
Interfund Transfers	2,520,154	2,488,051	(32,103)
<b>Total Revenue and other financing sources</b>	<b>31,366,006</b>	<b>32,906,675</b>	<b>1,540,669</b>
<b>Expenditures</b>			
General Government	2,582,281	2,615,071	(32,790)
Public Safety	14,820,339	16,124,948	(1,304,609)
Public Works	2,898,900	2,913,951	(15,051)
Recreation	766,679	846,717	(80,038)
Community Dev & Housing	2,215,305	2,238,600	(23,295)
Debt Service	3,665,941	3,665,941	-
Operating Transfers	7,385,780	5,817,040	1,568,740
<b>Total Expenditures and other financing uses</b>	<b>34,335,225</b>	<b>34,222,268</b>	<b>112,957</b>
<b>Surplus (Deficit)</b>	<b>\$ (2,969,219)</b>	<b>\$ (1,315,593)</b>	<b>\$ 1,653,626</b>
<b>(Creation) utilization Restricted/nonspendable fund balance</b>	<b>3,864,020</b>	<b>3,296,997</b>	<b>(567,023)</b>
<b>(Creation) utilization Assigned fund balance</b>	<b>1,719,493</b>	<b>1,274,714</b>	<b>(444,779)</b>
<b>Increase in unassigned Fund balance</b>	<b>\$ 2,614,294</b>	<b>\$ 3,256,118</b>	<b>\$ 641,824</b>

*Revenue* – Overall the revised FY24 revenue estimate is \$1.5 million (4.91%) above the original adopted budget. The overall revenue net increase is driven by six main changes in estimates. Actual year-to-date results through March 2024 indicate an improvement in tax, intergovernmental, charges for services, interest, and miscellaneous revenues and a reduction in financing proceeds revenue.

- Tax revenue estimate experienced an increase of \$0.6 million primarily due to greater real and corporate personal property tax and fewer property tax credits.
- Intergovernmental revenue estimate experienced an increase of \$0.5 million primarily due to improved police protection, ARPA, and community parks grant revenues.
- Service revenue estimate experienced an increase of \$0.2 million primarily due to improved ambulance service revenue.
- Fines, forfeitures & interest revenue estimate experienced an increase of \$0.2 million due to higher interest rates and a greater cash balance earning at higher interest rates.
- Miscellaneous revenue estimate increased \$0.1 million primarily due to greater surplus property sales.
- Financing proceeds decrease of \$0.1 million due to having historical debt available to apply to capital equipment.

*Expenditures* – The revised FY24 expenditure estimate is \$0.1 million (0.33%) below the original adopted budget. This decrease is primarily due to decreased operating transfers resulting from two new Baltimore Street Access Project grant awards totaling \$1.5 million reducing the General Fund's transfers out to the Capital Projects Fund. The decrease in operating transfers is partially offset by increased costs that include \$0.7 million for a fire truck, \$0.4 million increased personnel costs for training, overtime and leave payouts, \$0.2 million for police personnel and overtime costs, and \$0.1 million for park improvements.

*Assigned fund balance* - The revised FY24 budget reflects a \$1.3 million decrease to the assigned fund balance. This result is due to the utilization of funds for a fire truck, infill development and portions of the Baltimore Street and Fayette Street bridges.

*Unassigned fund balance* - The revised FY24 budget reflects an increase to the unassigned fund balance of \$3.3 million. This result is the net effect of the above discussion.

The table below depicts the General Fund FY24 budget status through March 31, 2024 and its comparison to the prior year.

**City of Cumberland**  
**FY 2024 Comparison to FY 2023 General Fund**

	FY 2024			FY 2023		
	YTD Thru March 31	Adopted Budget	%age	YTD Thru March 31	Adopted Budget	%age
<b>Revenues</b>						
Taxes	\$ 13,462,876	\$ 13,785,995	97.7%	\$ 12,764,191	\$13,276,255	96.1%
Licenses & Permits	55,233	120,000	46.0%	41,896	113,700	36.8%
Intergovernmental	5,957,773	8,519,973	69.9%	6,587,969	9,537,394	69.1%
Charges for Services	1,281,845	1,829,765	70.1%	1,207,878	1,729,840	69.8%
Fines, Forfeitures & Interest	1,124,500	1,269,076	88.6%	690,273	31,720	2176.1%
Miscellaneous	669,684	1,395,357	48.0%	946,360	1,057,349	89.5%
Financing Proceeds	-	1,925,686	0.0%	-	1,179,870	0.0%
Interfund Transfers	2,488,051	2,520,154	98.7%	2,465,523	2,473,409	99.7%
<b>Total Revenue and other financing sources</b>	<b>25,039,963</b>	<b>31,366,006</b>	<b>79.8%</b>	<b>24,704,089</b>	<b>29,399,537</b>	<b>84.0%</b>
<b>Expenditures</b>						
General Government	1,794,482	2,582,281	69.5%	1,466,436	2,118,551	69.2%
Public Safety	11,523,088	14,820,339	77.8%	10,176,546	13,038,414	78.1%
Public Works	2,163,207	2,898,900	74.6%	1,993,317	2,883,624	69.1%
Recreation	560,490	766,679	73.1%	554,773	861,734	64.4%
Community Dev & Housing	1,456,288	2,215,305	65.7%	2,415,353	2,868,141	84.2%
Debt Service	1,663,925	3,665,941	45.4%	1,557,247	3,534,384	44.1%
Operating Transfers	2,885,043	7,385,780	39.1%	482,408	5,458,491	8.8%
<b>Total Expenditures and other financing uses</b>	<b>22,046,522</b>	<b>34,335,225</b>	<b>64.2%</b>	<b>18,646,079</b>	<b>30,763,339</b>	<b>60.6%</b>
<b>Surplus (Deficit)</b>	<b>\$ 2,993,440</b>	<b>\$ (2,969,219)</b>		<b>\$ 6,058,011</b>	<b>\$ (1,363,802)</b>	
(Creation) utilization Restricted/nonspendable fund balance	2,885,043	3,864,020		482,408	3,710,556	
(Creation) or utilization Assigned fund balance	716,838	1,719,493		-	-	
<b>Increase (Decrease) in unassigned Fund balance</b>	<b>\$ 6,595,321</b>	<b>\$ 2,614,294</b>		<b>\$ 6,540,419</b>	<b>\$ 2,346,754</b>	

We are not overly concerned about any of the actual to budget or actual to prior year variances, but we are noting the following in FY24 when compared to FY23:

#### Revenue

- Overall, tax revenue is up \$699K compared to the same period last year primarily due greater real property tax revenue and fewer property tax credits.
  - Property tax credits are down year-over-year by \$83K.
  - Real property tax revenue is greater by \$653K.
- Intergovernmental revenue is lower by \$630K primarily due to timing differences among FY24 non-recurring revenue for ARPA projects being less than FY23.
  - ARPA revenue is \$799K less.
  - Highway User revenue is \$142K greater.
- Service revenue is \$74K greater primarily due to ambulance service and police overtime reimbursement revenues.
- Miscellaneous revenue is lower by \$277K primarily due to additional surplus property sales in FY24 resulting from the sale of two firehouses reduced by the LGIT Coop Surplus having been received by March 31<sup>st</sup> in FY23 but not in FY24.



- Fines, Forfeitures & Interest revenue is \$434K greater due to sustained higher interest rates and invested balances.
- Financing proceeds – new FY24 debt issuance is expected for May 2024.
- Interfund transfers – FY24 is greater by \$23K. Sewer Fund Pilot is down by \$53K over the prior year due to reduced net book value resulting from an additional year of depreciation. New asset additions during FY23 did not exceed the value of depreciation. Water Fund Pilot is greater by \$76K over the prior year due to greater net book value resulting from asset additions exceeding an additional year of depreciation.

### Expenditures

- General government expenditures are higher in FY24 than during the same period last year by \$328K. This increase is primarily due to:
  - Department 32/City Hall – FY24 includes \$147K for downtown business and Wills Hotel project grants.
  - Department 17/Personnel – an employee remained on payroll while on FMLA, retired by December 2023 and a new hire was simultaneously in place. This is a one-time occurrence for FY24 over FY23.
  - Department 33/IT – FY24 includes \$100K additional software as a service for the new timekeeping system and its implementation.
- Public Safety is higher by \$1.3 million in FY24 over FY23 primarily due to FY24's timing among capital purchases (\$550K) and increased payroll in the Departments 43/Fire and 40/Police resulting from April 2023 wage increases.
- Community and economic development expenditures are lower by \$959K primarily due to a reduced level of subrecipient disbursements in FY24 compared to FY23. FY23 includes ARPA disbursements for Union Rescue Mission and YMCA.
- Operating transfer expenditures are greater in FY24 compared to FY23 due to the general fund capital project activity level.

### Health Care Claims Analysis

The table below compares our FY24 health care plan status to FY23. The claims status can fluctuate widely from month to month. It is something we monitor closely, but the earlier in the year the less concerned we are about variances. Key points are as follows:

- Through March 31<sup>st</sup>, we have a \$541K surplus compared to \$602K in FY23 and a performance ratio of 91.85% compared to 89.56% in FY23.
- Total deposits are lower by \$119K in FY24 compared to FY23.
- A key figure to watch is our performance ratio. The annual rates are established by estimating claims and adding a 15% “corridor” as a cushion for overages. A performance ratio of 100% indicates that we are at the expected claims rate.
- Members of the group pledge a “cross-share” that can be used to cover deficits of other members.
- Our “potential refund” is the balance after cross share which is the surplus less any anticipated cross-share.

Month	Total Deposits	Reinsurance		Net Monthly Claims Paid	CIGNA Refunds	Surplus (Deficit)	Performance Ratio	Pledged Cross		Anticipated Cross Share Needed	Balance After Cross Share
		Received	Pending					%age	Dollars		
Mar-24	2,739,421	39,008	642,572	2,894,484	24,925	551,442	91.85%	5.0%	(27,572)	(10,705)	540,737
Mar-23	2,858,431	50,221	98,393	2,409,741	35,002	632,307	89.56%	10.0%	(63,231)	(30,726)	601,581

Respectfully submitted,

Jeffrey F. Silka  
City Administrator

*slb*

**File Attachments for Item:**

. Maintenance Division Monthly Report for April 2024

# **MAINTENANCE DIVISION REPORT APRIL 2024**

**Street Maintenance Report**

**Parks & Recreation Maintenance Report**

**Fleet Maintenance Report**

**Central Services Report**

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

- Potholes and Citizen Reports
  - 78 Service requests completed
  - 49 streets and 21 alleys repaired
- Street Maintenance and Utility Work
  - 72 yards of concrete utilized
  - Queen City Dr. project is completed from Baltimore St. to Centre St.
- Tree Removal and Pruning
  - 7 hazard trees were removed
  - 52 trees were trimmed
  - Tree Complaints and Tree Issues
    - Resolved and/or addressed 51 tree complaints and tree issues
  - Other Work
    - Shade Tree Meeting
    - Arbor Day Event at Masons Complex
    - 16 Tree Plantings Occurred
- Street Cleaning Operations
  - 15 Loads Collected
  - 24 Tons of Debris to Landfill
  - 316 Miles of Streets Swept
  - Sweeper has been out for repair this month and is expected to return to service in May
- Sign Work
  - 13 Traffic Control Sign Repaired / Installed
  - 3 Street Name Signs Repaired / Installed
  - 2 Handicap Signs Repaired / Replaced
  - 1 Handicap Signs Removed / Installed
- Miscellaneous
  - Baltimore St. underpass cleaned 4x
  - 2 Events for traffic control
  - Continuing road side Mowing
  - Acquired new milling attachment and received training
    - Will begin permanent repairs to help bolster street conditions

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

- Constitution Park
  - New Duck Pond Fountain has been installed
  - Mowing operations have begun in the park
  - Pool Cleaning began this month
  - All Public Restrooms are open for use Monday – Friday
  
- Mason's Sports Complex
  - New fencing was installed to surround Flynn field and protect new infield material
  - Galaxy Field has been Core Aerated and others are scheduled
  - Mowing Operations are in Full Swing
  - All Fields have been refreshed from the Winter Season
  - Bathrooms are open to the public Monday – Friday
  
- Parklets
  - Mowing Contractor began Operations at all outlying Greenspace Parklets

**FLEET MAINTENANCE  
MONTHLY REPORT  
APRIL 2024**

<b>DEPARTMENT</b>	<b>REPAIRS</b>
<b>Central Services</b>	<b>2</b>
<b>Community Development</b>	<b>2</b>
<b>DDC</b>	<b>0</b>
<b>Engineering</b>	<b>1</b>
<b>Fire</b>	<b>15</b>
<b>Fleet Maintenance</b>	<b>3</b>
<b>Flood</b>	<b>6</b>
<b>MPA</b>	<b>1</b>
<b>P &amp; R Maintenance</b>	<b>16</b>
<b>Police</b>	<b>26</b>
<b>Public Works</b>	<b>6</b>
<b>Sewer</b>	<b>12</b>
<b>Snow Removal</b>	<b>14</b>
<b>Street Maintenance</b>	<b>26</b>
<b>Water Distribution</b>	<b>14</b>
<b>WFP</b>	<b>2</b>
<b>WWTP</b>	<b>4</b>
<b>In House Fleet Maintenance Projects</b>	<b>8</b>
<b>Scheduled Preventative Maintenance</b>	<b>30</b>
<b>Field Service Calls</b>	<b>19</b>
<b>Total Fleet Maintenance Projects</b>	<b>207</b>
<b>Total Repair Orders Submitted</b>	<b>7</b>
<b>Fleet Maintenance Risk Management Claims</b>	<b>0</b>

**CENTRAL SERVICES  
MONTHLY REPORT  
APRIL 2024**

- **City Hall:** Checked to see if the window could be opened because of the new HVAC system being installed. Fixed window in Councilperson Jimmy Furstenberg's office. Changed over from heat to A/C for the summer. Contacted Home Paramount for the ants in the Finance office area. Met with the HVAC contractor and did a walk through with Ken on the project. Fixed the ceiling in the Finance office area to keep the sound down between offices. Fixed the bathroom on the first floor IT area.
- **Municipal Service Center:** Took measurements for floor tile replacement. Replaced bad LEDs in the mechanics storage room and break room. Greased and adjusted the main gate controller.
- **Public Safety Building:** Installed two new TV monitors and HDMI cables in the Police supervisor's room. Installed a new card reader on the third floor Police side for a new evidence room. Unclogged the floor drains in the Police locker room and kitchen sink in the Fire Department. Finished up the new IT data room. Second floor Police side fire suppression system and got the wet sprinkler removed. Installed a new fax line in the Fire department's office area. Replaced a bad breaker for the Police Chief's office. Set up time to get the two elevators inspected. Greased all the garage doors police and fire.
- **Fire Stations #2:** Maintenance on the garage door. Checked the boiler and oiled the circulating pumps.
- **Downtown Area & Mall:** Finished up with the new lighting contract with First Energy to provide street lights in the city limits. Met with the contractor about the traffic lights at Baltimore St and Mechanic St intersection programming the Polara crosswalk system that they are installing.
- **Parks:** Replaced mop sink faucets at Cavanaugh Field. Worked on opening some of the bathrooms at the Park. Took the two pool pumps to the motor shop to be repaired. Turned the water on to the main pool building. Replaced the water pressure regulator at the lower bathrooms Mason complex.
- **Traffic and Street Lights:** Reported 23 street lights for the power company to repair. Repaired a crosswalk head at Queen City Dr. and Baltimore St intersection. Reset the traffic lights at Maryland Ave. and Williams St. because of power outage. Worked on how we are moving the traffic cabinet on Queen City Dr. and Harrison St. to keep the trucks from running over it.
- Load tested generators. April 25, 2024
- Monthly Safety Meeting – April 15, 2024
- PM's on all the pumps and motors at PSB, City Hall and MSC



**File Attachments for Item:**

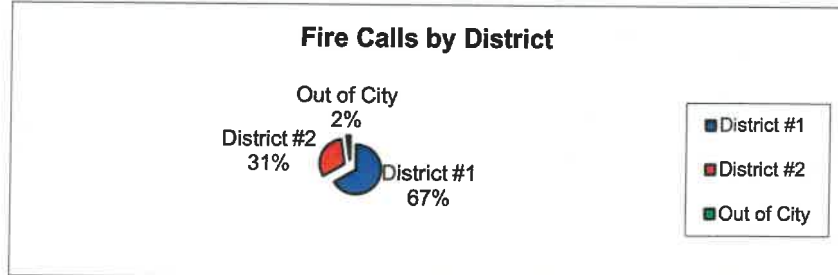
. Fire Department Monthly Report for April 2024

**REPORT OF THE FIRE CHIEF FOR THE MONTH OF APRIL, 2024**  
**Prepared for the Honorable Mayor and City Council and City Administrator**

**Cumberland Fire Department Responded to 167 Fire Alarms:**

**Responses by District:**

District #1	111
District #2	52
Out of City	4
	<u>167</u>



**Number of Alarms:**

First Alarms Answered	165
Working Alarms Answered	2
	<u>167</u>

**Calls Listed Below:**

<b>Property Use:</b>	
Public Assembly	10
Educational	1
Institutional	24
Residential	79
Basic Industry/Utility	0
Storage	0
Stores and Offices	7
Special Properties	46
	<u>167</u>

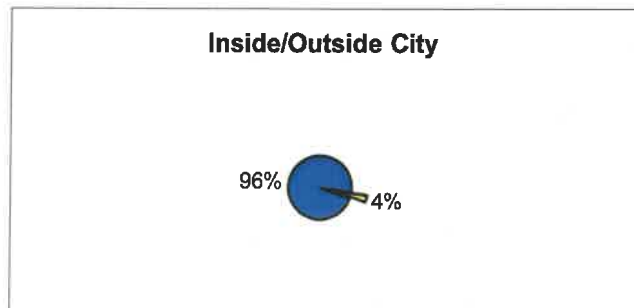
**Type of Situation:**

Fire or Explosion	10
Overpressure, Rupture	0
Rescue Calls	99
Hazardous Conditions	10
Service Calls	13
Severe Weather	1
Good Intent Calls	16
False Calls	18
	<u>167</u>

Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid in April:	\$4,940.00
Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid Fiscal Year to Date:	\$17,970.00
Fire Service Fees for Fire Calls Paid in April:	\$300.00
Fiscal Year Fees Paid in Fiscal Year:	\$1,810.00
Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date:	\$3,470.00
Fire Service Fees for Inspections and Permits Billed in April:	\$250.00
Fire Service Fees for Inspections and Permits Paid in April:	\$150.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$2,500.00

**Cumberland Fire Department Responded to 493 Emergency Medical Calls:**

In City Calls	475
Out of City Calls	18
Total	<u>493</u>



Total Ambulance Fees Billed by Medical Claim-Aid in April:	\$169,094.00
Ambulance Fees Billed Fiscal Year to Date:	\$1,647,233.89
Ambulance Fees Paid:	
Revenue Paid in April:	\$129,522.88
FY2024 Ambulance Fees Paid in FY2024:	\$1,014,260.05
Total Ambulance Fees Paid in FY2024:	\$1,231,155.83
(All ambulance fees, previous and current fiscal years, paid in FY2024.)	

**Cumberland Fire Department provided 16 Mutual Aid calls:**

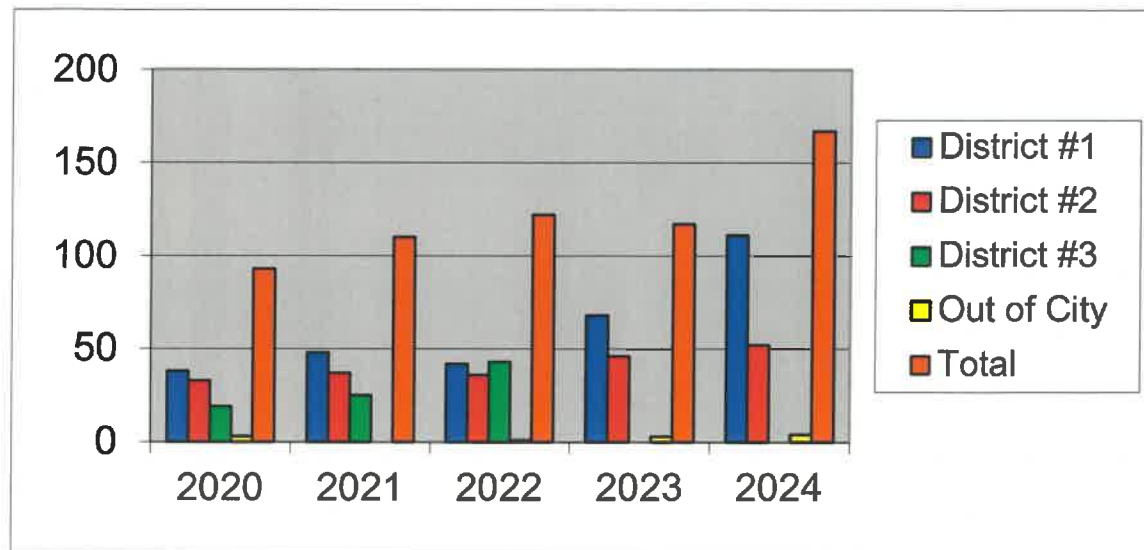
15 Mutual Aid calls inside Allegany County	
1 Mutual Aid calls outside of Allegany County	
<u>16</u>	
Bowman's Addition VFD	5
Cresaptown VFD	6
Flintstone VFD	4
	<u>15</u>
Ridgeley VFD, WV	1
	<u>16</u>

**Cumberland Fire Department provided 2 Paramedic Assist calls:**

1 Paramedic Assist calls inside Allegany County	
1 Paramedic Assist calls outside of Allegany County	
<u>2</u>	
Allegany County DES	1
Ridgeley, WV VFD	1
	<u>2</u>

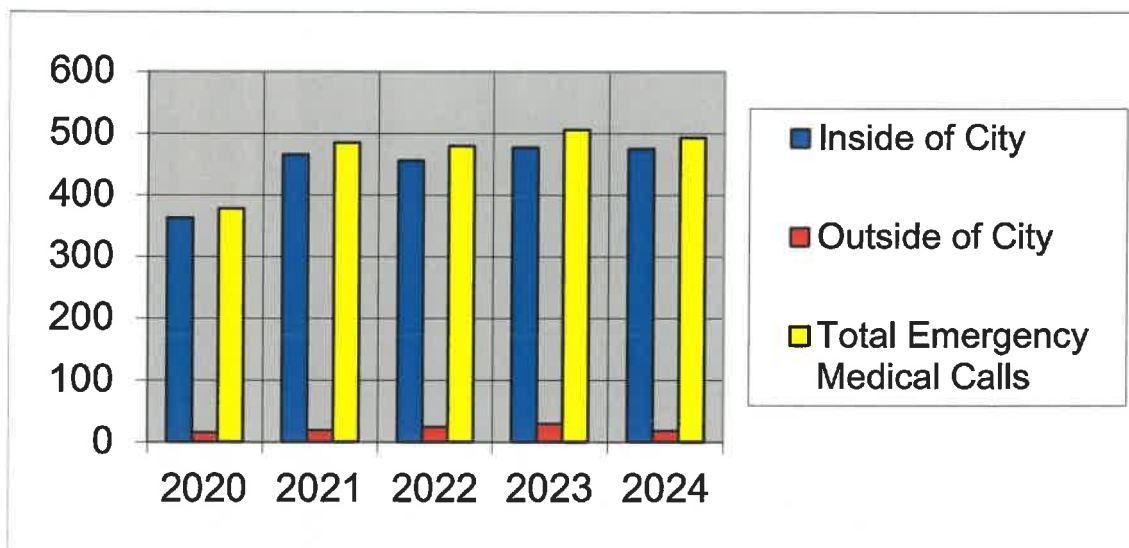
### Fire Calls in the Month of April for a Five-Year Period

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
District #1	38	48	42	68	111
District #2	33	37	36	46	52
District #3	19	25	43	0	0
Out of City	3	0	1	3	4
Total	93	110	122	117	167



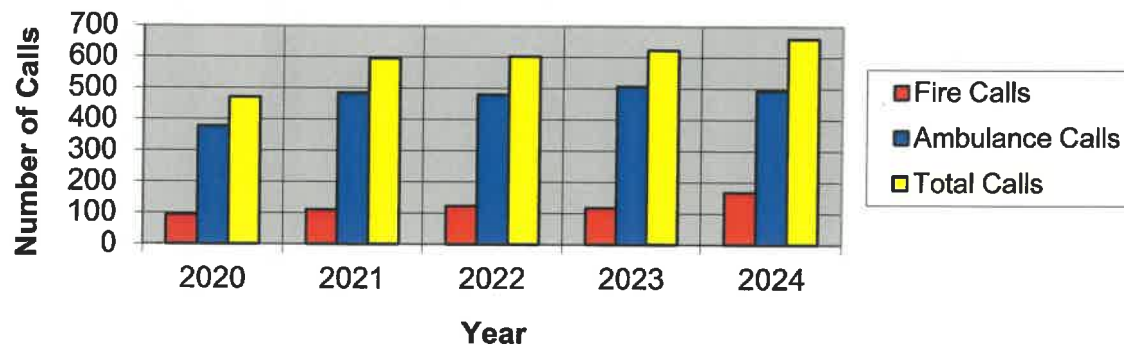
### Ambulance Calls in the Month of April for a Five-Year Period

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Inside of City	363	466	456	477	475
Outside of City	15	19	24	29	18
Total Emergency Medical Calls	378	485	480	506	493



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

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Fire Calls	93	110	122	117	167
Ambulance Calls	378	485	480	506	493
Total Calls	471	595	602	623	660



### Training

Training Man Hours: 971.50 man hours / 505 course hours

Training Listed Below:

Truck #1 Operations  
 Mock MVC for High Schools  
 Rope and Rigging  
 Driver Training  
 Rope Rescue  
 Natural Gas Drill  
 Brush Fire  
 CPR  
 Auto Extrication  
 Paramedic Training

### Fire Prevention Bureau

Burning Permits	20
Investigations Conducted	2
Inspections Performed	12
Conferences Held	11
Complaints Received	1
Correspondence Written	54
Plans Reviews	3
Public Education	3
Plan Reviews	3

### Personnel

Nothing to report.

Statistics Compiled by Julie A. Davis, Fire Administrative Officer



**File Attachments for Item:**

. Police Department Monthly Report for April 2024



# **City of Cumberland Department of Police**

**Monthly Report**  
**April 2024**





# City of Cumberland Department of Police

## Monthly Report

### April 2024

#### Part 1 Crimes for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Aggravated Assaults	2	7	B & E (All)	10	11	Murder	0	0	Rape	2	0
Robbery	0	4	Theft - Felony	1	0	Theft - Vehicle	1	1			

#### Selected Criminal Complaints for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Theft - Misdemeanor	18	38	Theft - Petty	27	12	Domestic Assaults	20	16	CDS	35	36
Disturbances	137	135	DOP/Vandalism	26	23	Indecent Exposure	1	1	Sex Off - Other	2	1
Suicide	0	0	Suicide - Attmpt.	1	0	Tampering M/V	0	0	Abuse - Child	1	3
Trespassing	36	38	Assault on Police	3	2	Assault Other	24	47			

#### Selected Miscellenous Incidents for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Alcohol Volations	2	1	Juvenile Compl.	20	24	Missing Persons	4	13	School Resource	107	163
School Threat	0	0	Sex Off. Regist.	3	0	Truancy	0	0	Death Investigation	9	7

#### Selected Traffic Incidents for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
DWI	12	5	Hit & Run	23	17	M/V Crash	56	51	Traffic Stop	341	254

#### Selected Service Calls for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Alarms	30	45	Assist Motorist	31	34	Check Well-Being	152	121	Foot Patrol	135	67
Assist Other Agency	91	68	Bike Patrol	3	0	Special Events	9	4	Suspicious Activity	72	66

#### Current Incident Status for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Open	20	88	Arrest	255	229	Closed	2256	1783	Suspended	72	31



# City of Cumberland Department of Police

## Monthly Report

### April 2024

#### Arrests Totals for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
M/V Citations	38	42	M/V SERO	1	0	M/V Warnings	300	207	Arrest on View Adult	46	42
Arrest On Crim. Cit.	22	37	Arrest Summons	25	30	Arrest Warrant Adult	61	66	Adult Crim.	158	182
Arrest Summon (Chrg)	23	21	Arrest Warrant (Chrg)	14	21	Juvenile Crim.	12	19	Arrest on View Juv	9	18
Arrest Warrant JUV	0	0	Emer. Petition	47	23	Fingerprinting	1	0	RunAway & Miss Per.	5	16
Civil Citation	7	3									

**Total Incidents Reported :**                      **2023**                      **2024**  
**2,603**                      **2,131**

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**Chuck Ternent - Chief of Police**

# CUMBERLAND POLICE DEPARTMENT

## MONTHLY REPORT

April 2024

### SWORN PERSONNEL: 48 SWON OFFICERS

Administration	5 officers
Squad D1	9 officers
Squad N1	8 officers
Squad D2	8 officers
Squad N2	8 officers
C3I/C3IN	5 officers
School Resource	2 officers
CAT Team	2 officers
Academy	1 officer

### CIVILIAN EMPLOYEES: 7 full time, 8 part time

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

\*=Grant funded

\*\*=Shared costs with other agencies

### LEAVE REPORT

VACATION TAKEN: 826  
COMP TIME USED: 253.5  
SICK TIME USED: 32

YEAR TO DATE (beginning 07/01/23): 7,500.375  
YEAR TO DATE (beginning 07/01/23): 1,650.625  
YEAR TO DATE (beginning 07/01/23): 1,720.25

### OVERTIME REPORT

OVERTIME WORKED: 87.5  
HOSPITAL SECURITY: 128.5  
COURT TIME WORKED: 312

YEAR TO DATE (beginning 07/01/23): 1,466  
YEAR TO DATE (beginning 07/01/23): 1,192  
YEAR TO DATE (beginning 07/01/23): 3,933

**File Attachments for Item:**

1. Ordinance 3977 (*2nd and 3rd readings*) - authorizing the transfer of a parcel of real property located at Rear Greene Street, Lots Nos. 33 and 34 of Block 33 of the Cumberland Development Company's Ridgedale Addition, to Betsy and Thomas Harrison for the purchase price of \$600

**ORDINANCE NO. 3977**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE CONVEYANCE OF REAR GREENE STREET, PART OF LOTS 33 AND 34 OF BLOCK 33 OF THE CUMBERLAND DEVELOPMENT COMPANY'S RIDGEDALE ADDITION TO THE CITY OF CUMBERLAND, CUMBERLAND, MARYLAND 21502 TO BETSY HARRISON AND THOMAS HARRISON FOR \$600.00 AND TO AUTHORIZE THE EXECUTION OF A DEED EFFECTING THE SAID CONVEYANCE."

**WHEREAS**, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at Rear Greene Street in the City of Cumberland, Allegany County, Maryland (the "Property"), being Lots Nos. 33 and 34 of Block 33 of the Cumberland Development Company's Ridgedale Addition to the City of Cumberland;

**WHEREAS**, the Property was declared to be surplus property under the terms of Order No. 27,442, passed by the Mayor and City Council on April 16, 2023;

**WHEREAS**, Betsy Harrison and Thomas Harrison (the "Harrisons") offered to purchase the Property for the sum of Six Hundred Dollars (\$600.00); and

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

**NOW, THEREFORE**

**SECTION 1:** BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council accept the Harrisons' offer to purchase the Property for the purchase price of Six Hundred Dollars (\$600.00) subject to the following terms and conditions:

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

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

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

**SECTION 2:** AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute a deed in the form attached hereto as Exhibit A or in a similar form approved by the City Solicitor, conveying the aforesaid real property to the Harrisons in exchange for the payment of the aforesaid purchase price;

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

Passed this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Raymond M. Morriss, Mayor

ATTEST:

\_\_\_\_\_  
Allison Layton, City Clerk

## **EXHIBIT A**



**NO TITLE SEARCH PERFORMED**

**THIS QUITCLAIM DEED**, made this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between **Mayor and City Council of Cumberland** (the “City”), a Maryland municipal corporation, and **Thomas Harrison and Betsy Harrison** (the “Grantees”), husband and wife.

**WITNESSETH:**

That for and in consideration of the sum of Six Hundred Dollars (\$600.00) and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the City does hereby quitclaim to the Grantees, their personal representatives, heirs and assigns, all of the City’s right, title, interest and estate in and to the following-described piece or parcel of real estate lying and being in the City of Cumberland, Allegany County, Maryland, to wit:

**ALL** those two lots or parcels of ground situated in the Cumberland Development Company's Ridgedale Addition to the City of Cumberland, in Allegany County, Maryland, known and designated as Lots Nos. 33 and 34 of Block 33 as shown on the Plat and table of courses of distances of said Addition as recorded among the Land Records of Allegany County, Maryland in Liber L. L. S. No. 123, folio 1, reference to which said plat and table of courses and distances is hereby made for a more particular description of each of said lots.

**IT BEING** the same property described as Parcel Four in the deed from Kim K. Gold and John D. Hendershot, Personal Representatives of the Estate of Leon L. Granoff, to Mayor and City Council of Cumberland dated May 30, 2023, and recorded among the Land Records in Book 2926, Page 86.

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

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

**TO HAVE AND TO HOLD** the above-described property unto the Grantees, their personal representatives, heirs and assigns, in fee simple forever as tenants by the entirety.

**WITNESS** the hand and seal of the City the date first written above.

**WITNESS/ATTEST:**

**MAYOR AND CITY COUNCIL  
OF CUMBERLAND**

\_\_\_\_\_  
**Allison Layton**

By: \_\_\_\_\_(SEAL)  
**Raymond M. Morriss, Mayor**

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

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Raymond M. Morris**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is Six Hundred Dollars (\$600.00); and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland and it is a political subdivision of the State of Maryland.

**WITNESS** my hand and Notarial Seal.

\_\_\_\_\_  
**NOTARY PUBLIC**

**My Commission Expires:** \_\_\_\_\_

**Attorney Certification**

I hereby certify that the foregoing instrument was prepared by the undersigned attorney license to practice law in the State of Maryland. He further certifies that he did not perform a title search in connection with its preparation.

\_\_\_\_\_  
Michael Scott Cohen

**File Attachments for Item:**

. R2024-02 (*1 reading only*) - granting the Western Maryland Scenic Railroad Corporation, Inc. a property tax credit for the 2024-2025 tax year, as provided for by Section 9-302(b)(4) of the Tax Property Article of the Annotated Code of Maryland

**City of Cumberland**  
- Maryland -

**RESOLUTION**

RESOLUTION NO. **R2024-02**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND,  
GRANTING THE WESTERN MARYLAND SCENIC RAILROAD DEVELOPMENT  
CORPORATION, INC., A PROPERTY TAX CREDIT FOR THE  
TAX YEAR 2024-2025**

- WHEREAS,** the Mayor and City Council of Cumberland is, by State Law, granted the authority to impose taxes upon the assessed valuation of property situated within the City of Cumberland against the owners of such property; and
- WHEREAS,** Section 9-302 of the Tax-Property Article of the Annotated Code of Maryland provides that a municipal corporation in Allegany County may grant, by law, a property tax credit against certain property owners; and
- WHEREAS,** the Western Maryland Scenic Railroad Development Corporation, Inc. is such a property owner designated in Section 9-302(b)(4) of the Tax-Property Article of the Annotated Code of Maryland; and
- WHEREAS,** the Western Maryland Scenic Railroad Development Corporation, Inc. has, pursuant to Section 9-301(e)(1), applied for the property tax credit; and
- WHEREAS,** the Mayor and City Council of Cumberland desires to grant to the Western Maryland Scenic Railroad Development Corporation, Inc. a property tax credit against the municipal corporation property tax imposed on the Western Maryland Scenic Railroad Development Corporation, Inc. for the tax year 2024-2025.

**NOW, THEREFORE, BE IT RESOLVED THAT,** the Western Maryland Scenic Railroad Development Corporation, Inc. be and is hereby granted a property tax credit against any and all municipal corporation property tax imposed upon it by the City of Cumberland for tax year 2024-2025.

*Given under our Hands and Seals this 21st day of May, 2024, with the  
Corporate Seal of the City of Cumberland hereto attached,  
duly attested by the City Clerk.*

Attest:

Mayor and City Council  
Of Cumberland

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Allison K. Layton  
City Clerk

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Raymond M. Morriss  
Mayor



13 Canal Street, 2<sup>nd</sup> Floor  
Cumberland, MD 21502

*WMSR is a 501(c)3 not-for-profit corporation founded in 1986*

May 1, 2024

Mayor Morriss and City Council  
City Hall  
57 North Liberty Street  
Cumberland, MD 21502

Re: Western Maryland Scenic Railroad Development Corp. Tax #: D02128841

Dear Mayor Morriss, City Council, et al:

As granted to Western Maryland Scenic Railroad in previous years, we are requesting a tax credit/abatement for the property taxes assessed to our organization for the Tax Year 2024-2025. Please consider taking action on this abatement during your next public meeting. WMSR does not own real estate property.

If any additional information is needed, or if you have any questions, please do not hesitate to contact me regarding this request for tax abatement/credit at: 301-759-4400.

Sincerely,

Wesley Heinz  
Executive Director  
Western Maryland Scenic Railroad

RCVD  
CLERK'S OFFICE  
2024MAY9 PM1:32

**File Attachments for Item:**

. Ordinance 3978 (*1st reading*) - authorizing the transfer of a parcel of real property located at 461 Goethe Street, to Tyler Thompson for the purchase price of \$100

## **ORDINANCE NO. 3978**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED "AN ORDINANCE TO ACCEPT THE BID OF TYLER THOMPSON FOR THE PURCHASE OF THE PARCEL OF REAL PROPERTY IN THE CITY OF CUMBERLAND KNOWN AS 461 GOETHE STREET, CUMBERLAND, MD 21502 AND, SUBJECT TO THE TERMS SET FORTH HEREINAFTER, TO AUTHORIZE THE EXECUTION OF A DEED TO EFFECT THAT CONVEYANCE."

**WHEREAS**, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 461 Goethe Street, Cumberland, MD 21502 (the "Property");

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

**WHEREAS**, the Property was included in the solicitation for bids known as the "2021 Request for Bids Surplus Properties Round II" but was not bid upon;

**WHEREAS**, the City has since received a bid for the purchase of the Property from Tyler Thompson (the "Purchaser") for the sum of One Hundred Dollars (\$100.00), and staff is recommending that the Mayor and City Council accept the bid; and

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

### **NOW, THEREFORE**

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

- A. The Property will be conveyed to the Purchaser by means of a quitclaim deed containing no warranties



or representations of any kind, the form of which is set forth in the Exhibit A attached hereto;

- B. The Purchaser shall pay all of the recordation and transfer taxes that are required to record the said deed;
- C. The Purchaser will pay the City and County real estate taxes due from the date of the deed through the remainder of the current tax year and will assume responsibility for the payment of those taxes thereafter.
- D. The Purchaser shall remit the payments set forth below to the City Clerk at City Hall, 57 N. Liberty Street, Cumberland, MD 21502 by personal check, cashier's check or money order. A total of three (3) personal checks/cashier's checks/money orders must be presented to the City Clerk.
  - i. \$60.00 deed recordation fee made payable to "Circuit Court for Allegany County".
  - ii. The purchase price, pro-rated City real estate taxes and \$100.00 deed recordation service fee made payable "City of Cumberland".
  - iii. The pro-rated County real estate taxes and deed recordation and transfer taxes made payable to "Allegany County".
- E. Cash will not be accepted. Improperly remitted payments will be returned.
- F. Failure to remit the aforesaid payments to the City Clerk within sixty (60) days from the date of the passage of this Ordinance shall result in the rejection of the Purchaser's bid unless said deadline is extended by the City Administrator or City Solicitor for good cause shown.

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

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

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

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Raymond M. Morriss, Mayor

ATTEST:

\_\_\_\_\_  
Allison Layton, City Clerk

## **EXHIBIT A**

**NO TITLE SEARCH PERFORMED**

**THIS DEED**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between  
**Mayor and City Council of Cumberland** (the “City”), a Maryland municipal corporation, and  
**Tyler Thompson** (the “Grantee”).

**WITNESSETH:**

That for and in consideration of the sum of One Hundred Dollars (\$100.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the City does hereby grant, bargain and sell, release, confirm and convey unto the Grantee, his personal representatives, heirs and assigns, the following described property, to wit:

**ALL** that lot or parcel of ground situate, lying and being on the easterly side of Goethe Street in the City of Cumberland, Allegany County, Maryland, and being known and designated as Part of Lot No. 45 of Henderson And Pearre’s Addition To Cumberland (also known as dwelling No. 461 Goethe Street), and which said parcel is more particularly described as follows, to-wit:

**BEGINNING** for the same at a point standing on the easterly side of Goethe Street at the end of the first line of Lot No. 44 in said addition, and running thence with said street, North 26 degrees 45 minutes East 25 feet, thence South 63 degrees 15 minutes East 77 feet, thence crossing said whole Lot No. 45, South 26 degrees 45 minutes West 25 feet to Lot No. 44, thence North 63 degrees 15 minutes West 77 feet to the beginning.

**IT BEING** the same property which was conveyed from Judith L. Sarver, Personal Representative of the Estate of Milton L. Sarver to Mayor and City Council of Cumberland, by deed dated June 28, 2016 and recorded among the Land Records of Allegany County, Maryland in Book 2237, Page 134.

**SUBJECT TO** all outconveyances, use and occupancy restrictions, privately or governmentally imposed and generally applicable to properties in the immediate neighborhood of the property conveyed hereby, reservations, agreements, rights of way, easements and other

matters of record, and to easements or other matters which can be observed by a careful inspection of the property.

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

**TO HAVE AND TO HOLD** the above-described property unto the Grantee, his personal representatives, heirs and assigns, in fee simple forever.

**WITNESS** the hand and seal of the City the day and year first above written.

**WITNESS/ATTEST:**

**MAYOR AND CITY COUNCIL  
OF CUMBERLAND**

\_\_\_\_\_  
**Allison Layton, City Clerk**

By: \_\_\_\_\_(SEAL)  
**Raymond M. Morriss, Mayor**

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

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Raymond M. Morriss**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$100.00; and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

**WITNESS** my hand and Notarial Seal.

\_\_\_\_\_  
**NOTARY PUBLIC**

**My Commission Expires:** \_\_\_\_\_

**I HEREBY CERTIFY** that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that a title search was not performed in connection with its preparation.

\_\_\_\_\_  
**MICHAEL SCOTT COHEN**

**File Attachments for Item:**

. Ordinance 3979 (*1st reading*) - providing for the annual expenditure appropriation for the FY25 General Fund

**ORDINANCE NO. 3979**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND PROVIDING FOR THE ANNUAL APPROPRIATION FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the following sums of money be and they are hereby appropriated for the respective purposes of the City of Cumberland for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, to-wit:

General Government	\$ 2,327,303
Public Safety	15,664,822
Public Works	3,462,776
Recreation	926,938
Community Development	2,259,585
Debt Service	3,734,332
Transfer Out	5,612,645
<b>Total General Fund Appropriation</b>	<b>\$ 33,988,401</b>

SECTION 2: AND BE IT FURTHER ORDAINED, that the appropriations made herein are continuing in nature and shall not lapse at the end of the fiscal year (June 30, 2025) if legally encumbered but shall continue in full force and effect until the encumbrance has been completed or until modified by the Mayor and City Council.

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

Passed this \_\_\_\_\_ day of June, 2024.

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Raymond M. Morriss, Mayor



ATTEST:

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Allison Layton, City Clerk

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

3<sup>rd</sup> Reading:

Passed:

**File Attachments for Item:**

. Ordinance 3980 (*1st reading*) - providing for the annual expenditure appropriation for the FY25 Special Purpose Funds

**ORDINANCE NO. 3980**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND TO PROVIDE APPROPRIATIONS FOR VARIOUS SPECIAL PURPOSE FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the following sums of money be and are hereby appropriated for the respective funds and purposes of the City of Cumberland for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, to-wit:

Housing Assistance	\$ 2,320,300
Downtown Development Commission	348,978
Community Development Block Grant	882,674
Police Grants	596,858
Community Legacy	1,250,000
Special Projects	200,000
Capital Projects	13,103,655
Street Improvements	1,815,526
Municipal Parking Authority	727,486
Trash Removal	1,938,575
<b>Total</b>	<b>\$ 23,184,052</b>

SECTION 2: AND BE IT FURTHER ORDAINED, that the appropriations made herein are continuing in nature and shall not lapse at the end of the Fiscal Year (June 30, 2025) but shall continue in full force and effect until the project for which the appropriation has been made is completed or until modified by the Mayor and City Council.

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

Passed this \_\_\_\_\_ day of June, 2024.

\_\_\_\_\_  
Raymond M. Morriss, Mayor

ATTEST:

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Allison Layton, City Clerk

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

3<sup>rd</sup> Reading:

Passed:

**File Attachments for Item:**

. Ordinance 3981 (*1st reading*) - providing for the annual expenditure appropriation for the FY25 Water Fund

**ORDINANCE NO. 3981**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND TO PROVIDE FOR AN APPROPRIATION FOR THE WATER FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the following operating budget is hereby appropriated for the respective departments and purposes of the City of Cumberland Water Fund for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, to-wit:

Water Administration	\$ 1,309,161
Water Distribution	3,442,600
Water Filtration	2,501,353
Interest Expense	324,372
Principal Payments	1,392,440
Capital Expenditure	4,972,225
<b>Total</b>	<b>\$ 13,942,151</b>

SECTION 2: AND BE IT FURTHER ORDAINED, that there shall be levied and collected Service Charges in accordance with rates set forth in Section 24-86 of the Code of the City of Cumberland, and as the same may be from time to time amended, to produce sufficient revenue to enable the City of Cumberland to defray the cost of operating, maintaining, repairing and otherwise improving the Water System, and pay the maturing principal and interest on the bonded debt for the Fiscal Year ending June 30, 2025.

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

Passed this \_\_\_\_\_ day of June, 2024.

\_\_\_\_\_  
Raymond M. Morriss, Mayor

ATTEST:

\_\_\_\_\_  
Allison Layton, City Clerk

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

3<sup>rd</sup> Reading:

Passed:

**File Attachments for Item:**

. Ordinance 3982 (*1st reading*) - providing for the annual expenditure appropriation for the FY25 Sewer Fund



**ORDINANCE NO. 3982**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MD, ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND TO PROVIDE FOR AN APPROPRIATION FOR THE SEWER FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the following sums of money be and are hereby appropriated for the respective departments and purposes of the City of Cumberland Sewer Fund for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, to-wit:

Wastewater Treatment Plant	\$ 7,643,112
Sanitary & Storm Sewer	1,953,968
Flood Control	700,718
Interest Expense	244,602
Principal Payments	785,583
Capital Expenditures	3,715,928
<b>Total</b>	<b>\$ 15,043,911</b>

SECTION 2: AND BE IT FURTHER ORDAINED, that there shall be levied and collected Service Charges in accordance with rates set forth in Section 27-9 of the code of the City of Cumberland to defray the cost of operating, maintaining, and repairing and otherwise improving the Sanitary and Storm Sewer system, and pay the maturing principal and interest on the bonded debt for the Fiscal Year ending June 30, 2025.

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

Passed this \_\_\_\_\_ day of June, 2024.

\_\_\_\_\_  
Raymond M. Morriss, Mayor

ATTEST:

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Allison Layton, City Clerk

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

3<sup>rd</sup> Reading:

Passed:

**File Attachments for Item:**

. Ordinance 3983 (*1st reading*) - providing for the City Tax Levy for FY25

## ORDINANCE NO. 3983

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND PROVIDING FOR THE CITY TAX LEVY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the levy for the Fiscal Year 2025 for the City of Cumberland shall be as follows:

	Net Assessable Base	Tax Rate Per \$100	Tax Levy
<b>Property Taxes</b>			
Real Estate	\$ 948,369,248	1.0595	\$ 10,047,972
Personal Property			
Individual	1,472,810		
Corporation	119,070,997		
	120,543,807	2.648	3,192,000
Penalties and Interest			543,000
Tax Credits			(100,000)
Total Tax Levy			\$ 13,682,972
<b>Other Revenues</b>			
Other Taxes		1,391,642	
Licenses & Permits		141,800	
Intergovernmental		5,674,503	
Charges for Services		1,999,452	
Fines, Forfeitures & Interest		978,367	
Miscellaneous		1,116,778	
Total Other Revenue			11,302,542
<b>Total Revenue</b>			<b>\$ 24,985,514</b>
<b>Other Financing Sources</b>			
Transfers-in			\$ 2,510,426
Capital Financing			3,588,000
(Increase) Decrease Restricted Fund Balance			792,021
<b>Total Other Financing Sources</b>			<b>\$ 6,890,447</b>
<b>Total Revenue and Other financing Sources</b>			<b>\$ 31,875,961</b>

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this \_\_\_\_\_ day of June, 2024.

\_\_\_\_\_  
Raymond M. Morriss, Mayor

ATTEST:

\_\_\_\_\_  
Allison Layton, City Clerk

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

3<sup>rd</sup> Reading:

Passed:

**File Attachments for Item:**

. Ordinance 3984 (*1st reading*) - providing for an increase in water rates effective July 1, 2024

**ORDINANCE NO. 3984**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND REENACT, WITH AMENDMENTS, SECTION 24-86 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION), PROVIDING FOR A SCHEDULE OF WATER RATES."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, That Section 24-86 of the Code of the City of Cumberland (1991 Edition) be and hereby repealed and reenacted, with amendments, to read as follows:

Section 24-86 Schedule

Effective July 1, 2024, the rates and charges for the use of water supplied by the Water Department shall be as follows, and no abatement or release therefrom is permitted:

(a) EQUIVALENT DWELLING UNIT (EDU). The minimum meter charges shall be determined by the Equivalent Dwelling Unit (EDU), which shall be determined by the size of the meter servicing the customer. The following table sets forth the EDU multiplier for each meter size:

Meter size (inches)	EDU
$\frac{3}{4}$ and below	1
1	2.5
1-1/2	5
2	8
3	16
4	25
6	50
8	80

(b) MINIMUM METER CHARGE FOR INSIDE CITY. The minimum charge for residential and industrial meter customers within the City shall be Six Dollars and Seventy-Seven Cents (\$ 6.77) per month per EDU, for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section.

(c) MINIMUM METER CHARGE FOR OUTSIDE CITY. The minimum charge for residential and industrial meter customers outside the City shall be Ten Dollars and Eighteen Cents (\$ 10.18)

per month per EDU for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any quarter, such excess shall be charged for in accordance with the schedule of rates as set forth in subsection (f) of this section.

(d) MINIMUM METER CHARGE FOR WATER COMPANIES. The minimum charge for water companies shall be Forty-Six Dollars and Sixty Cents (\$ 46.60) per month per EDU for single Water Company accounts such water company has with the City for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds the consumption in excess of capacity fee, in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section, as appropriate.

(e) Flat rates. There shall be no flat rate customers and the consumption of any customer found not to have a meter shall be estimated and such customer shall be charged double the rates set forth in subsection (b) of this section. All water customers outside the City shall be meter customers, and it shall be unlawful for the Water Department to furnish customers outside the City on a flat rate basis.

(f) CONSUMPTION RATES. The rates per month for residential and industrial water customers shall be as follows:

Class	Consumption	Rates within City Limits		Rates Outside City Limits	
		Current	New	Current	New
Tier 1	First 100 cubic feet, per EDU	\$ 5.6400	\$ 6.7700	\$ 8.4800	\$ 10.1800
Tier 2	Next 900 cubic feet, per cubic foot	\$ 0.0515	\$ 0.0618	\$ 0.0772	\$ 0.0926
Tier 3	Next 199,000 cubic feet, per cubic foot	\$ 0.0413	\$ 0.0496	\$ 0.0576	\$ 0.0691
Tier 4	Next 1,134,000 cubic feet, per cubic foot	\$ 0.0326	\$ 0.0391	\$ 0.0490	\$ 0.0588
Tier 5	Next 1,166,000 cubic feet, per cubic foot	\$ 0.0147	\$ 0.0176	\$ 0.0147	\$ 0.0176
Tier 6	Over 2,500,000 cubic fet, per cubic foot	\$ 0.0037	\$ 0.0044	\$ 0.0037	\$ 0.0044

(g) WATER COMPANIES. Companies purchasing in excess of 140,000 cubic feet of water from the City on a monthly basis and reselling that water shall pay the following monthly rates for each account such water company has with the City.

(1) Water Company. Any wholesale water company purchasing water from the City in excess of 140,000 cubic



feet per month shall pay both a capacity fee plus a charge based upon consumption in excess of the capacity fee.

(2) Capacity Fee. Each water company shall pay a fixed capacity fee based on the number of EDU's calculated multiplied times the per month per EDU charge. The EDU amount is calculated annually determined by a percentage (70%) of its highest month's usage in the previous fiscal year calculated as follows:

$$\frac{\text{PEAK MONTHLY USE} \times 0.7}{30} / 33.42$$

(3) Consumption in Excess of Capacity Fee. Consumption in excess of the capacity fee shall be billed at the rate for customers located outside the City.

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect July 1, 2024.

Passed this \_\_\_\_\_ day of June, 2024.

\_\_\_\_\_  
Raymond M. Morriss, Mayor

ATTEST:

\_\_\_\_\_  
Allison Layton  
City Clerk

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

3<sup>rd</sup> Reading:

Passed:

**File Attachments for Item:**

. Order 27,465 - authorizing the execution of a Tolling Agreement with CSX Transportation, Inc. for the purpose of developing a plan for the City to access the CSX Yard in Cumberland, MD to perform Sewer repair work without interfering with CSX's rail operations

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

ORDER NO. 27,465

DATE: May 21, 2024

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

**THAT,** the Mayor be and is hereby authorized to execute a Tolling Agreement by and between the Mayor and City Council of Cumberland and CSX Transportation, Inc., for the purpose of developing a plan for the City to access the CSX Yard in Cumberland MD to perform Sewer repair work without interfering with CSX's rail operations.

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**Raymond M. Morriss, Mayor**

## **TOLLING AGREEMENT**

This Tolling Agreement (“Agreement”) is entered into by and between Mayor and City Council of Cumberland (the “City”) and CSX Transportation, Inc. (“CSX”) (collectively the “Parties”), and is effective as of the 2d day of May 2024 (the “Effective Date”).

### **RECITALS**

WHEREAS, the City seeks access to the CSX Yard in Cumberland, Maryland for the purpose of repairing, replacing, and/or relocating the City’s sewer lines and associated manholes located on and beneath the CSX Yard, including locating and assessing the condition of manholes and sewer lines (collectively, the “Sewer Repair Work”).

WHEREAS, the City asserts that it has rights pursuant to easement, contract, City ordinance, and law to enter the CSX Yard to perform the Sewer Repair Work.

WHEREAS, CSX has previously denied the City access to the CSX Yard to perform the Sewer Repair Work due to concerns that the Sewer Repair Work would unreasonably interfere with CSX’s rail operations.

WHEREAS, the Parties wish to cooperate to develop a plan for the City to perform the Sewer Repair Work without unreasonably interfering with CSX’s rail operations.

WHEREAS, the Parties wish to preserve any and all claims or defenses that they may have against each other related to the Trolled Claims, as defined in Paragraph 1 below, in light of the possibility that certain claims and defenses could be affected by statutes of limitation.

NOW THEREFORE, in light of the foregoing Recitals and in consideration of the mutual promises contained herein, and for good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the Parties agree as follows:

### **TERMS**

1. As of the Effective Date of this Tolling Agreement, the Parties, and each of them, agree to toll the running of any statutes of limitation and any other statute, law, rule or principle of equity with similar effect (collectively “Statutes of Limitation”) with respect to any and all rights, claims, causes of action, counter-claims, third-party claims, cross-claims or defenses that could or might be asserted by the Parties against each other that are based on, or arise out of, the City’s claim of right to access and use the CSX Yard in order to perform the Sewer Repair Work (collectively the “Tolled Claims”). The Statutes of Limitation of all Tolled Claims shall be tolled commencing upon the Effective Date of this Tolling Agreement and shall continue to be tolled until such time as this Tolling Agreement is terminated pursuant to Paragraph 3 of this Tolling Agreement (the “Tolling Period”). The Parties, and each of them, agree that the Tolling Period shall be excluded from all computations of any limitations period applicable to the Tolled Claims under any Statutes of Limitation. The Parties, and each of them, agree that they shall waive and shall not plead, assert, or otherwise raise any Statutes of Limitation applicable to the Tolled Claims,

to the extent such limitations period or other time related defense is tolled by this Tolling Agreement, as a bar to or other limitation on any Tolleed Claim.

2. Each Party agrees that it will not file any administrative or judicial action or claim against the other Party related to any of the Tolleed Claims during the Tolling Period.

3. Either Party may terminate this Agreement, without cause and in its sole discretion, upon written notice to the other Party, to be delivered to the address and in the manner set forth in Paragraph 6. The Agreement shall remain in effect for thirty (30) days after the date the notice is received by counsel in accordance with Paragraph 6 or until September 30, 2024, whichever date occurs first, unless the parties agree to a different date pursuant to Section 8 (the "Termination Date").

4. Except as expressly stated herein: (a) this Agreement does not limit in any way the nature or scope of any defense, claim, or counterclaim related to the Tolleed Claims, and (b) the Parties hereby reserve all rights, claims, remedies, and defenses of any kind related to the Tolleed Claims.

5. This Agreement does not constitute an admission or acknowledgement of any fact, conclusion of law, or liability by any Party for any purpose, nor an admission or acknowledgement on the part of any Party as to any applicable statute of limitations which the Parties may assert in any claim or cause of action related to the Tolleed Claims.

6. Notices issued concerning this Agreement shall be issued to the following parties unless changed by written notice to the other parties:

For the City (by e-mail):

Eric Pilsk  
Kaplan Kirsch & Rockwell LLP  
1634 I (Eye) Street, Suite 300  
Washington, DC 20006  
[epilsk@kaplankirsch.com](mailto:epilsk@kaplankirsch.com)

With a copy to (by U.S. mail):

Michael Cohen  
City Solicitor  
City of Cumberland  
213 Washington Street  
Cumberland, MD 21502  
[mike@msclawllc.com](mailto:mike@msclawllc.com)

For CSX:

Sean M. Craig  
Assistant General Counsel, Law Department  
CSX Transportation  
500 Water Street, J150  
Jacksonville, Florida 32202  
Sean\_Craig@CSX.com

7. This Agreement is not intended to affect any claims by or against third parties. This Agreement will not preclude any Party from asserting any claims and/or defenses it may have against any other Party wholly unrelated to the Tolled Claims and/or the execution of this Agreement.

8. No amendment to this Agreement is valid unless it is in writing, signed by both Parties or their duly authorized representatives, and expressly states an intent to amend this Agreement. Any purported amendment that does not conform to the requirements of this paragraph shall be null and void.

9. This Agreement constitutes the entire agreement between the Parties with respect to the subject matter it describes, and supersedes all other agreements that may exist, written or oral.

10. This Agreement may be executed in counterparts, each of which shall constitute an original, and all of which shall constitute together one and the same instrument. A facsimiled, imaged, scanned, photocopied or emailed copy of an original signature shall constitute an original signature.

11. This Agreement shall be construed in accordance with, and be governed by, the laws of the State of Maryland.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the date above.

**Mayor and City Council of Cumberland**

**CSX Transportation, Inc.**

By: \_\_\_\_\_  
Raymond M. Morriss, Mayor

By: Sean M. Craig  
Sean M. Craig  
Assistant General Counsel

**File Attachments for Item:**

. Order 27,466 - accepting a donation from Renee Mason in the amount of \$5,000.00 for the purpose of upkeep, maintenance and improvements at the Gene Mason Sports Complex

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

ORDER NO. 27,466

DATE: May 21, 2024

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

**THAT,** the Mayor and City Council of Cumberland does hereby accept a donation from Renee Mason in the amount of Five Thousand Dollars and No Cents (\$5,000.00) for the purpose of upkeep, maintenance and improvements at the Gene Mason Sports Complex.

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**Raymond M. Morriss, Mayor**



Dear Mr. Mackey,

Please accept the enclosed check in memory of my late uncle, Gene Mason. Gene worked for the Parks & Rec Dept. for over 35 years - please refer to the enclosed obituary for some of the contributions he made during his tenure. I would like to request that this money be used for the up-keep, maintenance & improvements at the Mason Sports Complex.

Thank you!

Sincerely,  
Bonnie Mason  
(executor & niece)



## C. Eugene Mason

April 22, 1931 - November 06, 2022

C. Eugene "Gene" "Jeep" Mason, 91, of Cumberland, Maryland passed away peacefully on Sunday, November 6, 2022.

Born April 22, 1931, in Cumberland, Gene was the son of the late David W. Mason and Lovota Ella (Ayers) Mason. He was also preceded in death by his wife, Grace (Cowgill) Mason; one daughter, Ellen Jo "Ellie" Mason; three brothers, Donald, Barney, and Norman; and three sisters-in-law, Dorothy, Sarah, and Betty.

Gene "Jeep" was a proud graduate of Fort Hill High School, Class of 1949, and was an integral member of the varsity football team. He graduated from Potomac State College, Keyser, WV, in 1951, and from Randolph-Macon College, Ashland, VA, in 1953. He proudly served in the United States Army from 1953-55.

Gene was retired from the City of Cumberland after 35 years of municipal service. In May 1957, he was appointed Cumberland's fourth Recreation Director. He served the City as Director, adding many new programs and facilities. In October 1967, he resigned to accept a position with the Maryland State Department of Forests and Parks. During the absence of a director, Mrs. Eva M. Hogan served as Acting Director. In 1968, operations merged to form the City Department of Parks and Recreation, and Mason was rehired to become the first Director of the newly formed department. He served in that capacity until retirement in March 1993.

The recreational and parks programs made tremendous strides since its beginning of a few playgrounds and ballfields. The department had a broad and varied range of programs for all age levels; two regulation baseball fields; a lighted softball field; three Little League baseball fields; eight double tennis courts, two of which are lighted; a municipal swimming pool; 13 baseball-softball fields; 125 acre Constitution Park; operated a Day Camp program at Constitution Park; provided a summer supervised neighborhood playground program and numerous other facilities and activities to provide a full, year-round program. Many of the facilities were built with Maryland Program Open Space Funds, which were obtained by the department staff.

Gene's goal was for the department to reach more and more citizens, of all age groups, from youth to senior citizens, through its programs and help them live a better and more enjoyable life through recreation.

His outstanding career of leadership as the Parks & Recreation Director was recognized with the dedication of the Gene Mason Sports Complex (55 acres) in his honor in June 2000.

Jeep started a Marbles Tournament in the City of Cumberland in 1959 and served as the National Marbles Tournament Director for 23 years. One of his proudest accomplishments was over 5 decades of involvement with the event. He and his daughter were constant fixtures of noteworthy significance at the annual tournament held in Wildwood, New Jersey.

Gene and his wife were proud owners of Flowerland and he also provided radio play-by-play of Fort Hill High School football games for many years.

He was a member of St. Luke's Lutheran Church; member and past President of the Dapper Dan Club of Allegany County; past President, Vice President, Secretary and Treasurer of the Rec Baseball League; past President of Maryland Parks and Recreation Association; President/Director of National Marbles Tournament 1980-2003, committee member since 1973; inducted into the National Marbles Hall of Fame at Wildwood, NJ in 1998; member of the American Legion Post #13; member of the Potomac Lodge #100 A.F. & A.M.; member of the Scottish Rite; member of the Ali Ghan Shrine; and a member of the Royal Order Jesters #117.

Gene was truly an exceptional man of faith, family values, and dedicated service to the community.

He is survived by four nieces, Lisa Sobota and husband Jim (Purcellville, VA), Renee Mason and husband Mel Mah (Round Hill, VA), Pam Thurlow and husband Mark (Lancaster, SC), Sandra Shank and husband Allen (Greencastle, PA); and one nephew, Norm Mason and wife Cindi (St. Augustine, FL).

Friends will be received at the Scarpelli Funeral Home, P.A. 108 Virginia Ave, Cumberland, on Saturday, November 12, 2022, from 10am to 12pm. The funeral service will immediately follow at 12pm.

Interment will be in Sunset Memorial Park. Military honors will be accorded by the Ft. Cumberland Post 13 Honor Guard.

Condolences may be left at [www.ScarpelliFH.com](http://www.ScarpelliFH.com).

**File Attachments for Item:**

. Order 27,467 - authorizing a set fee of \$1,500 for any entity wanting to sponsor a Free Swim Day at the Constitution Park Pool

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

ORDER NO. 27,467

DATE: May 21, 2024

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

**THAT,** the Mayor and City Council of Cumberland does hereby authorize a set fee of One Thousand Five Hundred Dollars and No Cents (\$1,500.00) as the minimum requirement to sponsor a Free Swim Day at the Constitution Park Pool; and

**BE IT FURTHER ORDERED THAT,** the City Administrator, or his designee, is authorized to accept any monetary donations on behalf of the City.

---

**Raymond M. Morriss, Mayor**

**File Attachments for Item:**

. Order 27,468 - declaring certain City-owned properties located at 310 Columbia Street, 414 Goethe Street, 308 Cumberland Street and 118 Winton Place to be surplus and authorizing them for sale

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

**ORDER NO. 27,468**

**DATE: May 21, 2024**

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

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

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

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

- |                          |                      |
|--------------------------|----------------------|
| 1. 310 Columbia Street   | Tax ID No. 05-014425 |
| 2. 414 Goethe Street     | Tax ID No. 23-004224 |
| 3. 308 Cumberland Street | Tax ID No. 06-007686 |
| 4. 118 Winton Place      | Tax ID No. 06-040160 |

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

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**Raymond M. Morriss, Mayor**

**File Attachments for Item:**

. Order 27,469 - declaring certain fire equipment to be surplus and authorizing it for disposal



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

ORDER NO. 27,469

DATE: May 21, 2024

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

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

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

Quantity	Item Description
4	Sections of Hard Sleeve Hose
3	Six (6") inch Adapters
1	Bariatric Ambulance Cot system
1	Apparatus Mounted Electric Cord Reel

---

**Raymond M. Morriss, Mayor**

# Council Agenda Summary

Meeting Date: May 21, 2024

Key Staff Contact: Fire Chief Shannon Adams

## Item Title:

### Surplus Equipment

**Recommend to declare various Cumberland Fire Department equipment for scrap that has been determined to be of no further value to the City which includes old fire hose, hose adapters, hard sleeves and a bariatric ambulance cot system.**

*Amount of Award:*

*Budget number:*

*Grant, bond, etc. reference:*

**File Attachments for Item:**

. Order 27,470 - authorizing the execution of Change Order No. 4 to the original contract with Casey Smith, LLC, dba ServicePro, for the “Residential Grass Mowing Project” (14-22-M) to add/remove properties recently acquired or sold by the City for the increased cost \$780, bringing the new contract value not to exceed \$61,610

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

ORDER NO. 27,470

DATE: May 21, 2024

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

THAT, the City Administrator be and is hereby authorized to execute Change Order No. 4 to the original contract with Casey Smith, LLC, dba ServicePro, for the “Residential Grass Mowing Project” (14-22-M) to add/remove properties recently acquired or sold by the City for the increased cost of Seven Hundred Eighty Dollars and No Cents (\$780.00), bringing the new contract value not to exceed Sixty One Thousand Six Hundred Ten Dollars and No Cents (\$61,610.00).

---

**Raymond M. Morriss, Mayor**

<i>Casey Smith LLC dba ServicePro</i>	<b>Contract Price</b>
Original Contract Price	\$ 53,390
Change Order No. 1	\$ 6,300
Change Order No. 2	\$ 2,000
Change Order No. 3	(\$860.00)
Change Order No. 4	\$780.00
New Contract Price	\$ 61,610

Budget No. 001.078.20100

# Council Agenda Summary

Meeting Date: 5/21/2024

Key Staff Contact: Derrik Grimm

## ***Item Title:***

Change Order No. 4 to Residential Mowing Contract

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

This change order is to add/remove properties recently acquired/sold by the City at various locations within City Limits. These will be added to the contract to allow mowing through the end of the FY. These properties will now be part of the year 1 contract. This will increase the current contract by \$780.00. The new contract value will be \$61,610.00. Original contract was approved with M&CC Order No. 27,042, amended with Change Order #1 M&CC Order No. 27,084, amended with Change Order #2 M&CC Order No. 27,112, and amended with M&CC Order No. 27,234.

***Amount of Award:*** \$780.00 for project total \$61,610.00

***Budget number:*** 001.078.20100

***Grant, bond, etc. reference:*** City Funds

# City of Cumberland

## Change Order Number: 4

**Project:** Residential Grass Mowing Contract  
**City Project No.:** 2022-14-M  
**Purchase Order No.:** 2023-197  
**Contractor:** Service Pro  
**Vendor No.:** 239

The Change Order modifies (adds or deletes work) the contract as follows:

Add / Delete	Unit	Est # of Cuttings	Cost Per Cutting	Description	Delete	Add
<b>Mowing of City Owned Property Throughout the City of Cumberland</b>						
Delete	1	20	\$ 35.00	728 Baker Street	-\$700.00	
Delete	1	20	\$ 28.00	800 Maryland Avenue	-\$560.00	
Delete	1	20	\$ 35.00	119 Pennsylvania Avenue	-\$700.00	
Delete	1	20	\$ 35.00	471 Goethe Street	-\$700.00	
Delete	1	20	\$ 28.00	804 Maryland Avenue	-\$560.00	
Delete	1	20	\$ 40.00	421 Arch Street	-\$800.00	
Delete	1	20	\$ 100.00	842 Gephart Drive	-\$2,000.00	
Delete	1	20	\$ 100.00	846 Gephart Drive	-\$2,000.00	
Delete	1	20	\$ 65.00	124 Columbia Street	-\$1,300.00	
Delete	1	20	\$ 80.00	102,104,106 Altamont Terrace	-\$1,600.00	
Add	1	20	\$ 40.00	217 Knox Street		\$800.00
Add	1	20	\$ 25.00	301-303 Arch Street		\$500.00
Add	1	20	\$ 25.00	305 Arch Street		\$500.00
Add	1	20	\$ 25.00	307 Arch Street		\$500.00
Add	1	20	\$ 25.00	309 Arch Street		\$500.00
Add	1	20	\$ 45.00	321-323 Pennsylvania Avenue		\$900.00
Add	1	20	\$ 20.00	325 Pennsylvania Avenue		\$400.00
Add	1	20	\$ 35.00	220 Lee Street		\$700.00
Add	1	20	\$ 35.00	222 Lee Street		\$700.00
Add	1	20	\$ 40.00	111 South Street		\$800.00
Add	1	20	\$ 75.00	252 Elder Street		\$1,500.00
Add	1	20	\$ 55.00	463 Goethe Street		\$1,100.00
Add	1	20	\$ 55.00	469 Goethe Street		\$1,100.00
Add	1	20	\$ 45.00	424 Goethe Street		\$900.00
Add	1	20	\$ 40.00	526 Broadway Circle		\$800.00
<b>TOTALS</b>					<b>-\$10,920.00</b>	<b>\$11,700.00</b>

The Original Contract Sum was:

The Original Contract Sum was: \$53,390.00  
 Previous Change Orders: \$7,440.00  
 Contract Sum as a result of Previous Change Orders: \$60,830.00  
 The Contract Sum increased/decreased by this Change Order: \$780.00  
 The New Contract Sum as a result of this Change Order is: **\$61,610.00**

Contract Time Change: No time added

**Recommended by:** \_\_\_\_\_  
*Contracts Admin Officer* Date

**Contractor:** Service Pro  
 \_\_\_\_\_  
Date

**Accepted by:** \_\_\_\_\_  
*Director of Engineering* Date

**Approved By:** \_\_\_\_\_  
*City Administrator* Date

Mayor and City Council Order Number Authorizing this Change Order: \_\_\_\_\_