



Mayor and City Council of Cumberland

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

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

AGENDA

M&CC Regular Public Meeting
3 Pershing St., Cumberland, MD

DATE: May 07, 2024

OPEN SESSION – 6:15 PM

Pledge of Allegiance

Roll Call

Presentations

1. Presentation of awards given in recognition of employee career milestones
2. Presentation of Employee Retirement Awards

Proclamations

1. Proclaiming May 2024 as Historic Preservation Month in Cumberland
2. Proclaiming May 2024 as General Aviation Appreciation Month in Cumberland

Director's Reports

(A) Engineering

1. Engineering Division Monthly Report for April 2024

(B) Police

1. Police Department monthly report for March 2024

(C) Utilities - Flood, Water, Sewer

1. Utilities Division Water/Sewer/Flood Monthly Report for April 2024

Approval of Minutes

1. Approval of the Closed Session minutes of April 9, 2024, and the Work and Regular Session minutes of April 16, 2024

Public Comments – FOR AGENDA ITEMS ONLY

All public comments are limited to 5 minutes per person

New Business

(A) Ordinances

1. Ordinance 3977 (*1st reading*) - 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

(B) Orders (Consent Agenda)

1. Order 27,451 - authorizing the abatement of taxes and interest for three City-owned properties at Youngs Terrace, Blk. 21, 454-456 Goethe St. and 0 Sperry Terrace
2. Order 27,452 - authorizing the City Solicitor to notify the City's opioid case attorneys that the City wishes to amend the Complaint filed in the opioids case to include claims against pharmacy benefits managers and to authorize the City Solicitor to take such actions on the City's behalf that are in furtherance of that action
3. Order 27,453 - authorizing the proposal from Coccia Ford for one new Ford F250 Regular Cab Pickup in an amount not to exceed \$47,530 utilizing COSTARS Cooperative Pricing, which is in accordance with City Code Sec. 2-171 (c)
4. Order 27,454 - accepting the proposal from J&J Truck Equipment (Somerset Welding) for a Service Body and Installation on a new Ford F250 in an amount not to exceed \$34,550 utilizing COSTARS Cooperative Pricing, which is in accordance with the City Code Sec.2-171 (c)
5. Order 27,455 - authorizing a budget not to exceed \$200,000 to be used for the acquisition, demolition and/or site preparation for the Central Avenue City/County Initiative, contingent upon Allegany County's approval of matching funds
6. Order 27,456 - accepting certain bids received for the "2024 GovDeals Sale 4 of Surplus Vehicles and Equipment" and rejecting all other bids
7. Order 27,457 - approving a \$10,000 Micro-Revolving loan for Chris Myers, Liberty Street Sandwich Shop and General Store at 11 S. Liberty Street for the term of a 60-month amortization period, 3% interest, first payment due January 2025, and no interest charged until January 1, 2025
8. Order 27,458 - authorizing the execution of an updated Allegany County Mutual Aid Agreement for Fire and EMS Protection
9. Order 27,459 - authorizing the City Administrator to execute Change Order No. 1, with Harbel, Inc. due to the need for additional concrete repair discovered after the project began, for the repair of Bridge A-C-01 McMullen Bridge (City Project 18-16-BR), in an increased amount of \$2,376.61, bringing the total contract price not to exceed \$502,954.53

- [10.](#) Order 27,460 - authorizing the execution of a Cost Share Agreement between the Maryland Department of Transportation, State Highway Administration (MDOT-SHA) and the City of Cumberland relative to City Project 2022-24-BR, Replacement of Bridge A-C-08 Fayette Street Over CSXT Railway, with the City's cost share portion estimated at \$121,880.52, which is 20% of the total estimated cost of \$609,402.58
- [11.](#) Order 27,461 - accepting a donation from Queen City Motors in the amount of \$2,000.00 for the purpose of purchasing various fire prevention material and fire prevention items to support the mission of Fire Prevention in the City of Cumberland
- [12.](#) Order 27,462 - authorizing the acceptance of a FY25 Program Open Space Local Share Grant, administered by the Maryland Department of Natural Resources Board of Public Works, in the amount of \$97,000 with a City match requirement of \$9,700 for Constitution Park Playground Equipment
- [13.](#) Order 27,463 - authorizing the acceptance of a FY25 Program Open Space Local Share Grant, administered by the Maryland Department of Natural Resources Board of Public Works, in the amount of \$153,760 with a City match requirement of \$15,376 for Gene Mason Recreation Complex Playground Safety Surfacing
- [14.](#) Order 27,464 - authorizing the execution of a Memorandum of Understanding by and between the Carver Community Center, Inc. and the Mayor and City Council of Cumberland for funding to help cover operational costs until the building is ready for occupancy

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

. Engineering Division Monthly Report for April 2024

Capital Projects							April 30, 2024	
Order	Project No. (New Format)	Project No. (Old Format)	Project Name	Description	Phase	Comments	Updated By	Date of Update
2008		05-08-S	Evitts Creek CSO Upgrades Phase III	Replacement of CSO line connecting	Design	NO CHANGE - WRA received notice from CSX on 7/7/21	MDI	11/24/2021
2008		06-08-S	Interceptor Sewer to Evitts Creek	This is the sewer along Evitts Creek	Design	UPDATE - Received engineering report from Gwin Dobson &	MDI	4/29/2024
2014		04-14-WWTP	Sludge Screening Study/Design	Study to select the best alternative to keep	Design	NO CHANGE Need/Benefit of the project is being reevaluated.	RLS	4/2/2018
2014		19-14-M	Greene Street Complete Street Plan	Planning Study for Greene Street	Planning	NO CHANGE - The Design Report from Alta Planning + Design was submitted and presented to the Mayor and City Council. The plan to start work on Construction Funding Applications has been delayed because of the Baltimore Street Project, which would have been competing for the same funds. This project still needs to be done and should be a priority in the future.	RLS	6/1/2017
2015		18-15-S	CSO Water Quality Analysis	Base line data collection for analysis of future CSO needs after CSO Storage is on line.	Planning	NO CHANGE Project continues. Staff are taking regular scheduled stream samples for e-Coli analysis at this time. Rainy days (once a month) are the target for sampling at this time.	RJK	4/25/2024
2016		12-16-M	Baltimore Street Access	The purpose of the New Baltimore Street	Construction	UPDATE - The project has been award to Triton Constrution of	MDI	4/29/2024
2016		18-16-BR	John J. McMullen, Bridge No. A-C-01	Bridge Repair	Construction	UPDATE - Project is using State in lieu of Federal Aid funding.	MDI	4/29/2024
2016		19-16-S	78" Parallel Pipeline from Mill Race to	78" Pipeline to CSO tank in accordance	Design	NO CHANGE - The City is working with the USACE to combine	RLS	8/30/2023
2017		2-17-FPM	Flood Control Encroachment removal	The City as the Local Sponsor of the	Planning	NO CHANGE - This project has been delayed because of other	RLS	7/11/2018
2017		18-17-M	Maryland Avenue Development	This is not and Engineering Project, but	Design	NO CHANGE - Phases 1 & 2 of the Cumberland Gateway	RLS	3/26/2021
2018		08-18-BR	Cumberland Street Bridge	This project will replace the bridge	Design	NO CHANGE - The project is in the Final Engineering stages	RLS	7/24/2023
2018		09-18-BR	Baltimore Street Bridge Replacement	This project will replace the bridge	Construction	UPDATE - The project is under construction. Phase 1 is	RLS	1/29/2024
2018		22-18-M	Solid Waste and Recycling Collection	Contract documents for the FY20 garbage and recycling collection bid process	Planning	NO CHANGE Proposals received proposals to extend the contract for FY25. Noble Environmental (Mountainview Landfill) and Burgmeier's Hauling received approval of 1-year extensions in November 2023.	RJK	4/25/2024
2018		26-18-M	Ridgeley Levee System Certification					
2018		31-18-WFP	Pine Ridge Water & PUC Rate	Project involves determining a path	N/A	NO CHANGE - City staff continues to work through issues with	RLS	1/28/2020
2018		44-18-BR	Washington Street Bridge Replacement	This project will replace the bridge structure.	Planning	NO CHANGE - Studies have been returned and subject to CSX negotiations.	RLS	8/5/2019
2020		2-20-M	Frederick St Parking Garage Repairs	Repairing a spalled section of slab on	Planning	NO CHANGE - Researching proper repair systems for spalled	MDI	1/24/2020
2020		6-20-S	Sanitary Sewer Lining Assessment	Performing a cost assessment on relining	RFP	NO CHANGE - Based on list of "high risk" lines provided by	MDI	11/29/2023
2020		9-20-M	Constitution Park Fill Disposal	Assessing potential clean fill dump sites for Public Works	Construction	NO CHANGE - Public works dept. has finished dumping in site #1 behind Long Field. They will place topsoil and seed this area in Spring. Site #2 (behind pool house) is now active dump site for all PW projects until full. Engineering responsible for intermittent E&S inspections.	MDI	1/25/2023
2020		14-20-M	Carver Building Repairs	Project to repair damage to the Carver	Planning	NO CHANGE - The building power should be restored in the	RLS	1/25/2023
2020		17-20-WWTP	CSO Long-Term Control Plan Projects/Schedule Review	Correspondences with MDE regarding the LTCP Projects and the Consent Decree (CO) end date: October 1, 2023.	N/A	NO CHANGE - Coalition is awaiting a draft extended Consent Decree from MDE. Consent Decree expired October 1, 2023. The City has been communicating with MDE since October 25, 2019 regarding need for an extension based on projected schedules for project completion and the need for post construction monitoring.	RJK	4/25/2024
2020		29-20-S	Locust Grove Force Main & LaVale	Joint project between Allegany County				
2020		30-20-SWM	Grow West Facility Expansion	SWM Review for proposed expansion of	Construction	NO CHANGE - Contractor continues construction of expansion.	MDI	10/8/2021
2021		2-21-WWTP	Influent Screening System Upgrade	Design and replacement of a new influent	Complete	COMPLETE - Carl Belt was the low bidder for the construction	MDI	11/29/2023
2021		4-21-W	Route 220 20" Water Main	Project to replace the 20" water main in	Planning	NO CHANGE - This project is in the planning stages in	RLS	4/21/2021
2021		6-21-RE	Constitution Park Wading Pool Filter	Replace the cracked filter and other		NEW -		
2021		10-21-M	Undocumented Rights-of-Way	Decide how undocumented rights-of-way	Study	UPDATE - Evaluating using GIS to track City owned property,	JRD	8/30/2023
2021		12-21-WWTP	Industrial Pretreatment USPI CWT	An application to discharge industrial	Planning	COMPLETE - Permit issued to USPI, effective date was	RJK	4/25/2024
2021		14-21-RE	Constitution Park Splash Pad	The installation of a splash pad and	Construction	COMPLETE - This project is complete.	JAT	8/24/2023
2021		16-21-M	Downtown ADA Improvements	This project includes the replacement of	Planning	UPDATE - Project is scheduled to receive CDBG funding in	MDI	4/29/2024

2021		19-21-M	South Street ADA Improvements	This project includes the replacement of	Construction	COMPLETE - This project and the full scope of work is now	JAT	8/24/2023
2021		20-21-M	Engineering Database Migration	This project will implement the migration of	Planning	UPDATE - Engineering has continued to work with MCCi on	JAT	11/16/2023
2021		21-21-WFP	Water Allocation Permit Renewal PA	The Water Allocation Permit is required to	Permitting	NO CHANGES - Application submitted in March.	RJK	4/25/2024
2021		31-21-RE	Constitution Park Amphitheater	Project to upgrade the Constitution Park	Construction	NO CHANGES - Contracted portion of project is complete	MDI	7/26/2023
NOTE: Beginning in 2022, the Engineering Department will be migrating to a new project number format.								
The new number format places the 4-digit year first, a 2-digit yearly sequence second, and a 3 or 4-character project type code third.								
2022	2022-02-WTR	2-22-W	South Cumberland Water Main	This project includes the replacement of	Design	UPDATE - Project was bid and was awarded to Excavating	ANM	4/23/2024
2022	2022-09-SHLD	09-22-M	Cumberland Street ADA	ADA improvements at the intersection of	Design	NO CHANGE - This project is currently in preliminary design.	JAT	7/19/2022
2022	2022-10-SWM	10-22-SWM	Messick Road Development	SWM Review and Utility Easement	Review	NO CHANGE - Waiting for support to be requested of the	RLS	2/2/2023
2022	2022-11-PBLD	11-22-PBLD	City Hall/Public Safety Building HVAC	American Rescue Plan Act (ARPA)	Design	UPDATE - This project has been bid and awarded to Walter N.	RLS	1/29/2024
2022	2022-12-PBLD	12-22-PBLD	Prisoner Processing Improvements	American Rescue Plan Act (ARPA) funded	Design	UPDATE - Due to insufficient ARPA funds being allocated, this	RLS	1/29/2024
2022	2022-14-MISC	14-22-M	Residential Grass Mowing	Contract for mowing the residential	Construction	NO CHANGE - Contract underway.	DTG	1/30/2024
2022	2022-15-MISC	15-22-M	Non Residential Grass Mowing	Contract for mowing the Commercial and	Construction	NO CHANGE - Contract underway.	DTG	1/30/2024
2022	2022-16-SHLD	2022-16-SHLD	Waverly Terrace Retaining Wall	Project to include replacement of retaining	Planning	NO CHANGE - Currently developing preliminary cost estimate	MDI	7/22/2022
2022	2022-17-UTIL	2022-17-UTIL	Fuel Bid Bid (Heating Oil)	Heating Oil bid for WRF and WFP	RFP	COMPLETE -		
2022	2022-22-PBLD	2022-22-PBLD	City Hall and Public Safety Building	Project includes upgrades to elevators in	Construction	UPDATE - Elevator improvements in PSB are complete. The	RLS	1/29/2024
2022	2022-23-SWM	2022-23-SWM	Queen City Armory SWM Review	SWM Redevelopment Review for two	Review	NO CHANGE - Project is now in construction. Working with	MDI	7/26/2023
2022	2022-24-BR	2022-24-BR	Fayette Street Over CSX Rail Bridge	Design and construction of the Fayette		UPDATE - Prime AE has been selected as the engineering	RLS	8/30/2023
2022	2022-26-SHLD	2022-26-SHLD	Massachusetts Ave and New	CDBG funded project to install ADA	Design	NO CHANGE - The overall preliminary design and cost	JAT	4/4/2023
2022	2022-28-WFP		UCMR5	Quotes for water plant sampling of	N/A	NO CHANGE - Public notification required as results are	RJK	4/25/2024
2022	2022-29-M		Bellevue Street Brownfields Site	EPATBA Program Phase I and Phase II	Study	UPDATE - EPA TBA program. Work on a Phase I completed	RJK	4/25/2024
2022	2022-32-RECR		Constitution Park Trails	CDBG funded project to install mountain	Design	UPDATE - The design/build RFP contract was awarded to	MDI	4/29/2024
2022	2022-35-FPM		Ridgeley Bituminous Sill Repairs	Project to include repairs to the existing	Planning	NO CHANGE - This project is on hold until next year due to	MDI	7/26/2023
2022	2022-36-PBLD		AST Compliance at MSC	Permit compliance for the fuel tanks at the	N/A	COMPLETE - Permit compliance will be met with the fuel tank	RJK	1/25/2024
2022	2022-38-PVG		Queen City Drive Pavement Repairs	Project to include concrete patch repairs	Planning	UPDATE - The Street Department has performed repairs with	RLS	1/29/2024
2022	2022-39-FPM		River walk and Potomac Industrial	Remove the industrial dam for the	Design	UPDATE - The draft PER has been submitted. Additional work	RLS	1/29/2024
2022	2022-42-SHLD		Fletcher Alley Road Repairs	Repair section of Fletcher Alley behind	Planning	NO CHANGE - Planning for possible repairs is underway. Still	MDI	4/12/2023
2023	2023-07-PVG		General City Paving FY24	Paving projects for FY24	Planning	UPDATE - Engineering is currently working out scope of work	JAT	11/16/2023
2023	2023-08-SANS		Carpendale Sewer	New Sewer line				
2023	2023-09-SWM		Allegany Resource Recovery Facility	SWM Review for proposed new resource	N/A	NO CHANGE - Approved the site development stormwater	MDI	11/29/2023
2023	2023-10-M		Solid Waste and Recycling Collection	Curbside solid waste and recycling	N/A	UPDATE - RFP planned for FY26.	RJK	1/25/2024
2023	2023-12-BRDG		Marion Street Bridge Repairs	Repair spalled concrete under the bridge	Planning	UPDATE - The project design is complete. Engineering is	RLS	1/29/2024
2023	2023-13-M		2023 ECWC Watershed Timber Sale	Annual Timber Sale @ ECWC	Construction	NO CHANGE - Work is ongoing.	DTG	1/30/2024
2023	2023-14-PBLD		MSC Fuel Tank Replacement	Municipal Service Center Tank	Construction	UPDATE - Project awarded to Triad Engineering 11/21/2023.	ANM	4/23/2024
2023	2023-15-M		Spotted Lanternfly Quarantine	Spotted Lanternfly Information	N/A			
2023	2023-17-RECR		Park and Public Facilities Signage	New Park Signage Design and	Construction	NO CHANGE - Implementation of this project is being handled	JAT	8/24/2023
2023	2023-18-WRF		WRF Plant Optimization Study			NO CHANGE - Study to review process improvements at WRF	RLS	8/30/2023
2023	2023-20-WFP		WFP Membrane Filtration Building	Design new membrane filtration building	Planning	NEW - Project has been awarded to Gwin, Dobson and	RLS	1/29/2024
2023	2023-22-SHLD		Market Street Sidewalk		Design	NEW - This is a new project for ADA improvements at Market	JAT	11/16/2023
2023	2023-24-SANS		Sanitary Sewer CIPP Repair		Construction Bidding			
2024	2024-01-UTIL		MDE PreApplications FFY24 FY26	Applications for state funding for Water &	N/A	COMPLETE - Five applications prepared for submission	RJK	4/25/2024
2024	2024-02-WTR		24 Inch Crosstown Water Main	Water main replacement from Polk St to				
2024	2024-03-FPM		Dry Run Dam Overtopping		Study	NEW - Requesting funding from MDE for engineering study to	MDI	4/29/2024
2024	2024-04-TRFC		Kelly Road Pedestrian Improvements	Upgrade of mid-block crosswalk on Kelly	Design	NEW - Proposed improvement plans including Rectangular	JRD	4/23/2024
2024	2024-05-M		2024 ECWC Watershed Timber Sale					
2024	2024-06-PVG		Mechanic & Harrison Streets					
2024	2024-07-PRKG		Constitution Park Parking Lot Paving	Paving improvements for various parking				
2024	2024-08-RECR		Constitution Park Pedestrian	Pedestrian improvements in Constitution				
2024	2024-09-SWM		Louisiana Ave Gas Line SWM	SWM Waiver Request for Columbia Gas	N/A	COMPLETE - SWM waiver request and acceptance for	MDI	4/29/2024
2024	2024-10-SWM		Dunkin Donuts Spring Street SWM	SWM Review for Dunkin Donuts project at	N/A	COMPLETE - SWM review completed for new Dunkin Donuts.	MDI	4/29/2024
2024	2024-11-PVG		General City Paving FY25					
2024	2024-12-PBLD		MDE BEPS Public Safety Building	Maryland's Energy Performance	N/A	NEW Owners of covered buildings are required to report	RJK	4/25/2024
2024	2024-13-SWM		Grow West Dispensary Beall Street	SWM Review for new Grow West	N/A	NEW - SWM Review is in the conceptual phase.	MDI	4/29/2024
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File Attachments for Item:

. Police Department monthly report for March 2024



City of Cumberland Department of Police

Monthly Report
March 2024



City of Cumberland Department of Police

Monthly Report

March 2024

Part 1 Crimes for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Aggravated Assaults	8	2	B & E (All)	4	11	Murder	0	0	Rape	2	1
Robbery	1	3	Theft - Felony	1	1	Theft - Vehicle	1	3			

Selected Criminal Complaints for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Theft - Misdemeanor	13	36	Theft - Petty	26	26	Domestic Assaults	14	15	CDS	32	33
Disturbances	139	120	DOP/Vandalism	11	27	Indecent Exposure	0	1	Sex Off - Other	4	3
Suicide	0	0	Suicide - Attmpt.	0	0	Tampering M/V	0	0	Abuse - Child	3	4
Trespassing	29	36	Assault on Police	2	4	Assault Other	24	32			

Selected Miscellenous Incidents for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Alcohol Volations	1	0	Juvenile Compl.	25	16	Missing Persons	5	14	School Resource	156	147
School Threat	0	0	Sex Off. Regist.	5	0	Truancy	0	0	Death Investigation	7	5

Selected Traffic Incidents for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
DWI	15	8	Hit & Run	21	17	M/V Crash	52	45	Traffic Stop	465	464

Selected Service Calls for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Alarms	49	61	Assist Motorist	24	20	Check Well-Being	119	107	Foot Patrol	110	51
Assist Other Agency	93	93	Bike Patrol	0	0	Special Events	4	12	Suspicious Activity	84	78

Current Incident Status for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
Open	26	84	Arrest	266	238	Closed	2290	1915	Suspended	40	41



City of Cumberland Department of Police

Monthly Report

March 2024

Arrests Totals for the Month

	2023	2024		2023	2024		2023	2024		2023	2024
M/V Citations	68	72	M/V SERO	3	1	M/V Warnings	390	390	Arrest on View Adult	44	36
Arrest On Crim. Cit.	16	29	Arrest Summons	26	26	Arrest Warrant Adult	42	70	Adult Crim.	129	159
Arrest Summon (Chrg)	22	23	Arrest Warrant (Chrg)	13	24	Juvenile Crim.	15	16	Arrest on View Juv	14	13
Arrest Warrant JUV	0	0	Emer. Petition	50	19	Fingerprinting	0	0	RunAway & Miss Per.	5	15
Civil Citation	2	0									

Total Incidents Reported :

2023	2024
2,622	2,278

Chuck Ternent - Chief of Police

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

March 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: 640.5

COMP TIME USED: 98.5

SICK TIME USED: 328

YEAR TO DATE (beginning 07/01/23): 6,674.75

YEAR TO DATE (beginning 07/01/23): 1,397.125

YEAR TO DATE (beginning 07/01/23): 1,688.25

OVERTIME REPORT

OVERTIME WORKED: 125.5

HOSPITAL SECURITY: 119.5

COURT TIME WORKED: 388

YEAR TO DATE (beginning 07/01/23): 1,378.5

YEAR TO DATE (beginning 07/01/23): 1,063.5

YEAR TO DATE (beginning 07/01/23): 3,621

File Attachments for Item:

. Utilities Division Water/Sewer/Flood Monthly Report for April 2024

Utilities Division Activity Report for April 24 WATER

REQUEST	W/E 4/5/24	W/E 4/12/24	W/E 4/19/24	W/E 4/30/24	MONTHLY TOTALS
Service Technicians					
NON READS	21	39	22	57	139
FINAL READS & DEMOS	1	1	2	1	5
LEAK INVESTIGATIONS/turn off-on	7	5	2	5	19
METER/STOP INVESTIGATIONS	16	15	12	13	56
REPAIR WIRING/GET READING	1				1
ORANGE TAG FOR REPAIRS		10	2	4	16
RED/PINK TAG FOR SHUT OFF					0
RECONNECTS/TURN ONS	52	44	45	34	175
NONPMT/BAD CK/AGREEMENT SHUT OFFS	46	41	40	21	148
SUSPENDED ACCTS - RECHECKS					0
REPLACE/REPAIR METER/LID/VALVE					0
SVC SEPARATIONS/INVESTIGATIONS					0
INSTALL COUPLERS/PLUGS/LOCKS					0
NEW METER - Residential	1	12	12	12	37
METER FIELD TESTS - Residential					0
METER TESTS - Industrial					0
NEW METER - Industrial					0
HYDRANTS FLUSHED					0
PRESSURE CHECK/NO WATER/DIRTY WATER					0
MOVE METERS OUTSIDE	3	3	3	1	10
SP Change Outs/Repairs/Reactivates/Move	4	15	15	11	45
Replace/Reattach smartpoint antenna					0
INSULATE METER BOXES					0
FREEZE UPS-LEAKS/METERS & LINES					0
CCP - BACKFLOW/RETRO	3	3	3	1	10
HYDRANT/IRRIGATION METER					0
Total					661
Pipe Technicians					
LINE LOCATOR	75	85	141	122	423
TAPS SERVICED	2	13	4	2	21
LEAKS REPAIRED	1		2	1	4
HAULED COLD MIX/WAREHOUSE	4				4
HAULED FITTINGS TO EXCAVATING ASSOC	4				4
CLEANED UP OLD PIPE/14" MAIN BALT ST	3				3
MT VIEW DR - SAW CUT FOR 4" VALVES		4			4
LOCATES - BLACKISTON & BW DR		4			4
RAN NOTICES/MT VIEW DR VALVES			3		3
INSTALLED RETRO - 415 RACE ST	4				4
MADE 2" TAP FOR TRITAN/BALTIMORE ST		4			4
LEAK INVESTIGATION - 506 WARREN ST		4			4
ELWOOD/PENN/RACE - SOIL/SEED/STRAW		4			4
912 MD AVE - LOWERED METER BOX		4			4
LONGWOOD - LOCATED SERVICES/VALVES		4			4
RAN NOTICES/IND BLVD AIR VALVE FOR EA			3		3
MT VIEW @ SCHLEY - INSTALLED 4" VALVE			4		4
ST MARY'S-RECONNECT SVC/GAS CO HIT			5		5
MT VIEW @ MAGRUDER - INSTALL 4" VALVE			4		4
MET W/ TRITON/CTR ST/LINE DEAD OR LIVE			4		4
43 VA AVE - CLEANED OUT BOX/DELINQUENT			4		4
VALVE TEST - SOUTH END UNDER SUBWAY			4		4
CSX - ABANDONED SERVICE				4	4
INSTALLED 6" VALVE - SPRINGDALE ST				5	5
BACKFILLED DITCH @ TIMES-NEWS				4	4
EASTGATE - LOCATE BOX FOR METER TECHS				3	3
TURNED ON GARDEN METER - CUMB ST				4	4
CSX - INSTALLED HYDRANT METER				4	4
405 BEALL - HOOKED UP SETTER				4	4
UNLOADED 12" PIPE @ PIPE YARD				4	4
CLEANED WAREHOUSE				4	4
ASSISTED EA WITH 8" TIE-IN/RIVERBEND CT				4	4

[illegible]

Sanitary Sewer Department Monthly Report



April 2024

Calls Answered:	12
Service Lines Opened:	9
Owner's Trouble:	7
Line Locates/ Mains	126
Flushed Mains	2,580
Mains Repaired/ Replaced	2
Sewer Taps Installed	0
Cleaned Catch Basins	8
Cleanouts Installed	0
Televised Sewer Mains	2900'
Televised Sewer Lines	21 service Lines
Call Outs/ Overtime	7 call outs 16 Hrs
Weekly Check of Overflows, pits, etc....	14

Jeffrie Harden
Supervisor

Water Usage:

Flush Truck	608	3,800	Gals.
April 2024 *Vac-con In SilverSpring for Repairs	605	0	Gals.

Work Performed and House Calls

Piedmont Ave & Maplewood Manhole Ring/Lid replacement

House call-4/04/24 Wempe Drive sewer main overwhelmed/Excess. Rain

House call-South Penn Elementary sewer main overwhelmed/Excess. Rain

Furnace Street cleaned and wash down of Jacee Field

1024 Hardeing Ave Flush main & Lateral

458 Goethe Flushed Main and Lateral (Roots)

1005 Bishop Walsh Flushed main and Lateral (Roots)
31 Humbird St Flushed main and Lateral(Schedule 3 month CCTV inspection)
44 Memorial Flush truck removed blockage(Resident needs Plumber Roots in yard)
227 E. Mary St. Flushed Drain Line
203 Wilmont Flushed drain pipe(Rain event)
204 Wilmont flooding Occurred Debri removed from 15" drain pipe
Isolateted flooding Piedmont (Sandbagged St)
Allegany and Green St Drain Basin Repair
Riehl ave Flushed Main
306 Cumberland St Flushed sewer main/Put on six month flush
Pershing and Liberty St Basin Re-build
High Velocity 14 Sites Sewer Dept.
Hydro 0 Sites Water Dept.
Vactor Truck callouts: 0
CCTV Camera Truck Callouts:
1024 Harding Ave. Roots in Street
526 Louisiana Roots in Lateral Line
3 Pershing St. CCTV found no issues with City main or to Curb
307 Pulaski No City issue, Resident aware they need a plumber
415 Springdale No City Issue resident aware they need plumber
Ella Ave sink hole in Street CCTV foundf no sewer issue (H2o mainbreak)
Basin Repalcement Liberty and Pershing CCTV No issues
217 Frost Roots in Lateral in residents yard tree need removed
519 Riehl No roots in main or lateral, Residents aware they need plumber
410 Chestnut St Owner issues (drain line)
Cleaned around shop/Installed retainer block for stone at plant
4/4/2024 CSO Valley & Mechanic St Inspection
4/17/2024 CSO Building wash down
4/02/2024 CSO Sensor alerted debri on Weir
4/23/2024 215 Bowen Drain Basin Inspection/Cleaning

APRIL 2024 Monthly Reort

Flood Maintenance

4/03/2024 Viaduct Pump Station activated 2 Hour (Rain Event ele. 613.5)

Run Gate Operators

Check Sewage Regulators

Safety Meeting

Test Run Green St Pump

Cleaned debri Big/Small bull pin

Weekly Check of overflows

Viaduct, BullPin Mill Race

Pre & Post Storm Inspections

Wash Down CSO flumme

Began Mowing Cycle

(Twice)Mowed West and East Ridgley, Moose, And Parkets Narrows

Cleaned and Maintenance of Mowers/Trimmers

Test Run Pumps and Gates

File Attachments for Item:

1. Approval of the Closed Session minutes of April 9, 2024, and the Work and Regular Session minutes of April 16, 2024

Mayor and City Council of Cumberland

Closed Session Minutes

County Complex, 701 Kelly Road, Cumberland, MD 21502

Room 230

Tuesday, April 9, 2024; 4:00 p.m.

The Mayor and City Council convened in public session followed immediately by a motion to close the meeting pursuant to Section 3-305 (b) (4) and (7) of the General Provisions Article of the Annotated Code of Maryland to discuss the development of parcels on the former Memorial Hospital site and to receive legal advice regarding the same.

MOTION: Motion to enter into Closed Session was made by Council Member Marchini, seconded by Council Member Cioni, and was passed on a vote of 5-0.

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

ALSO PRESENT: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Michael S. Cohen, City Solicitor; Matt Miller, CEDC Executive Director; Stu Czapski, Economic Development Specialist



Mayor and City Council of Cumberland

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

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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room
57 N. Liberty Street
Cumberland, MD 21502

Tuesday, April 16, 2024, 5:30 p.m.

PRESENT: Mayor Raymond M. Morriss; Council Members: Rock Cioni, Eugene Frazier, Jimmy Furstenberg, and Laurie Marchini

ALSO PRESENT: Jeffrey F. Silka, City Administrator; Allison Layton, City Clerk; Michael S. Cohen, City Solicitor; Ryan Mackey, Director of Parks and Recreation; Chuck Ternent, Chief of Police; Shannon Adams, Fire Chief

Media: Teresa McMinn, Cumberland Times-News
Kathy Cornwell, WCBC Radio

I. ALCOHOL IN CONSTITUTION PARK

Mr. Silka provided everyone with a memo regarding alcohol in the park. He advised the premise is that the alcohol is there already. He discussed how he had done an Ordinance regarding this matter in the last two communities he worked in. He proposes a \$50 add-on fee to the pavilion rental to allow for alcohol, and explained that a brightly-colored sticker would be on the permit at the pavilion. He advised that it worked well in the other two communities, and said it may increase pavilion rentals, as well as allowing for extra funds to be able to put towards clean-up.

Mayor Morriss agreed, saying it's a way to have the alcohol managed, and to have enforcement available, and said people are taking advantage of this already.

It was noted that if someone were renting the amphitheatre, the promoter of the event would have to obtain the alcohol permit. Liability was also discussed as being greater with alcohol involved. There was a question asked about the reason why it's only for beer and wine. Mr. Silka stated that it's up to Council to determine, but said liquor might make it more palatable. Mr. Cohen asked if this was BYOB, or sales. Mr. Silka stated that if one rents the pavilion, then they would have the right to purchase.

There was discussion about bringing a box of wine to Sundays in the Park. Mr. Mackey explained they have to start with baby steps, and said he thinks it should start with pavilion rentals. He added, though, that the Peach Festival would allow it, but in a roped-off area.

Mr. Silka stated that if the M&CC were sponsoring it, the rules would change – if someone wants a wine and cheese basket, M&CC could write it in the rules to make it happen. He said renting a pavilion and renting the park out are two separate issues.

Mayor Morriss suggesting giving it a try.

Chief Ternent asked for a Code change, with a line added that any violation would be guilty of an infraction. Mr. Cohen stated that they could be asked to leave, as there is not alcohol in other parts of the park. Mr. Silka advised that they would make sure that Code makes it an offense. Mr. Silka suggested making it a municipal infraction, with the ability to expel from the park on sight.

II. AGENDA REVIEW – APRIL 16, 2024

The Mayor reviewed items on the beginning of the agenda – proclamations, reports, minutes, etc.

Mr. Silka discussed Order No. 27,447, Change Order No. 2 to the Baltimore Street Bridge project, which is required due to Verizon's delay, causing storage of equipment. Council Member Marchini asked if the City could hold them responsible, with Mr. Silka replying they could try, but the City holds very little authority over them as a telecommunications company.

Mr. Silka moved on to Order No. 27,449, Change Order No. 1 to the City Hall Elevator Modernization project, which happened because he had the elevator work halted due to not wanting the HVAC and elevator work to start on the same day.

Mr. Silka discussed Order No. 27,444, which accepts the proposal of Long View Systems for migrating the City's network to Cumberland's domain.

Lastly, Mr. Silka discussed Order No. 27,450, which authorizes the City Administrator to execute Park Concession Leases of less than 5 consecutive days, or less than 2 consecutive weekends, due to from time to time the City having tournaments that don't fit within Council's cycle.

III. MAYOR AND CITY COUNCIL UPDATES

Council Member Furstenberg had no updates.

Council Member Cioni mentioned the Evitts Creek meeting tomorrow, and said Let's Beautify Cumberland would be coming to talk about the clock tower this evening at the Regular Session.

Mayor Morriss discussed donations coming through in the community for the clock tower, and said they are looking for additional funds.

Council Member Frazier mentioned the Annual Fair Housing event at Allegany College on the 23rd, and the Tri-County Council meeting coming up. He also mentioned the Grow West Festival, which he and Council Member Marchini thought was a nice event – lots of good food and music.

Council Member Marchini talked about the Baltimore Street Committee, saying the barriers on Baltimore Street have been removed, and the pavers on Liberty Street are going in. She

mentioned that façade work continues, and gave a shout-out to Triton Construction and the City Engineering Department for having this work done simultaneously. She also discussed the trees for the downtown arriving soon. The Councilwoman talked about the Historic Preservation Commission, and the opening of Wills Creek museum on April 26 – 28, with walking tours on Saturday, and a ribbon cutting on Sunday,. She provided a brief background of the museum. She also mentioned that the City is taking applications for the Arts Commission, and said for more information, contact City Clerk Allison Layton.

Council Member Marchini noted that an RFP was posted for wayfinding signs, and said a façade grant is available for midtown, with 50% matching - applications due in May, and stated that façade repairs are complete on the CBIZ building, along with applications for Business Attraction grants being reviewed. She mentioned they are looking for more sponsors for the Farmers Market, and said there is a committee chair meeting tomorrow for each subcommittee head of the DDC.

The Councilwoman discussed the Civics B for middle-schoolers, said they did a great job, and has their essays if anyone wants to take a look. She mentioned that 1st, 2nd, and 3rd prizes went to Allegany County students. She also mentioned that Richard Reinhardt will be here May 7th.

Mayor Morriss advised that the Allegany Museum and the Embassy Theatre recently had Murder at the Museum, which he said was an excellent event and was well-attended. He said it was a good use of museum space and was a 50/50 split fundraiser.

The Mayor discussed the Day of Caring and Sharing on May 10th, and said they are looking for more volunteers. He advised that people can get in touch with Michele Walker at County United Way, or Ed Mullaney of LBC.

Mayor Morriss advised that over the weekend we had Governor Moore at FSU, and had a ribbon cutting for the Education and Health Science Building. He said they took a tour, and it's a beautiful facility.

He also talked about the Teabow announcement done on April 4th, for the infill development agreement; turning over lots to bring in housing opportunities.

The Mayor advised that yesterday he and Ruth Davis-Rogers participated in the Estonia event, and said it was good to meet with ambassadors of our Sister City of Tapa, Laane-Viru County. They were taken on a tour downtown, and to Western MD Works, who had chefs from the culinary side prepare a dinner for them.

The Mayor discussed the opening of the Allegany Arts Council photography exhibit through the rest of the month. He also mentioned the Arbor Day/Earth Day event on Monday April 22nd, and talked about the Carver Board, with he and Council Member Frazier working to develop a strategic plan moving forward. He said they had two meetings with the community which went over well, and said the building has strong African-American history. He also mentioned that May 2nd is the National Day of Prayer.

IV. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:03 p.m.

Respectfully Submitted,

Allison K. Layton
City Clerk

Minutes approved on: _____



Mayor and City Council of Cumberland

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

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

MINUTES

M&CC Regular Public Meeting
701 Kelly Road, Cumberland MD 21502

DATE: April 16, 2024

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

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

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Chuck Ternent, Chief of Police; Shannon Adams, Fire Chief; Lee Borrer, Senior Community Development Specialist; Ruth Davis-Rogers, Historic Preservation Planner

IV. Statement of Closed Meeting

Mayor Morriss announced that a closed session had been held on April 9, 2024 at 4:00 p.m. and read into the record a summary of that meeting which is attached hereto and made a part of these minutes as required under Section 3-306 (c)(2) of the General Provisions Article of the Annotated Code of Maryland.

V. Proclamations

1. Proclaiming the month of April, 2024 as Fair Housing Month in Cumberland

Mayor Morriss read the proclamation, and presented it to Lee Borrer, Senior Community Development Specialist, along with several HRC Committee members. Ms. Borrer thanked the Mayor and reminded everyone to come out to the Fair Housing Event at ACM on April 23rd, 9:00 a.m. to 2:00 p.m.

2. Proclaiming the month of April, 2024 as Archaeology Month in Cumberland

Mayor Morriss read the proclamation and talked about Community Archaeology Lab Days and the dig at Oldtown at the Thomas Cresap Fort, from May 31 through June 10. Representatives from the Western MD Archaeology Chapter spoke about their organization, saying that the chapter was organized in the early 1980s and has done excavations throughout Allegany, Garrett, Washington, Bedford, and Mineral counties. They discussed outreach programs and teaching the necessity of what they are doing. They also mentioned that on Tuesday, April 23 at 5:00 p.m. there will be a free session at the New History Discovery Center on Mechanic Street working with artifacts from the Jane Gates House.

VI. Director's Reports

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

(A) Administrative Services

1. Administrative Services Monthly Report for March 2024

(B) Public Works

1. Maintenance Division Monthly Report for March 2024

(C) Fire

1. Fire Department Activity Monthly Report for March 2024

(D) Utilities - Flood, Water, Sewer

1. Utilities Division Water/Sewer/Flood Monthly Report for March 2024

VII. Approval of Minutes

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

1. Approval of the Closed, Work, and Regular Session minutes of March 19, 2024, the Closed Session minutes of March 20, 2024, and the Work and Regular Session Minutes of April 2, 2024

VIII. Public Comments

Ed Mullaney, Co-Chair of Let's Beautify Cumberland, 213 Fayette St., spoke about the Cumberland Clock Tower Committee, and introduced those involved: Greg Hendershot, Chair; Jan Wunderlick, and Maryanne Coyle. He thanked M&CC and staff members for passing Order 27,446 this evening and for allowing them to move forward. He advised that the clock will be in Hendershot Park, which is named for Butch Hendershot, former Council Member, who started LBC to help make Cumberland a better place to live. Mr. Mullaney said the clock will be visible from Washington Street, and said it's a good project with lots of history behind it and lots of reasons to do it. He added that they will move forward with the fundraising.

Mr. Hendershot thanked everyone for their support, and advised that people can make tax-deductible donations through the Community Trust Foundation's website.

All public comments are limited to 5 minutes per person

IX. New Business

(A) Orders (Consent Agenda)

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

Order 27,439 - lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within a defined area of the downtown mall for the "Friday After Five" events on June 7, July 12, August 2 and September 13, 2024 beginning at 5:00 p.m. and ending at 12:00 midnight; notwithstanding, that open glass containers shall not be permitted

Order 27,440 - abating the Real Property taxes, interest and utilities on six properties (118 Winton Place, 31 Offutt Street, 310 Columbia Street, 414 Goethe Street, 308 Cumberland Street and 404 Furnace Street) being obtained through the tax sale foreclosure and donation process

Mr. Silka advised that this totals a little over \$11,700 and are all properties that the City has acquired.

Order 27,441 - authorizing the execution of a FY25 Arts and Entertainment Districts Operating Support Letter of Agreement for the period July 1, 2024 - June 30, 2025, to define the City's role as the Local Government Entity with regard to the Cumberland Arts & Entertainment District, and to approve estimated in-kind support of \$500 (Five Hundred Dollars)

Mr. Silka advised that this is done annually to keep the Arts and Entertainment District active.

Order 27,442 - declaring certain City-owned properties located at 305 Maryland Avenue, Broadway Lot B-6, Broadway Lot B-8 and Rear Greene Street to be surplus and authorizing them for sale

Order 27,443 - authorizing the execution of an agreement with SADA Systems, Inc., for one year of Virtru Encryption Services for Google Mail/Drive in the not-to-exceed amount of \$31,048.05

Order 27,444 - accepting the proposal from Long View Systems Corporation for the migration of the City's network to Cumberland's domain (city.cumberlandmd.gov) in the not-to-exceed amount of \$64,303

Order 27,445 - executing a donation agreement between the Mayor and City Council and Larry and Samantha Moon, for the donation of the parcel of real property at 208-210 Virginia Avenue and the improvements thereon, if any, to the City

Order 27,446 - authorizing Let's Beautify Cumberland to pursue the placement of a clock on property owned by the City of Cumberland at Hendershot Park, contingent upon the successful receipt of all necessary approvals and permits

Order 27,447 - authorizing Change Order No. 2 to the Rehabilitation of Bridge A-C-06 Baltimore Street over Wills Creek (City Project 9-18-BR) with an increase of \$20,345.27, bringing the total contract price to an amount not-to-exceed \$4,856,848.65

Mr. Silka advised that this Change Order is due to a time delay by Verizon which caused storage of equipment.

Order 27,448 - authorizing Change Order No. 1 to the MSC Fuel Tank Replacement Project (2023-14-PBLD) with an increase of \$5,000, bringing the total contract price to an amount not-to-exceed \$569,594

Order 27,449 - authorizing Change Order No. 1 to the City Hall Building Elevator Modernization project with an increase of \$7,200, bringing the total contract price to an amount not-to-exceed \$220,836

Mr. Silka advised that this change order is due to a requested delay by the City.

Order 27,450 - authorizing the City Administrator to execute Park Concession Leases of less than five (5) consecutive days or less than two (2) consecutive weekends

X. Public Comments

Dr. Ahmet Sachdev, 109 Welton Drive, Cumberland, wanted to introduce himself as a new Gastroenterologist at UPMC, coming from Washington, DC, and said he met Council Member Furstenberg at a restaurant recently. He said UPMC has an excellent GI center, and said there's a lot of opportunity for technology in healthcare in the area. He said the people here are incredible, and would like to get to know everyone and to improve care in UPMC and in the area.

The doctor explained that they have lost a lot of people at UPMC and he's been asked to help rebuild and improve healthcare in the community. He explained that having lived and worked in a much larger city, the people here are top-notch.

Mayor Morris encouraged everyone to take care of themselves and get screened – check family history. He thanked the doctor for being here tonight and for his enthusiasm in the community.

All public comments are limited to 5 minutes per person

XI. Adjournment

With no further business at hand, the meeting adjourned at 6:50 p.m.

Minutes approved on _____

Raymond M. Morris, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____

File Attachments for Item:

. Ordinance 3977 (*1st reading*) - 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:

. Order 27,451 - authorizing the abatement of taxes and interest for three City-owned properties at Youngs Terrace, Blk. 21, 454-456 Goethe St. and 0 Sperry Terrace

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

ORDER NO. 27,451

DATE: May 7, 2024

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

THAT, the City Comptroller be and is hereby authorized to abate City
real estate taxes and interest owed for the following properties and tax years
listed:

Address and Tax ID	Tax Years	Tax and Interest Amount
Tax ID: 06003400 Youngs Terrace, Blk. 21	2011-2023	\$606.25
Tax ID: 23008408 454-456 Goethe Street	2022-2023	\$146.96
Tax ID: 06004636 0 Sperry Terrace	2007-2023	\$3,516.76
Total		\$4,269.97

Raymond M. Morriss, Mayor

City of Cumberland
57 N Liberty Street
Cumberland, MD 21502



SHRYOCK MARK

623 QUEBEC AVE *
CUMBERLAND, MD 21502-

Description & Location: YOUNGS TERR BLK 21
0 YOUNGS TER
CUMBERLAND, 21502

Instant Statement for PIDN: 06003400

Current Credit: 0.00

Date: 04/12/2024

Code	Year	Bill#	Date	Date Effective	Normal	Penalty	Interest	Due	Payment	Adj. Type	Adjust	Adj. Date
Real Estate Tax	2011		06/29/2011	01/01/0001	17.38	0.00	52.85	70.23	0.00		0.00	
Real Estate Tax	2012		06/27/2012	01/01/0001	17.38	0.00	48.65	66.03	0.00		0.00	
Real Estate Tax	2013		06/26/2013	01/01/0001	17.38	0.00	44.45	61.83	0.00		0.00	
Real Estate Tax	2014		06/27/2014	01/01/0001	17.38	0.00	40.25	57.63	0.00		0.00	
Real Estate Tax	2015		07/01/2015	01/01/0001	17.38	0.00	36.05	53.43	0.00		0.00	
Real Estate Tax	2016		06/29/2016	01/01/0001	17.38	0.00	31.85	49.23	0.00		0.00	
Real Estate Tax Annual	2017		06/28/2017	01/01/0001	19.07	0.00	30.02	49.09	0.00		0.00	
Real Estate Tax Annual	2018		06/28/2018	01/01/0001	19.07	0.00	25.46	44.53	0.00		0.00	
Real Estate Tax Annual	2019		06/27/2019	01/01/0001	19.07	0.00	20.90	39.97	0.00		0.00	
Real Estate Tax Annual	2020		06/29/2020	01/01/0001	19.07	0.00	16.34	35.41	0.00		0.00	
Real Estate Tax Annual	2021		06/28/2021	01/01/0001	19.07	0.00	11.78	30.85	0.00		0.00	

Code	Year	Bill#	Date	Date Effective	Normal	Penalty	Interest	Due	Payment	Adj. Type	Adjust	Adj. Date
Real Estate Tax Annual	2022		06/24/2022	01/01/0001	19.07	0.00	7.22	26.29	0.00		0.00	
2023 Real Estate Tax Annual	2023		07/01/2023	01/01/0001	19.07	0.00	2.66	21.73	0.00		0.00	
Totals:								606.25	0.00			

City of Cumberland
57 N Liberty Street
Cumberland, MD 21502



SHRYOCK MARK A

623 QUEBEC AVE
CUMBERLAND, MD 21502-0

Description & Location: 454-456 GOETHE ST
454 GOETHE ST
CUMBERLAND, 21502

Instant Statement for PIDN: 23008408

Current Credit: 0.00

Date: 04/12/2024

Code	Year	Bill#	Date	Date Effective	Normal	Penalty	Interest	Due	Payment	Adj. Type	Adjust	Adj. Date
Real Estate Tax Annual	2022		06/24/2022	01/01/0001	58.27	0.00	22.23	80.50	0.00		0.00	
2023 Real Estate Tax Annual	2023		07/01/2023	01/01/0001	58.27	0.00	8.19	66.46	0.00		0.00	
Totals:								146.96	0.00			

City of Cumberland
57 N Liberty Street
Cumberland, MD 21502



SHRYOCK MARK A

623 QUEBEC AVE *
CUMBERLAND, MD 21502-0

Description & Location: SPERRY TERRACE
0 SPERRY TER
CUMBERLAND, 21502

Instant Statement for PIDN: 06004636

Current Credit: 0.00

Date: 04/12/2024

Code	Year	Bill#	Date	Date Effective	Normal	Penalty	Interest	Due	Payment	Adj. Type	Adjust	Adj. Date
O	2007		07/05/2007	01/01/0001	47.40	0.00	189.05	236.45	0.00		0.00	
Real Estate Tax	2008		07/01/2008	01/01/0001	48.27	0.00	181.39	229.66	0.00		0.00	
Real Estate Tax	2009		07/01/2009	01/01/0001	56.31	0.00	197.75	254.06	0.00		0.00	
Real Estate Tax	2010		07/01/2010	01/01/0001	64.35	0.00	210.27	274.62	0.00		0.00	
Real Estate Tax	2011		06/29/2011	01/01/0001	72.41	0.00	218.95	291.36	0.00		0.00	
Real Estate Tax	2012		06/27/2012	01/01/0001	72.41	0.00	201.55	273.96	0.00		0.00	
Real Estate Tax	2013		06/26/2013	01/01/0001	72.41	0.00	184.15	256.56	0.00		0.00	
Real Estate Tax	2014		06/27/2014	01/01/0001	72.41	0.00	166.75	239.16	0.00		0.00	
Real Estate Tax	2015		07/01/2015	01/01/0001	72.41	0.00	149.35	221.76	0.00		0.00	
Real Estate Tax	2016		06/29/2016	01/01/0001	72.41	0.00	131.95	204.36	0.00		0.00	
Real Estate Tax Annual	2017		06/28/2017	01/01/0001	79.46	0.00	125.61	205.07	0.00		0.00	

Code	Year	Bill#	Date	Date Effective	Normal	Penalty	Interest	Due	Payment	Adj. Type	Adjust	Adj. Date
Real Estate Tax Annual	2018		06/28/2018	01/01/0001	79.46	0.00	106.53	185.99	0.00		0.00	
Real Estate Tax Annual	2019		06/27/2019	01/01/0001	79.46	0.00	87.45	166.91	0.00		0.00	
Real Estate Tax Annual	2020		06/29/2020	01/01/0001	79.46	0.00	68.37	147.83	0.00		0.00	
Real Estate Tax Annual	2021		06/28/2021	01/01/0001	79.46	0.00	49.29	128.75	0.00		0.00	
Real Estate Tax Annual	2022		06/24/2022	01/01/0001	79.46	0.00	30.21	109.67	0.00		0.00	
2023 Real Estate Tax Annual	2023		07/01/2023	01/01/0001	79.46	0.00	11.13	90.59	0.00		0.00	
Totals:								3516.76	0.00			

File Attachments for Item:

. Order 27,452 - authorizing the City Solicitor to notify the City's opioid case attorneys that the City wishes to amend the Complaint filed in the opioids case to include claims against pharmacy benefits managers and to authorize the City Solicitor to take such actions on the City's behalf that are in furtherance of that action

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

ORDER NO. 27,452

DATE: May 7, 2024

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

THAT, the City Solicitor be and is hereby authorized to notify the City's opioid case attorneys that the City wishes to amend the Complaint filed in the Opioids case to include claims against pharmacy benefits managers and to authorize the City Solicitor to take such actions on the City's behalf that are in furtherance of that action.

Raymond M. Morriss, Mayor

File Attachments for Item:

. Order 27,453 - authorizing the proposal from Coccia Ford for one new Ford F250 Regular Cab Pickup in an amount not to exceed \$47,530 utilizing COSTARS Cooperative Pricing, which is in accordance with City Code Sec. 2-171 (c)

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

ORDER NO. 27,453

DATE: May 7, 2024

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

THAT, the proposal from Coccia Ford, 577 E. Main St., Wilkes-Barre, PA, 18702 to supply one (1) 2024 Ford F250 Pickup Truck in the total amount not to exceed Forty Seven Thousand Five Hundred Thirty Dollars and No Cents (\$47,530) is hereby accepted; and

BE IT FURTHER ORDERED, this special pricing is in accordance with City Code Section 2-171(c), which pertains to purchasing cooperatives and state and local government contracts (piggyback contracts).

Raymond M. Morriss, Mayor

Budget:
001.056.64000

Council Agenda Summary

Meeting Date: May 7, 2024

Key Staff Contact: Brian Broadwater

Item Title:

Order Accepting the purchase of One New Ford F250 Regular Cab Pickup from Coccia Ford, 577 E. Main Street, Wilkes-Barre, PA 18702 for an amount not to exceed \$47,530.

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

Requesting an order to accept the purchase of One New Ford F250 Regular Cab Pickup from Coccia Ford for an amount not to exceed \$47,530. Coccia Ford is offering COSTARS Cooperative Pricing which is in accordance with the City Code Sec. 2-171 (c) - Purchasing cooperatives, state and local government contracts (Piggybacking Contracts).

Amount of Award:

\$47,530

Budget number:

001.056.64000 (Street) - \$47,530

Grant, bond, etc. reference:

N/A



Brian Broadwater <brian.broadwater@cumberlandmd.gov>

FY 2024 Service Body Truck with Compressor - Streets

3 messages

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Wed, Apr 17, 2024 at 2:44 PM

To: Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Devin Burke <devin.burke@cumberlandmd.gov>

Mark,

I am ready to proceed with the purchase of the FY2024 Service Body Truck that the Street Department budgeted for \$83,000. The quote I received from Coccia Ford and J&J Truck Equipment comes in at \$82,080. Am I OK to proceed with the purchase from a funding standpoint?

Thanks,
Brian

--
David Brian Broadwater Jr

Fleet Manager

City of Cumberland, MD

W: (301) 759-6627 | C: (240) 920-2079

215 Bowen St. | Cumberland, MD 21502

**Cumberland**
*Maryland***Mark Gandolfi** <mark.gandolfi@cumberlandmd.gov>

Wed, Apr 17, 2024 at 2:49 PM

To: Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Devin Burke <devin.burke@cumberlandmd.gov>

Yes.

[Quoted text hidden]

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Wed, Apr 17, 2024 at 2:53 PM

To: Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Devin Burke <devin.burke@cumberlandmd.gov>

Thank you,

Brian

[Quoted text hidden]



Preview Order 1212 - F2B 4x4 Reg Cab SRW: Order Summary Time of Preview: 04/17/2024 13:42:06 Receipt: NA

Dealership Name: Coccia Ford

Sales Code : F16302

Dealer Rep.	Nelson Raines	Type	Fleet	Vehicle Line	Superduty	Order Code	1212
Customer Name	mayor and cit	Priority Code	F1	Model Year	2024	Price Level	425

DESCRIPTION	MSRP	DESCRIPTION	MSRP
F250 4X4 STYLESIDE PICKUP/142	\$47760	FORD FLEET SPECIAL ADJUSTMENT	\$0
142 INCH WHEELBASE	\$0	PLATFORM RUNNING BOARDS	\$320
TOTAL BASE VEHICLE	\$47760	9900# GVWR PACKAGE	\$0
OXFORD WHITE	\$0	50 STATE EMISSIONS	\$0
VINYL 40/20/40 SEATS	\$0	HEAVY SERVICE PACKAGE	\$125
MEDIUM DARK SLATE	\$0	UPFITTER SWITCHES	\$165
PREFERRED EQUIPMENT PKG.600A	\$0	190AMP(GAS)/250AMP(6.7L) ALTR	\$0
.XL TRIM	\$0	HEAVY SERVICE FRONT SUSPENSION	\$125
.AIR CONDITIONING -- CFC FREE	\$0	PRICE CONCESSION INDICATOR	\$0
.AM/FM STEREO MP3/CLK	\$0	REMARKS TRAILER	\$0
.6.8L DEVCT NA PFI V8 ENGINE	\$0	SPECIAL DEALER ACCOUNT ADJUSTM	\$0
10-SPEED AUTO TORQSHIFT-G	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
LT245/75R17E BSW ALL-TERRAIN	\$165	FUEL CHARGE	\$0
3.73 RATIO REGULAR AXLE	\$0	NET INVOICE FLEET OPTION (B4A)	\$0
PICKUP BOX DELETE	\$-625	PRICED DORA	\$0
.REAR VIEW CAMERA & PREP KIT	\$0	ADVERTISING ASSESSMENT	\$0
JOB #2 ORDER	\$0	DESTINATION & DELIVERY	\$1995
TOTAL BASE AND OPTIONS		MSRP	\$50030
DISCOUNTS			NA
TOTAL			\$50030

ORDERING FIN: QL116 END USER FIN: QL116

INCENTIVES

Acc. Code ID :10 Contract/Ref # :21-119R Bid Date :07/24/23State : MD

DISCOUNTS:

\$-100.00

Customer Name:
Customer Address:

Customer Email:

Customer Phone:

Prepared by: Nelson Raines

COCCIA

COCCIA FORD | 577 E. Main Street, Wilkes-Barre, PA 18702

Ford F250

City of Cumberland

Pricing Summary

Vehicle Pricing

Base Vehicle Price

MSRP

\$ 47,760.00

Options

\$ 275.00

Colors

Upfitting

Fleet Discount

Fuel Charge

Destination Charge

\$ 1,995.00

Subtotal

\$ 50,030.00

Pre-Tax Adjustments

Description

MSRP

Coccia Ford Discount and Costars Concession

-\$ 2,500.00

Total

\$ 47,530.00

Customer Signature

Acceptance Date

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

File Attachments for Item:

. Order 27,454 - accepting the proposal from J&J Truck Equipment (Somerset Welding) for a Service Body and Installation on a new Ford F250 in an amount not to exceed \$34,550 utilizing COSTARS Cooperative Pricing, which is in accordance with the City Code Sec.2-171 (c)

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

ORDER NO. 27,454

DATE: May 7, 2024

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

THAT, the proposal from J&J Truck Equipment (Somerset Welding),
422 Riggs Road, Somerset, PA, 15501 to supply one (1) Service Body and Installation for a
2024 Ford F250 Pickup Truck in the total amount not to exceed Thirty Four Thousand Five
Hundred Fifty Dollars and No Cents (\$34,550) is hereby accepted; and

BE IT FURTHER ORDERED, this special pricing is in accordance with City Code
Section 2-171(c), which pertains to purchasing cooperatives and state and local
government contracts (piggyback contracts).

Raymond M. Morriss, Mayor

Budget:
001.056.64000

Council Agenda Summary

Meeting Date: May 7, 2024

Key Staff Contact: Brian Broadwater

Item Title:

Order Accepting the purchase of a Service Body and Installation for a New Ford F250 from J&J Truck Equipment(Somerset Welding), 422 Riggs Road, Somerset, PA 15501 for an amount not to exceed \$34,550.

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

Requesting an order to accept the purchase of a Service Body and Installation for a New Ford F250 from J&J Truck Equipment(Somerset Welding) for an amount not to exceed \$34,550. J&J Truck Equipment is offering COSTARS Cooperative Pricing #025-E22-439 which is in accordance with the City Code Sec. 2-171 (c) - Purchasing cooperatives, state and local government contracts (Piggybacking Contracts).

Amount of Award:

\$34,550

Budget number:

001.056.64000 (Street) - \$34,550

Grant, bond, etc. reference:

N/A

04/14/24

J&J Truck Equipment

Quote: 87785

Eng/Autl



422 Riggs Road
Somerset, PA 15501

Rev: 12

Issue: 1

Page :

Order:

PO NO:

Phone: 814-444-7070 or 877-455-8785

Fax: 814-445-3726

Customer

CITY OF CUMBERLAND
57 NORTH LIBERTY ST
57 N LIBERTY ST
PER EMAIL 1.22.21 FROM SARAH
CUMBERLAND MD 21502
Attn: BRIAN BROADWATER
Phone: 301-759-6627
Email: brian.broadwater@cumberlandmd.gov

Brief Description

696-2 (CITY CUMBERLAND)

End User:

Number of Units: 1 Entered By: SS2

Sales Rep: Larry Faidley

Inside Sales: Steven L. Stilley

Quote Type: SVB

Make: 24 FORD

Model: F250

Due Date:

Serial Number:

ON CUSTOMER SUPPLIED 2024 FORD F250 SINGLE REAR WHEEL CHASSIS WITH 56" CA
- CHASSIS TO HAVE FACTORY TOW PACKAGE INSTALLED
- LONG FUEL FILL KIT SUPPLIED WITH CHASSIS
- FORD FACTORY BACK UP CAMERA SUPPLIED WITH CHASSIS

CUSTOMER IS RESPONSIBLE FOR ALL TRANSPORTATION OF CHASSIS
BASE PRICE DOES NOT INCLUDE ANY APPLICABLE TAXES

BASE PRICE INCLUDES ALL MUNICIPAL DISCOUNTS AND ARE CO-STAR COMPLIANT
CO-STAR #: 025-E22-439

Base Price
34,550.00

Appx
Weight

----- (Equipment Supplied) -----

SEQ #: 10

1

0

PROVIDE AND INSTALL A KNAPHEIDE 696-2-M SERVICE BODY & PROPRIETARY LIGHTS AS
FOLLOWS:

LENGTH 96", HEIGHT 40", WIDTH 78", COMPARTMENT DEPTH 14.5", FLOOR WIDTH 49".

TWO ADJUSTABLE DIVIDER SHELVES & DIVIDERS, STREET AND CURB SIDE FRONT VERTICAL
COMPARTMENTS.

ONE ADJUSTABLE DIVIDER SHELF & DIVIDERS, STREET AND CURB SIDE FULL HEIGHT REAR
VERTICAL COMPARTMENT.

ONE ADJUSTABLE DIVIDER SHELF & DIVIDERS, CURB SIDE HORIZONTAL COMPARTMENT.

NO SHELF STREET SIDE HORIZONTAL.

RIVETLESS ROTARY LATCHES & DOUBLE SPRING OVER CENTER DOOR RETAINERS ON ALL
VERTICAL DOORS.

(1) 12" SLAM TAILGATE.

FACTORY PAINTED WHITE WITH MASTER LOCKS

SEQ #: 30

1

0

34861695 78" WIDE KNAPLINED GALVA-GRIP BUMPER WITH HITCH RECESS

(Continued on Next Page)

04/14/24

J&J Truck Equipment

Quote: 87785

Eng/Autl

422 Riggs Road
Somerset, PA 15501

Rev: 12

Issue: 1

Order:

PO NO:

Page :

Phone: 814-444-7070 or 877-455-8785 Fax: 814-445-3726

Customer

CITY OF CUMBERLAND
57 NORTH LIBERTY ST
57 N LIBERTY ST
PER EMAIL 1.22.21 FROM SARAH
CUMBERLAND MD 21502
Attn: BRIAN BROADWATER
Phone: 301-759-6627
Email: brian.broadwater@cumberlandmd.gov

Brief Description

696-2 (CITY CUMBERLAND)

End User:

Number of Units: 1 Entered By: SS2

Sales Rep: Larry Faidley

Inside Sales: Steven L. Stilley

Quote Type: SVB

SEQ #:	40	1	0
20095520 INSTALLATION KIT FOR STEEL SERVICE BODY W/ 6" UNDERSTRUCTURE, FORD 56" CA, 2017 & NEWER F250			
35316948 FORD 2023 & NEWER 40"/56" PICKUP BOX REMOVAL 6-CIRCUIT WIRE HARNESS ADAPTER -			
SEQ #:	50	2	0
LED GRILL STROBE LIGHTS (1)EA			
PROVIDE AND INSTALL AN LED AMBER STROBE LIGHT:			
- 2 TO FRONT GRILL			
- WIRED TO OEM OR J&J SWITCH IN CAB, LABELED			
REAR SERVICE BODY INCOPERATED STROBES TO BE WIRED TO SAME SWITCH.			
SEQ #:	70	1	4
ECCO BACK-UP ALARM			
SUPPLY AND INSTALL ECCO 450 BACK-UP ALARM			
SEQ #:	80	1	4
MUDEFLAPS 12"X18"X1/4" "J&J"			
PROVIDE AND INSTALL 12" X 18" X 1/4" J&J MUDEFLAPS OR REQUIRED SIZE.			
SEQ #:	90	1	0
PROVIDE AND INSTALL OF REAR VIEW CAMERA AT THE REAR OF CHASSIS BEST POSSIBLE LOCATION.			
SEQ #:	100	1	0
LIGHTBAR, HIGHLIGHTER LED PNG			
PROVIDE AND INSTALL TO TOP OF CAB ON THIRD BRAKE LIGHT MOUNT A FEDERAL SIGNAL 15" AMBER LOW PROFILE LIGHT BAR WIRED TO OEM SWITCH			
SEQ #:	110	1	0
PROVIDE AND INSTALL A BUYER DRILL FREE THIRD BRAKE LIGHT MOUNT. 8895152			
SEQ #:	120	1	0
8' BED, CARGO AREA & COMP. TOPS			
PROVIDE AND APPLY A SPRAY ON SPEEDLINER 1000 TO THE CARGO AREA AND COMPARTMENT TOPS.			

(Continued on Next Page)

04/14/24

J&J Truck Equipment

Quote: 87785

Eng/Autl

422 Riggs Road
Somerset, PA 15501

Rev: 12

Issue: 1

Page :

Order:

PO NO:

Phone: 814-444-7070 or 877-455-8785 Fax: 814-445-3726

Customer

Brief Description

CITY OF CUMBERLAND
57 NORTH LIBERTY ST
57 N LIBERTY ST
PER EMAIL 1.22.21 FROM SARAH
CUMBERLAND MD 21502
Attn: BRIAN BROADWATER
Phone: 301-759-6627
Email: brian.broadwater@cumberlandmd.gov

696-2 (CITY CUMBERLAND)

End User:

Number of Units: 1 Entered By: SS2

Sales Rep: Larry Faidley

Inside Sales: Steven L. Stilley

Quote Type: SVB

SEQ #: 150

1

0

PROVIDE AND INSTALL A VANAIR VIPER G80 (GV3H-B80R) WITH THE FOLLOWING SPECS
MODEL CAPACITY (CFM) AIR (PSI) ENGINE (RPM) ENGINE (HP) FUEL CAPACITY
G80 80 100 3600 HONDA@ 25 10 GALLON
WEIGHT 440 LBS
LOAD SPACE COOLER (TOP AIR FLOW)
MOUNTED IN CARGO AREA FRONT OF BODY
WITH REMOTE START STOP LOCATED CURBSIDE REAR WITH FLR 3/4" AND OSHA VALVE.
REMOTE MOUNT CONTROL BOX
3/4" X 50 FOOT SPRING REWIND HOSE REEL. CURBSIDE TOP OF COMPARTMENT

Price / Unit:	\$34,550.00	8
Total / Unit:	\$34,550.00	
Total Due:	\$34,550.00	

----- (Optional Equipment NOT Included) -----

** Can be included at customer's request **

Price	Appx
Per Unit	Weight

SEQ #: 60

1

1,525.00

0

PROVIDE AND INSTALL A CLASS 5 SERVICE BODY RECIEVER HITCH WITH 2 1/2" TO 2
REDUCER IF REQUIRED. 7 WAY RV STYLE TRAILER PLUG WIRED TO OEM PROVIDED TRAILER
WIRING.
THIS OPTION MUST BE SELECTED IF NO FACTORY HITCH IN PLACE.

(Continued on Next Page)

04/14/24

J&J Truck Equipment

Quote: 87785

Eng/Autl



422 Riggs Road
Somerset, PA 15501

Rev: 12

Issue: 1

Page .

Order:

PO NO:

Phone: 814-444-7070 or 877-455-8785 Fax: 814-445-3726

Customer

CITY OF CUMBERLAND
57 NORTH LIBERTY ST
57 N LIBERTY ST
PER EMAIL 1.22.21 FROM SARAH
CUMBERLAND MD 21502
Attn: BRIAN BROADWATER
Phone: 301-759-6627
Email: brian.broadwater@cumberlandmd.gov

Brief Description

696-2 (CITY CUMBERLAND)

End User:

Number of Units: 1 Entered By: SS2

Sales Rep: Larry Faidley

Inside Sales: Steven L. Stilley

Quote Type: SVB

SEQ #: 130

1

675.00

0

REMOVAL OF FACTORY BED FROM CHASSIS FOR RETURN TO CUSTOMER.

PICKUP BOX REMOVAL WILL NOT BE ALLOWED ON THE XL TRIM WITH THE FOLLOWING
OPTIONS:

(17S) STX APPEARANCE PACKAGE

(874) 360-DEGREE CAMERA PACKAGE

(52T) TOW TECHNOLOGY PACKAGE

PICKUP BOX REMOVAL IS ALSO NOT ALLOWED ON THE XLT TRIM WITH THE
FOLLOWING OPTIONS:

(17P) XLT PREMIUM PACKAGE

(17K) SPORT APPEARANCE PACKAGE

(874) 360-DEGREE CAMERA PACKAGE

(52T) TOW TECHNOLOGY PACKAGE

FORD WILL BE ISSUING A BBAS BULLETIN IN THE NEAR FUTURE TO REAFFIRM THIS
INFORMATION. ADDITIONAL GUIDANCE FROM FORD MAY BE INCLUDED WITH THIS BULLETIN.

SEQ #: 140

1

2,266.00

0

PROVIDE AND INSTALL OPTIONAL 10 GALLON AIR RECIEVER TANK AND CHECK VALVE FOR
USE WITH VR150 COMPRESSOR.
MOUNTED UNDER BODY OR BEST LOCATION

Please review carefully. If you have any questions, contact this
office or your sales representative. If there are no questions,
please sign and return one of the enclosed copies. We must have
a signed copy of this quotation before we process your order.

Terms: Net 30 Days

QUOTE EXPIRES:
05/14/24

PLEASE NOTE: There will be a 20% restocking fee on all special order items, if returned,
in addition to any freight charges that apply.

By: _____ Date: _____
(Customer Signature)



Brian Broadwater <brian.broadwater@cumberlandmd.gov>

FY 2024 Service Body Truck with Compressor - Streets

3 messages

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Wed, Apr 17, 2024 at 2:44 PM

To: Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Devin Burke <devin.burke@cumberlandmd.gov>

Mark,

I am ready to proceed with the purchase of the FY2024 Service Body Truck that the Street Department budgeted for \$83,000. The quote I received from Coccia Ford and J&J Truck Equipment comes in at \$82,080. Am I OK to proceed with the purchase from a funding standpoint?

Thanks,
Brian

David Brian Broadwater Jr**Fleet Manager**

City of Cumberland, MD

W: (301) 759-6627 | C: (240) 920-2079

215 Bowen St. | Cumberland, MD 21502

**Cumberland**
*Maryland***Mark Gandolfi** <mark.gandolfi@cumberlandmd.gov>

Wed, Apr 17, 2024 at 2:49 PM

To: Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Devin Burke <devin.burke@cumberlandmd.gov>

Yes.

[Quoted text hidden]

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Wed, Apr 17, 2024 at 2:53 PM

To: Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Devin Burke <devin.burke@cumberlandmd.gov>

Thank you,

Brian

[Quoted text hidden]

File Attachments for Item:

. Order 27,455 - authorizing a budget not to exceed \$200,000 to be used for the acquisition, demolition and/or site preparation for the Central Avenue City/County Initiative, contingent upon Allegany County's approval of matching funds

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

ORDER NO. 27,455

DATE: May 7, 2024

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

THAT, the authorization of a budget not to exceed Two Hundred Thousand Dollars and No Cents (\$200,000) for the acquisition, demolition and/or site preparation for the Central Avenue City/County Initiative, contingent upon the approval of matching funds from Allegany County, be and is hereby approved.

Raymond M. Morriss, Mayor

File Attachments for Item:

. Order 27,456 - accepting certain bids received for the "2024 GovDeals Sale 4 of Surplus Vehicles and Equipment" and rejecting all other bids

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

ORDER NO. 27,456

DATE: May 7, 2024

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

THAT, the following bids received for the "2024 Sale 4 of Surplus Equipment on GovDeals " be and are hereby accepted, and all other bids received be and are hereby rejected:

	Unit #	Description	Bidder	Bid Amount
1.	Gator	2007 John Deere Gator	Squier, Leigh	\$1,225.00
2.	Cadet 1	2014 Cub Cadet Tank LZ Commercial	Milanes, Aylen	\$1,875.00
3.	Tank	4500 Gallon Tank	Stouffer, David	\$575.00
4.	Street - Skid Steer Tires	4 Bobcat Skid Steer Wheels and Tires	Gibson, Ashley	\$60.00
5.	Sickle Bar	Alamo Belly Mount Sickle Bar 5'	Coleman, Shawn	\$110.00
6.	Tractor 1	INGERSOLL 4018 with Sweepster Broom	Herbert, Robert	\$1,025.00
7.	244 - Street	2004 Multiquip Roller R2000H	Kahler, Brandon	\$2,400.00
			TOTAL	\$7,270.00

Raymond M. Morriss, Mayor

File Attachments for Item:

. Order 27,457 - approving a \$10,000 Micro-Revolving loan for Chris Myers, Liberty Street Sandwich Shop and General Store at 11 S. Liberty Street for the term of a 60-month amortization period, 3% interest, first payment due January 2025, and no interest charged until January 1, 2025

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

ORDER NO. 27,457

DATE: May 7, 2024

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

THAT, a loan from the Micro Revolving Loan Fund of Ten Thousand Dollars (\$10,000.00) for Chris Myers of the Liberty Street Sandwich Shop and General Store, 11 S. Liberty Street, be and is hereby approved for the terms: 60-month amortization period, 3% interest, first payment due January 2025, and no interest charged until January 1, 2025.

Raymond M. Morriss, Mayor



Allison Layton <allison.layton@cumberlandmd.gov>

Revolving Loan Program

1 message

Ken Tressler <ken.tressler@cumberlandmd.gov>
To: Allison Layton <allison.layton@cumberlandmd.gov>
Cc: Jeff Silka <jeff.silka@cumberlandmd.gov>

Tue, Apr 30, 2024 at 3:36 PM

Hello Allison,

The revolving loan committee recommended approval of the loan application from Chris Myers today. Please create an agenda item and M&CC order approving a \$10,000 loans through the revolving loan program to:

Chris Myers - Craft Table - Liberty Street Sandwich Shop and General Store.

The Liberty Street Sandwich Shop and General Store is the name of the new business operating in the same building as the Craft Table.

The loan term is 5-years at 3% interest. No interest or payment due until January 2025.

Please let me know if you have any questions.

Thanks,

--

Ken Tressler, CPA
Director of Administrative Services
57 N. Liberty Street
Cumberland, MD 21502
Office (301) 759-6406
Cell (304) 813-6470

File Attachments for Item:

. Order 27,458 - authorizing the execution of an updated Allegany County Mutual Aid Agreement for Fire and EMS Protection

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

ORDER NO. 27,458

DATE: May 7, 2024

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

THAT, the Mayor be and is hereby authorized to execute an Allegany County Mutual Aid Agreement for Fire and EMS Protection.

Raymond M. Morriss, Mayor

**MUTUAL AID AGREEMENT
FOR FIRE AND EMS PROTECTION**

THIS AGREEMENT, entered into this ____ day of _____, 20____, by and between the Baltimore Pike Fire Department, Barton Fire Department, Bedford Road Fire Department, Bowling Green Fire Department, Bowman's Addition Fire Department, Corriganville Fire Department, Cresaptown Fire Department, Cumberland Fire Department, District 16 Fire Department, Ellerslie Fire Department, Flintstone Fire Department, Frostburg Fire Department, George's Creek Ambulance Service, Goodwill Fire Department, LaVale Fire Department, LaVale Rescue Squad, Midland Fire Department, Mt. Savage Fire Department, Oldtown Fire Department, Orleans Fire Department, Potomac Fire Department, Rawlings Fire Department, Shaft Fire Department, Tri-Towns EMS, Allegany County Emergency Medical Services, Allegany County Special Operations Team, and the Allegany County Fire Police.

WITNESSETH:

WHEREAS, the respective parties hereto have certain firefighting, emergency medical, and special operations equipment and personnel to operate same; and

WHEREAS, each of the parties hereto recognizes that there exists the possibility that there can be emergencies and certain circumstances wherein said firefighting, emergency medical, special operations equipment and personnel, as maintained by each of them individually, may not be adequate to afford full and complete protection to inhabitants within each of their respective areas of operation; and

WHEREAS, the parties mutually desire hereto that, in the event of such situation as aforesaid, the firefighting, emergency medical equipment and personnel of the other parties be made available to them.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the respective parties hereto agree and contract as follows:

1. That in the event any party hereto, because of emergency or unusual circumstances, should require additional firefighting protection, emergency medical assistance, or special operations above and beyond that which said party can furnish in its own behalf from its own resources, and as determined by the chief or other appropriate designated authority of said party, then in that event, upon the call of said requesting authority to an appropriate designated authority of any of the other parties hereto, such responding party may send firefighting or other medical emergency equipment and personnel to the location or locations directed by the requesting authority.

2. That the nature and extent of assistance furnished by either party to the other shall be determined on the basis of the prevailing needs of fire protection, emergency medical, or special operations assistance in the area of the said responding party. The rendering of assistance under the terms of this Agreement shall not be mandatory; however, the responding party receiving the request of assistance should immediately inform the requesting party by means of oral, wire, fax or hand-delivered communication whether assistance can or cannot be rendered.

3. The appropriate designated authority of the requesting party shall assume full charge of the operations; however, he may, in his discretion, request a senior officer of a responding party's firefighting, emergency medical, and special operations equipment and personnel shall be under the immediate supervision of, and shall be the immediate responsibility of, the senior officer of the responding party's fire department who shall in turn be under the supervision of the head of the requesting party's fire department.

4. The appropriate designated authorities of the parties to this agreement are invited and encouraged, on a reciprocal basis, to frequently visit each other's activities for guided familiarization tours, consistent with local security requirements and, as is feasible, to jointly conduct pre-fire inspections and drills.

5. The appropriate designated authorities of the parties to this Agreement are authorized to meet and draft any detailed plans and procedures of operation in addition to those which are attached hereto and incorporated herein to assure that good faith efforts are utilized to effectively implement this Agreement and reduce the risk of loss to all parties to the Agreement. Such supplemental plans and procedures of operations shall become effective upon ratification by the appropriate signatory parties.

6. That neither party hereto shall be charged by the other party for services rendered for fire protection.

7. That each of the parties hereto agrees to waive any and all claims against the other party, which may arise out of its activities, including travel, outside its respective jurisdiction under the Agreement. Also, each of the parties hereto requesting the service of another party hereto shall defend, indemnify and save harmless such other responding party from all claims by third parties for property damage or personal injury which may arise out of the activities, including travel, of the parties during such service outside of their respective jurisdictions; provided, however, that a requesting party need not indemnify the party providing assistance if: (1) the party providing assistance does not cooperate in defending against claims made by third parties, or (2) the third party claims arise out of malicious acts of the party providing assistance; all as provided in Article 38A, Section 37, of the Annotated Code of Maryland, as amended.

The Agreement to indemnify shall in no way be construed to constitute a waiver of any immunity by the requesting party or the responding party, which either might enjoy, and the requesting party shall be able to raise all defenses available to, or which might be raised by, the responding party.

8. Any individual who sustains an injury while engage in and arising out of any activity under this Agreement is entitled to any or all benefits available to the individual under the Maryland Worker's Compensation Act, as the primary remedy to reimburse the individual for expenses for medical bills, loss of earnings and disability arising under or as a result of this Agreement. Under this Agreement for the purposes of any workers' compensation or other law or benefit which would accrue to personnel, paid or volunteer, who are performing any service anywhere for a fire, rescue, or emergency medical services entity of the State of Maryland, or elsewhere, under any mutual aid agreement, said personnel shall be held and considered to have performed that service in the course of employment and in the line of duty in order to fully qualify for any benefits otherwise accruing.

9. The terms of this Agreement shall extend indefinitely, provided, however, that any party hereto may terminate its participation in this Agreement, at any time, and for whatever reason, by serving upon the other parties hereto a ninety (90) day advance notice to that effect.

10. This Agreement shall supersede any and all similar agreements, verbal or written, that may have been previously executed.

11. Unless the context otherwise requires, whenever used in this Agreement, the singular shall include the plural, the plural shall include the singular, and the masculine gender shall include the feminine and neutral gender.

IN WITNESS WHEREOF, the parties hereto have caused this Mutual Aid Agreement to be signed by their authorized officers and their respective seals to be affixed hereto.

ATTEST:

**CITY OF CUMBERLAND
MAYOR & CITY COUNCIL**

By: _____
Raymond M. Morriss, Mayor

ATTEST:

Baltimore Pike Fire Department

By: _____
Name & Title: _____

ATTEST:

Barton Fire Department

By: _____
Name & Title: _____

ATTEST:

Bedford Road Fire Department

By: _____
Name & Title: _____

ATTEST:

Bowling Green Fire Department

By: _____
Name & Title: _____

ATTEST:

Bowman's Addition Fire Department

By: _____
Name & Title: _____

ATTEST:

Corriganville Fire Department

By: _____
Name & Title: _____

ATTEST:

Cresaptown Fire Department

By: _____

Name & Title: _____

ATTEST:

District 16 Fire Department

By: _____

Name & Title: _____

ATTEST:

Ellerslie Fire Department

By: _____

Name & Title: _____

ATTEST:

Flintstone Fire Department

By: _____

Name & Title: _____

ATTEST:

Frostburg Fire Department

By: _____

Name & Title: _____

ATTEST:

George's Creek Ambulance Service

By: _____

Name & Title: _____

ATTEST:

Goodwill Fire Department

By: _____

Name & Title: _____

ATTEST:

LaVale Fire Department

By: _____

Name & Title: _____

ATTEST:

LaVale Rescue Squad

By: _____

Name & Title: _____

ATTEST:

Midland Fire Department

By: _____

Name & Title: _____

ATTEST:

Mt. Savage Fire Department

By: _____

Name & Title: _____

ATTEST:

Oldtown Fire Department

By: _____

Name & Title: _____

ATTEST:

Orleans Fire Department

By: _____

Name & Title: _____

ATTEST:

Potomac Fire Department

By: _____

Name & Title: _____

ATTEST:

Rawlings Fire Department

By: _____

Name & Title: _____

ATTEST:

Shaft Fire Department

By: _____

Name & Title: _____

ATTEST:

Tri-Towns EMS

By: _____

Name & Title: _____

ATTEST:

Allegany County Emergency Medical Services

By: _____

Name & Title: _____

ATTEST:

Allegany County Special Operations Team

By: _____

Name & Title: _____

ATTEST:

Allegany County Fire Police

By: _____

Name & Title: _____

File Attachments for Item:

. Order 27,459 - authorizing the City Administrator to execute Change Order No. 1, with Harbel, Inc. due to the need for additional concrete repair discovered after the project began, for the repair of Bridge A-C-01 McMullen Bridge (City Project 18-16-BR), in an increased amount of \$2,376.61, bringing the total contract price not to exceed \$502,954.53

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

ORDER NO. 27,459

DATE: May 7, 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. 1, with Harbel, Inc. 11521 Milnor Avenue/PO BOX 358, Cumberland, MD, 21502, due to the need for additional concrete repair discovered after the project began, for the repair of Bridge A-C-01 McMullen Bridge (City Project 18-16-BR), in an increased amount of Two Thousand Three Hundred Seventy Six Dollars and Sixty One Cents (\$2,376.61), bringing the total contract price not to exceed Five Hundred Two Thousand Nine Hundred Fifty Four Dollars and Fifty Three Cents (\$502,954.53).

Raymond M. Morriss, Mayor

Original Contract Price	\$500,577.92
Change Order No. 1	\$2,376.61
Total Contract Price after CO 1	\$502,954.53

Budget: 115.99XE.63000

Council Agenda Summary

Meeting Date: 5/7/2024

Key Staff Contact: Robert Smith, P.E.

Item Title:

Change Order No. 1 to Repairs to Bridge A-C-01 McMullen Bridge, 18-16-BR

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

This change order is for the costs associated with additional concrete repair that was discovered once the project was started in the amount of \$2,376.61. This results in an overall increase of \$2,376.61 with the new contract value now being \$502,954.53.

Amount of Award: \$2,376.61

Budget number: 115.99XE.63000

Grant, bond, etc. reference: City Funds & State Aid Funds

Harbel Inc.

Job:	McMullen Bridge Repair									Job:		
										Last Modified:	4/19/24 21:15	
No.	Description	Qty	Unit	Unit Price	Sub Cost	Unit Price	Equipment Cost	Unit Price	Material Cost	Unit Price	Labor w/burden	Notes
1	McMullen Bridge Approach Concrete Repair				\$ -		\$ -		\$ -		\$ -	
					\$ -		\$ -		\$ -		\$ -	
					\$ -		\$ -		\$ -		\$ -	
	LABOR				\$ -		\$ -		\$ -		\$ -	
2	Laborer Skilled	12	HR		\$ -		\$ -		\$ -	53.22	\$ 1,277.28	
					\$ -		\$ -		\$ -		\$ -	
					\$ -		\$ -		\$ -		\$ -	
	EQUIPMENT				\$ -		\$ -		\$ -		\$ -	
1	Air Compressor	8	HR		\$ -	40	\$ 320.00		\$ -		\$ -	
1	Hammer Drill	4	HR		\$ -	15	\$ 60.00		\$ -		\$ -	
					\$ -		\$ -		\$ -		\$ -	
	MATERIAL				\$ -		\$ -		\$ -		\$ -	
1	Mix 9 Concrete	2	CY		\$ -		\$ -	180	\$ 360.00		\$ -	
	Small Load Charge	1	LS		\$ -		\$ -	150	\$ 150.00		\$ -	
					\$ -		\$ -		\$ -		\$ -	
					\$ -		\$ -		\$ -		\$ -	
	Total				\$ -		\$ 380.00		\$ 510.00		\$ 1,277.28	\$ 2,167.28
											\$ 1,277.28	Total Labor
											\$ 510.00	Total Material
											\$ 380.00	Total Equipment
											\$ -	Total Subcontractor
										6%	\$ 30.60	Sales Tax
											\$ 2,197.88	Sub Total
										10%	\$ 127.73	O&P Labor
										10%	\$ 51.00	O&P Material
										0%	\$ -	O&P Subcontractor
											\$ 2,376.61	Sub Total
										0.00%	\$ -	Bond
											\$ 2,376.61	Grand Total

File Attachments for Item:

. Order 27,460 - authorizing the execution of a Cost Share Agreement between the Maryland Department of Transportation, State Highway Administration (MDOT-SHA) and the City of Cumberland relative to City Project 2022-24-BR, Replacement of Bridge A-C-08 Fayette Street Over CSXT Railway, with the City's cost share portion estimated at \$121,880.52, which is 20% of the total estimated cost of \$609,402.58

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

ORDER NO. 27,460

DATE: March 19, 2024

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

THAT, the Mayor be and is hereby authorized to execute a Cost-Share Agreement between the Maryland Department of Transportation, State Highway Administration (MDOT-SHA) and the City of Cumberland relative to City Project 2022-24-BR, Replacement of Bridge A-C-08 Fayette Street Over CSXT Railway, with the City's cost share portion estimated at One Hundred Twenty One Thousand Eight Hundred Eighty Dollars and Fifty Two Cents (\$121,880.52), which is 20% of the total estimated cost of Six Hundred Nine Thousand Four Hundred Two Dollars and Fifty Eight Cents (\$609,402.58).

Raymond M. Morriss, Mayor

Budget: 115.099R.63000
Federal Grant Program; City Funds

Council Agenda Summary

Meeting Date: 5/7/2024

Key Staff Contact: Robert Smith, PE

Item Title:

Cost Share Agreement with MDOT SHA for Engineering Services for the Replacement of Bridge No. A-C-08 Fayette Street over CSXT Railroad

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

The City would like to enter into a cost share agreement with MDOT SHA to provide Engineering Services related to the City Project 2022-24-BR, Replacement of Bridge A-C-08 Fayette Street Over CSXT Railway. The City's cost share portion estimated at \$121,880.52, which is 20% of the total estimated cost of \$609,402.58. This order will supersede Order 27,312.

Amount of Award: \$121,880.52

Budget number: 115.099R.63000

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

MDOT MARYLAND DEPARTMENT OF TRANSPORTATIONTM
STATE HIGHWAY ADMINISTRATION

COST SHARING AGREEMENT

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

Description of work:

For SHA to provide engineering services for the replacement of Bridge No. A-C-08001
On Fayette Street over CSXT Railroad located in the City of Cumberland,
Allegany Couty, MD

1. I, Robert Smith, P.E. Director of Engineering & Utilities , April 17, 2024
Name Title Date
Being authorized to act on behalf of City of Cumberland
Name of County, Municipality or Other Party
Billing address: City of Cumberland (Attn: Robert Smith)
57 N. Liberty Street, Cumberland, MD 21502

Do assure that:

2. The requesting organization does not have adequate forces to perform this service and requests the State Highway Administration to: (check one)
a. ☐ Manage the entire project.
b. ☒ Provide services as described above or in the supplemental Attachment A.
3. A written agreement exists between the Maryland Department of Transportation State Highway Administration and the requesting organization, which agreement clearly indicates responsibility for project costs. (If no agreement exists, proceed to 4 and 4a. or 4b.)
Date of Agreement: _____
or
Date of Master Agreement: February 1, 2018
and
Date of Supplemental Letter: June 12, 2023
4. The total estimated costs of this project; \$ 609,402.58 , which includes the payroll fringe benefit expenses on direct labor and the Administrative and General Overhead Expenses at the prevailing rates, will be invoiced at (check one)
a. ☒ 20 % of the total actual cost of this project—not to exceed the estimated total cost by more than 15% without prior notification and agreement.
or
b. ☐ not to exceed \$ _____

COST SHARING AGREEMENT

Page 2

5. Estimated funds are available and will be paid by the requesting organization, other than Counties, Municipalities and other State Agencies:
 - By advance deposit for the total estimated costs. Refunds to the advance deposit will be issued at the completion of the project.
6. Estimated funds are available and will be paid by the Counties, Municipalities and other State Agencies (check one):
 - a. ☒ By payment of all costs expended to date within 30 days of receipt of SHA's progress billings.
 - b. ☐ By payment of all costs in excess of federal recovery either as an advance deposit or 30 days of receipt of MDOT SHA's progress billings
7. Requesting organizations (including other State Agencies) other than Counties and Municipalities will be billed monthly.
8. Counties and Municipalities will be billed as follows:
 - A project/local share which does not exceed \$60,000 will be billed quarterly
 - A project/local share which exceeds \$60,000 will be billed monthly.
9. Should the County or Municipality default in remitting payment to the State for their portion of the work, their Highway User Revenue Funds will be reduced accordingly.
10. Costs incurred in excess of the advance deposit, if applicable, will be billed monthly.
11. This agreement is replacing the agreement dated **August 24, 2023.**

Authorized Representative of
Requesting Organization

Date

District Engineer or Senior Manager

Date

PROJECT COST DERIVATION WORKSHEET

PROJECT NUMBER: TBD
PROJECT DESCRIPTION: City of Cumberland, Br. A-C-08001
Fayette St over CSXT Railroad
DATE: 04/17/2024

PRELIMINARY ENGINEERING

PREVIOUSLY APPROVED COSTS:	\$0.00
MDOT SHA STAFF REVIEW AND DESIGN COSTS:	\$40,000.00
PAYROLL BURDEN FOR FRINGE BENEFITS FOR SHA STAFF (82.40%):	\$32,960.00
CONSULTANT DESIGN COSTS:	\$536,442.58
<hr/>	
TOTAL PROJECT COST:	\$609,402.58
20% Local Government Share:	\$121,880.52
80% FEDERAL BR/BH AID SHARE:	\$487,522.06

PE PAYROLL BURDEN:	82.40%
PE OVERHEAD:	7.87%

City of Cumberland: Bridge No. A-C-08001- Fayette Street over CSXT Railroad (FMIS TBD)										
WORK ORDER HISTORY										
WORK ORDER	CONTRACT & TASK NO.	DATE	MDOT SHA STAFF REVIEW COSTS	PAYROLL BURDEN FOR FRINGE BENEFITS FOR SHA STAFF %	PAYROLL BURDEN FOR FRINGE BENEFITS FOR SHA STAFF	CONSULTANT DESIGN COSTS	ADMINISTRATIVE AND GENERAL OVERHEAD COSTS (7.87%*) *0% FOR LG PROJECTS	TOTAL PROJECT COST	20% LOCAL GOVERNMENT SHARE	80% FEDERAL BR/BH AID SHARE
ORIGINAL	BCS 2020-06J Task 01	04/17/2024	\$40,000.00	82.40%	\$ 32,960.00	\$ 536,442.58	\$0.00	\$609,403.00	\$121,880.60	\$487,522.40
					\$ -		\$0.00	\$0.00	\$0.00	\$0.00
					\$ -		\$0.00	\$0.00	\$0.00	\$0.00
					\$ -		\$0.00	\$0.00	\$0.00	\$0.00
					\$ -		\$0.00	\$0.00	\$0.00	\$0.00
							TOTAL	\$609,403.00	\$121,880.60	\$487,522.40

File Attachments for Item:

. Order 27,461 - accepting a donation from Queen City Motors in the amount of \$2,000.00 for the purpose of purchasing various fire prevention material and fire prevention items to support the mission of Fire Prevention in the City of Cumberland

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

ORDER NO. 27,461

DATE: May 7, 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 Queen City Motors in the amount of Two Thousand Dollars and No Cents (\$2,000.00); and

BE IT FURTHER ORDERED, that said funds are restricted to the purchase of various fire prevention material and fire prevention items to support the mission of Fire Prevention in the City of Cumberland.

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: May 7, 2024

Key Staff Contact: Shannon Adams, Fire Chief

Item Title: Donation of \$2,000 from Queen City Motors

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

The Cumberland Fire Department would like to accept a monetary donation from Queen City Motors at the end of May. The donation will be used for various fire prevention material and fire prevention items to support the mission of Fire Prevention in the City of Cumberland.

Amount of Award: \$2,000

Budget number:

Grant, bond, etc. reference:

File Attachments for Item:

. Order 27,462 - authorizing the acceptance of a FY25 Program Open Space Local Share Grant, administered by the Maryland Department of Natural Resources Board of Public Works, in the amount of \$97,000 with a City match requirement of \$9,700 for Constitution Park Playground Equipment

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

ORDER NO. 27,462

DATE: May 7, 2024

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

THAT the Mayor and City Council be and is hereby authorized to accept a FY25 Program Open Space Local Share Grant, administered by the Maryland Department of Natural Resources Board of Public Works, in the amount of Ninety Seven Thousand Dollars and No Cents (\$97,000.00) with a City match requirement of Nine Thousand Seven Hundred Dollars and No Cents (\$9,700.00) for Constitution Park Playground Equipment.

Raymond M. Morriss, Mayor



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

April 17, 2024

Via Electronic Delivery to

Ryan Mackey
Director of Recreation and Parks
57 N. Liberty Street, Cumberland MD 21502
ryan.mackey@cumberlandmd.gov

RE: POS 7685-1-473 Constitution Park Playground Equipment

Dear Mr. Mackey:

It gives me great pleasure to inform you that the Board of Public Works has approved your request for Program Open Space (POS) Local funds for the above referenced project. A copy of the agenda item is attached for your reference.

You may proceed with this project at your earliest opportunity. When the project commences, please have your staff contact the Local Grants Administrator with whom they have been working so that arrangements can be made to coordinate reimbursement.

Thank you for your interest in improving the quality of our parks and recreation for the citizens of Maryland. It is a pleasure to be able to provide these funds and to assist you with this important project. If I may be of further assistance, please do not hesitate to contact me at 443-534-8255.

Sincerely,

Carrie R. Lhotsky
Grants and Stewardship Manager
carrie.lhotsky@maryland.gov

Attachment

cc: Tiffany DePaoli, Local Grants Administrator, tiffanyr.depaoli@maryland.gov

Supplement A
Department of Natural Resources
ACTION AGENDA
April 17, 2024

*Contact: Emily Wilson (410) 260-8436
emilyh.wilson@maryland.gov*

1A. PROGRAM OPEN SPACE LOCAL SHARE
Allegany County

Recommendation: Approval to commit \$355,160 for the following **development** projects.

1. Constitution Park Playground Equipment - \$97,000

City of Cumberland

POS #7685-1-473 MD20240228-0151

Background: Replace outdated playground equipment with new playground equipment and safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act at Constitution Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022

Program Open Space Local

Source Code: 23002 \$97,000.00

2. Gene Mason Recreation Complex Playground Safety Surfacing - \$153,760

Allegany County

POS #7686-1-474 MD20240228-0154

Background: Purchase and install new poured-in-place safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act at the Gene Mason Recreation Complex.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022

Program Open Space Local

Source Code: 23002 \$153,760.00

3. Meadow Park Pavilion Upgrade - \$14,400

Allegany County

POS #7687-1-475 MD20240228-0155

Background: Upgrade the existing pavilion with a new ceiling, picnic tables, lighting, and associated site amenities at Meadow Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022

Program Open Space Local

Source Code: 23002 \$14,400.00

Supplement A
Department of Natural Resources
ACTION AGENDA
April 17, 2024

*Contact: Emily Wilson (410) 260-8436
emilyh.wilson@maryland.gov*

1A. PROGRAM OPEN SPACE LOCAL SHARE (cont'd)
Allegany County

4. *Piney Plains Community Park Improvements - \$90,000*
Allegany County
POS #7688-1-476 MD20240228-0156

Background: Purchase and install new ballfield lighting, construct a batting cage, and install new chain link fencing around the park perimeter at Piney Plains Community Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$20,897.55

Outdoor Recreation Land Loan 2024, Chapter 101, Acts of 2023
Program Open Space Local
Source Code: 24011 \$69,102.45

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

File Attachments for Item:

. Order 27,463 - authorizing the acceptance of a FY25 Program Open Space Local Share Grant, administered by the Maryland Department of Natural Resources Board of Public Works, in the amount of \$153,760 with a City match requirement of \$15,376 for Gene Mason Recreation Complex Playground Safety Surfacing

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

ORDER NO. 27,463

DATE: May 7, 2024

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

THAT the Mayor and City Council be and is hereby authorized to accept a FY25 Program Open Space Local Share Grant, administered by the Maryland Department of Natural Resources Board of Public Works, in the amount of One Hundred Fifty Three Thousand Seven Hundred Sixty Dollars and No Cents (\$153,760.00) with a City match requirement of Fifteen Thousand Three Hundred Seventy Six Dollars and No Cents (\$15,376.00) for Gene Mason Recreation Complex Playground Safety Surfacing.

Raymond M. Morriss, Mayor



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

April 17, 2024

Via Electronic Delivery to

Ryan Mackey
Director of Recreation and Parks
57 N. Liberty Street, Cumberland MD 21502
ryan.mackey@cumberlandmd.gov

RE: POS 7686-1-474 Gene Mason Recreation Complex Playground Safety Surfacing

Dear Mr. Mackey:

It gives me great pleasure to inform you that the Board of Public Works has approved your request for Program Open Space (POS) Local funds for the above referenced project. A copy of the agenda item is attached for your reference.

You may proceed with this project at your earliest opportunity. When the project commences, please have your staff contact the Local Grants Administrator with whom they have been working so that arrangements can be made to coordinate reimbursement.

Thank you for your interest in improving the quality of our parks and recreation for the citizens of Maryland. It is a pleasure to be able to provide these funds and to assist you with this important project. If I may be of further assistance, please do not hesitate to contact me at 443-534-8255.

Sincerely,

Carrie R. Lhotsky
Grants and Stewardship Manager
carrie.lhotsky@maryland.gov

Attachment

cc: Tiffany DePaoli, Local Grants Administrator, tiffanyr.depaoli@maryland.gov

Supplement A
Department of Natural Resources
ACTION AGENDA
April 17, 2024

*Contact: Emily Wilson (410) 260-8436
emilyh.wilson@maryland.gov*

1A. PROGRAM OPEN SPACE LOCAL SHARE
Allegany County

Recommendation: Approval to commit \$355,160 for the following **development** projects.

1. Constitution Park Playground Equipment - \$97,000
City of Cumberland
POS #7685-1-473 MD20240228-0151

Background: Replace outdated playground equipment with new playground equipment and safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act at Constitution Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$97,000.00

2. Gene Mason Recreation Complex Playground Safety Surfacing - \$153,760
Allegany County
POS #7686-1-474 MD20240228-0154

Background: Purchase and install new poured-in-place safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act at the Gene Mason Recreation Complex.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$153,760.00

3. Meadow Park Pavilion Upgrade - \$14,400
Allegany County
POS #7687-1-475 MD20240228-0155

Background: Upgrade the existing pavilion with a new ceiling, picnic tables, lighting, and associated site amenities at Meadow Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$14,400.00

Supplement A
Department of Natural Resources
ACTION AGENDA
April 17, 2024

*Contact: Emily Wilson (410) 260-8436
emilyh.wilson@maryland.gov*

1A. PROGRAM OPEN SPACE LOCAL SHARE (cont'd)
Allegany County

4. *Piney Plains Community Park Improvements - \$90,000*

Allegany County

POS #7688-1-476 MD20240228-0156

Background: Purchase and install new ballfield lighting, construct a batting cage, and install new chain link fencing around the park perimeter at Piney Plains Community Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$20,897.55

Outdoor Recreation Land Loan 2024, Chapter 101, Acts of 2023
Program Open Space Local
Source Code: 24011 \$69,102.45

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

File Attachments for Item:

. Order 27,464 - authorizing the execution of a Memorandum of Understanding by and between the Carver Community Center, Inc. and the Mayor and City Council of Cumberland for funding to help cover operational costs until the building is ready for occupancy

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

ORDER NO. 27,464

DATE: May 7, 2024

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

THAT, the Mayor be and is hereby authorized to execute a Memorandum of Understanding by and between the Carver Community Center, Inc. and the Mayor and City Council of Cumberland for funding to help cover operational costs until the building is ready for occupancy.

Raymond M. Morriss, Mayor

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into this the 7th day of May 2024, by and between Mayor and City Council of Cumberland (the "City"), a Maryland municipal corporation, and Carver Community Center, Inc. (the "Carver Center"), a Maryland nonprofit corporation, both referred to collectively as the "Parties" or individually as a "Party."

WITNESSETH:

WHEREAS, the Carver Center owns the real property and improvements thereon located at 340 Frederick Street, Cumberland, MD 21502 which it intends to use as its base of operations and for other purposes in furtherance of its corporate mission.

WHEREAS, the Carver Center's Board of Directors had been inactive and needed to be reconstituted in order for it to conduct business. It also needed to be returned to good standing with the State Department of Assessments and Taxation in order to conduct its business. This was accomplished over in the summer of 2021.

WHEREAS, the Carver Center is in need of funding to help it cover its operational costs until it establishes a revenue stream when the building at 340 Frederick Street is renovated and ready for occupancy.

WHEREAS, the City has agreed to provide the Carver Center with \$15,000 to assist it in paying its operational costs while the building is being renovated.

WHEREAS, the City will also advance \$50,000 to the Carver Center, said sum being one-half of the City's \$100,000 grant match commitment required by the Maryland Historical Trust "African American Heritage Preservation Program Grant Agreement", subject to the terms of that Agreement.

WHEREAS, the goal of the Parties is for the Carver Center to become self-supporting. The \$15,000 payment is intended to assist the Carver Center in its efforts to achieve that goal.

NOW THEREFORE, for and in consideration of the mutual covenants and promises contained herein, and other good and valuable consideration, the Parties agree as follows:

1. Responsibilities of the Carver Center. The Carver Center shall be responsible for managing its day-to-day operations and handling its finances. It shall also be responsible for monthly reporting to the City as long as City subsidies and/or services are being provided, regardless of whether they are provided with grant matching, City allocations, or otherwise. The Carver Center's responsibilities include, but are not limited to, the following:

- a. Managing all grant programs and city advances according to the terms of the agreements.
- b. Following City purchasing guidelines.
- c. Handling any new grant applications in the Carver Center's name without including the City in any respect unless authorized to do so by official action of the City taken during one of its open meetings.
- d. Taking responsibility for all correspondence, applications for reimbursement, the procurement of services and the performance of any other tasks set forth in its grant agreements.
- e. Submitting monthly reports to the City, reflecting cash receipts and disbursements.
- f. Submitting written requests for disbursements under the terms of the African American Heritage Preservation Program Grant Agreement and otherwise complying with its obligations under that Agreement.

2. Responsibilities of the City. The City will fulfill its commitments stated herein and in all Carver Center-related grants awards for which it is required to provide and has agreed to provide matching funds. The City will disburse funds to the Carver Center according to the following:

- a. Upon the complete execution of this MOU, the City will disburse \$65,000 to the Carver Center. This sum consists of the \$15,000 in startup cash and a

\$50,000 disbursement in matching funds required under the terms of the Maryland Historical Trust African American Heritage Preservation Program Grant Agreement.

- b. The City shall disburse the \$50,000 balance of its grant matching obligation under the Maryland Historical Trust African American Heritage Preservation Program Grant Agreement subject to and in accordance with the terms of that Agreement.


Notwithstanding the foregoing, the City is not obligated to provide any funding to the Carver Center other than that which is specifically required herein.

3. Termination. This MOU may not be terminated so long as the City has unfulfilled obligations under the terms of the African-American Heritage Grant Agreement or any other grant agreements executed by the Parties subsequent to the date of this MOU. Notwithstanding the termination of this Agreement, the Parties will remain obligated to comply with the terms of any grant agreements they sign. Except as otherwise provided in this section, this MOU may be terminated by either Party by giving at least 60 days advance written notice to the other Party.

4. Notices.

- a. Any communication required or permitted by this MOU must be in writing except as expressly provided otherwise herein.
- b. Any communication shall be deemed to be given when delivered by hand or five days after being mailed by first-class mail, postage prepaid, and addressed as follows:

If to the Carver Center, to:


Cumberland, MD 21502

If to the City, to:

Jeffrey F. Silka, ICMA-CM
57 N. Liberty St.
Cumberland, MD 21502

c. A Party may designate additional or different addresses for communications by giving the other Party written notice as provided for in this section.

5. Severability. If any provision of this MOU shall be determined to be illegal or unenforceable, that shall not affect any other provision of this MOU.

6. Entire Agreement. This MOU contains the final and entire agreement between the parties, and neither they nor their agents shall be bound by any terms, conditions, statements, warranties, or representations, oral or written, not contained herein.

7. Maryland Law Applies. This MOU shall be governed and construed according to the laws of the State of Maryland without regard to principles of conflict of laws. It shall be enforceable exclusively by means of an action commenced in the Circuit Court for Allegany County, Maryland or the District Court of Maryland for Allegany County, and the Parties waive the right to claim that such a proceeding is commenced in an inconvenient forum or one that lacks proper venue.

8. Binding Effect. This MOU shall be binding upon, inure to the benefit of, and be enforceable by the Parties and their respective successors and assigns.

9. Invalidity. If any provision or part of any provision contained in this MOU shall be found for any reason to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions or the remaining part of any effective provisions of this MOU, and it shall be construed as if such invalid, illegal, or unenforceable provision or part thereof had never been contained herein, but only to the extent of its invalidity, illegality, or unenforceability.

10. Time. Time is of the essence in this MOU and each and all of its provisions.

11. Counterparts. This MOU may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

12. Signing by Electronic Means. With the exception of documents transmitted by fax, each of the Parties expressly authorizes and agrees to sign electronically transmitted copies or counterparts of this MOU. Once said electronically transmitted signed copies or counterparts are executed by each

of the Parties, they shall have the same binding effect as would a signed original MOU once delivered to the other Party.

IN WITNESS WHEREOF, the Parties have affixed their signatures hereto as of the date first written above.

WITNESS:

MAYOR AND CITY COUNCIL OF
CUMBERLAND

By: _____
Raymond M. Morriss, Mayor

CARVER COMMUNITY CENTER, INC.

By: _____
Signature

Printed name

Position