



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

DATE: September 19, 2023

OPEN SESSION – 6:15 PM

Pledge of Allegiance

Roll Call

Director's Reports

(A) Administrative Services

- [1.](#) Administrative Services Monthly Report for August 2023

(B) Public Works

- [1.](#) Maintenance Division Monthly Report for August 2023

(C) Fire

- [1.](#) Fire Department Monthly Report for August 2023

(D) Police

- [1.](#) Police Department Monthly Report for August 2023

(E) Utilities - Flood, Water, Sewer

- [1.](#) Utilities Division Flood/Water/Sewer Monthly Reports for July and August 2023

Approval of Minutes

1. Approval of the Closed, Work and Regular Session Minutes of September 5, 2023

Public Hearings

- [1.](#) Public Hearing to receive comment on the Consolidated Annual Performance Evaluation Report (CAPER) for the 2022 FY, Presented by Lee Borrer, Senior Community Development Specialist

Public Comments – FOR AGENDA ITEMS ONLY

All public comments are limited to 5 minutes per person

Unfinished Business

(A) Charter Amendment Resolutions

1. Charter Amendment Resolution No. 152 (*2nd and 3rd readings*) - to repeal and re-enact with Amendments Section 13 of the Charter of the City of Cumberland pertaining to the compensation of the Mayor and City Council

New Business

(A) Orders (Consent Agenda)

1. Order 27,319 - authorizing Special Taxing District residential exemptions for 107 S. Centre Street (\$696.26) and 33 N. Centre Street (\$600.72)
2. Order 27,320 - rescinding Order 27,308 dated September 5, 2023 and authorizing the abatement of 2023-20234 taxes in the amount of \$12,087.84 for City-owned property at 600 Bishop Walsh Road (Tax ID #06-050301)
3. Order 27,321 - accepting certain bids received for the "2023 GovDeals Sale 3 of Surplus Vehicles and Equipment" and rejecting all other bids
4. Order 27,322 - declaring office furniture (six chairs) as surplus property and authorizing it to be sold, donated or disposed of and accepting the request from the Town of Ridgeley, WV to donate the chairs
5. Order 27,323- declaring vehicles and equipment to be surplus and authorizing them for sale, trade in or scrap
6. Order 27,324 - authorizing the emergency lighting, flood lighting, DOT lighting and lighting housing of a surplus 2014 Ford F450 Ambulance to be donated to Barton Hose Company
7. Order 27,325 – authorizing an extension through October 31, 2023 on the forgivable loan originally approved by Order No. 27,069 dated August 16, 2022, due to construction delays
8. Order 27,326 - authorizing the sole source purchase one (1) Pierce Saber Fire Engine, Custom Stock Pumper Job #41230 from Atlantic Emergency Solutions in the amount not to exceed \$898,000, including equipment and mounting of equipment
9. Order 27,327 - accepting the bid from Harbel, Inc., for the repairs to Bridge A-C-01 McMullen Bridge (City Project 18-16-BR) in the not-to-exceed amount of \$500,577.92

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

. Administrative Services Monthly Report for August 2023

Administrative Services Monthly Report for August 2023

September 19, 2023

Honorable Mayor and City Council
City Hall
Cumberland, Maryland 21502

Dear Mayor and City Council Members:

The following report is submitted by the Department of Administrative Services for the month of August, 2023.

Information Technology Department

August 2023
Johnna Byers, Director

No information received from IT

Parks and Recreation

August 2023
Ryan Mackey, Director

Movies under the Stars – Friday August 19, at the Constitution Park Pool – “Lego Batman”
The family evening event was well received by the community.

Sunday in the Park Concert series: Four concerts were held at the Park Amphitheater in August –Arion band, Glen Shelton, Night Traveler, and the Fellowship Quartet. Funding for this program is provided by the City of Cumberland, Parks & Recreation.

Pavilion Reservations and usage for the month of August: 33 reservations utilized pavilions,

Baseball/ Softball League play and practices for August:

The City of Cumberland provides fields for the following leagues:

Pee Wee Football team – Renegades – practices, & scrimmage

Girls Softball League – Fall Ball

Dapper Dan Fall Baseball – Fall Ball
One Adult Softball Overnight Tournament

****Football and Soccer practices began in August at the Mason Complex,**

Mason Cup – Marble Tournament – Held at Constitution Park Marble Rings August 5 & 6

Event held at the New Marble Rings, located in Grove 4, at Constitution Park. Coordinated by the Renee Truly and local marble players.

Constitution Park Pool

22 Days of Operation

1 Days closed early/ did not open due to inclement weather remaining days were for the season winding down and lack of staff/kids returning to school.

Regular gate Attendance: 2078

Total gate income for the Month of August \$ 8251

Attendance from pool passes – 608

Constitution Park Day Camp - 506

Other group usage – 213

3 Pool Parties – Attendance - 50

Constitution Park Day Camp

4 Days of Day Camp – Attendance: 151

Daily activities include: Sports related games, Tennis, Arts & Crafts, Dance & music, Breakfast, Lunch, snack, afternoon swimming, “Fun Friday” Special event day.

Summer Lunch Program the Parks & Recreation Department serves as sponsor for the **Summer Lunch Program** for Cumberland. Area sites include Constitution Park Day Camp, and YMCA Riverside summer program

August meals served – Breakfast: 132, Lunch: 151

Meetings attended:

(2) Special Events Meetings

Upcoming:

Wrap up of pool operations and summer

Recreation Advisory Board Meeting – September 11

Planning for fall events

Start of Park Maintenance plans

Community Development Report

August 2023

Kevin Thacker, Code Compliance Manager

CODE COMPLIANCE

Noted Activity:

- Code Compliance Officers began Nuisance Violation checks of properties on N. Mechanic and N. Centre Streets during the last two weeks of August and will continue with the main thoroughfares into the City before continuing on to all streets.
- 138 Baltimore St. - \$368,700.00 solar project improvements.

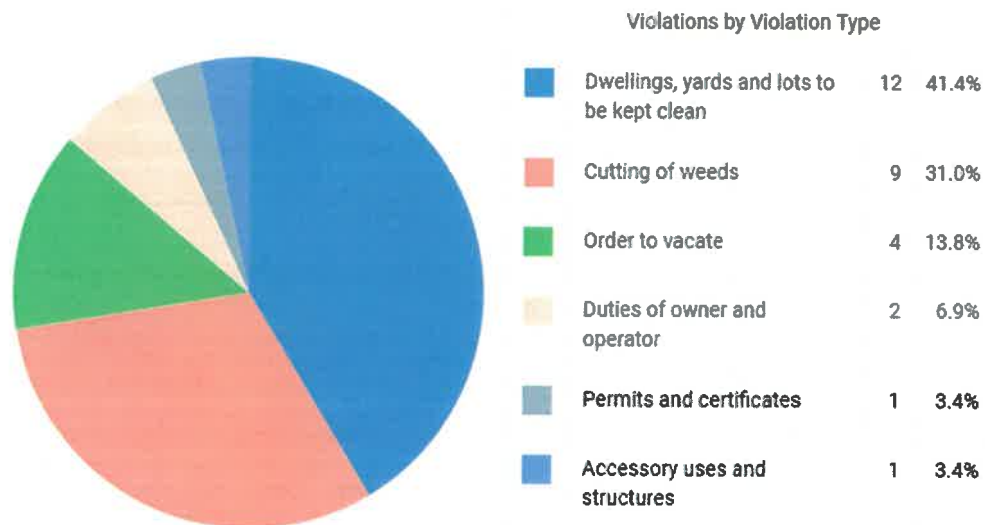
Code Enforcement Activity:

77 new cases received – 33 of those are still open

29 violations were found

70 cases have been resolved

Open Date From: 08/01/2023
Open Date To: 08/31/2023



Permits/Reviews & Rental Licenses:

62 Total Permits/Reviews were issued

45 Rental Inspections were completed

Building

Residential4
Commercial1

Miscellaneous

Residential 8
Commercial 1

Occupancy

Residential 0
Commercial 7

Signage

Commercial5

Electrical

Residential8
Commercial7

Plumbing

Residential 1
Commercial 3

Utility

Residential 5
Commercial 1

Demolition

Residential1
Commercial3

Public ROW

.....5

Rental Licenses

Residential..... 496

Rental Inspections

Passed 43
Failed..... 2

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

(Zoning Determination) Issued 0

Certificates of Appropriateness

Issued 9

Request for Change/Amendment

Issued 0

Revenue from 'Issued' Permits/Reviews:

Building Permits \$5831.27

Miscellaneous Permits	138.00
Occupancy Permits.....	213.00
Sign Permits	150.70
Utility Permits.....	0.00
Plan reviews, Amendments & appeals00
Zoning Classification Détermination (info request)	0.00
Municipal Infractions (citations)	1300.00
Certificates of appropriateness	244.00
Rental Licenses (new & renewals.....	28,275.00
Paid Rental Inspection Requests	<u>0.00</u>
TOTAL	\$36,151.97

Demolition Bonds Collected\$0.00

Community Development Programs

August 2023

Lee Borrer, Senior Community Development Specialist

Regular CDBG - 2020 Grant Balance Totals-\$406,939; 3 open projects
2021 Grant Balance Totals-\$58,711; 2 newly amended projects open
2022 Grant Totals-\$255,127; 4 projects and administration budget remain open
2023 Grant application approved by HUD-\$799,982

CDBG-CV-\$170,079; 5 projects open; 2 newly re-allocated; 71.5% of original grant expended. No changes from last month.

ARPA funds-YMCA Bus Purchase complete; 2 mini-buses with capacity of 14 kids each; used every week before and after school and 10 kids to overnight camp

Jane's Place, Inc. under Allegany Co management -underway. Child Sexual Abuse Prevention Training provided at ACM in August. Agency is now under the State's Attorney Office of Allegany County Government. Due to a perceived conflict of interest, more funds will be returned to the city for re-allocation to another eligible use.

Sr. Community Development Specialist began actions to completed the Consolidated Annual Performance Evaluation Report for HUD which include financial close-outs, demographic data entry and Integrated Disbursement System reports generation. This is the big annual report for HUD. Slow-moving or returned funds were re-allocated by Amendments to CDBG Annual Action Plans and the development of project files for 20-2023 Annual Action Plan projects is underway. Environmental Review Records completion are underway as well for @ 22 projects. This must be completed before the projects can begin. The CAPER public comment period began on September 1, 2023 and continues until September 18, 2023. Public Hearing is on September 19, 2023.

Historic Planning/Preservation

August 2023

Ruth Davis-Rogers, Historic Planner/Preservation Coordinator

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

Historic Preservation Commission Meeting (HPC)

- Prepared COA's for HPC Meeting which was held Aug. 9th.
- Reviewed and administered Certificate of Appropriateness permits

Meetings & Events

- Worked on Cumberland Historic Preservation Plan
- Attended DDC Meeting
- Attended M&CC Meeting
- Attended MHT Meeting
- Attended various dept. meetings
- Attended NACP Virtual Summer Conference (23rd & 24th)
- SWOT Meetings

Grants, Tax Credits and Section 106 reviews

Administered/managed funding/grants for:

- Residential Accessibility Improvement Program
- Roof Replacement Program
- Executed Grant Reports
- Conducted Section 106 Reviews (as needed) for various projects.
- Answered questions (as needed) regarding tax incentives from both current and potential building owners.

Other

- Updated Historic Preservation Section of City Website
- Prepared for Heritage Days

Comptroller's Office

Financial Activity Report

August 2023

Mark Gandolfi, City Comptroller

Cash Flow:

Attached for your review is a Cash Flow Summary for the month of August 2023.

On August 1, 2023, the City had a cash balance of \$10.2 million (\$8.0 million invested in a value money market program and \$2.2 million participating in a sweep program at First United Bank. Receipts exceeded disbursements by \$3.0 million resulting in a cash balance of \$13.2 million at August 31, 2023 (\$11.0 million invested in a value money market program and \$2.2 million participating in a sweep program at First United Bank).

As of August 31st, the significant tax receivable balances are reflected in the table below.

Taxes receivable (General Fund)						\$ 7,932,458
	Beg Balance	New Billings	Adjustments/ Abatements	Collections	Bad Debt	Ending Balance
FY 2024	\$ 9,096,499	\$ -	\$ -	2,570,197	\$ -	\$ 6,526,302
FY 2023	1,049,887	-	-	170,553	-	879,334
FY 2022	336,702	-	-	25,217	-	311,485
FY 2021	46,149	-	-	879	-	45,270
FY 2020	55,658	-	-	140	-	55,518
FY 2019	25,038	-	-	388	-	24,650
FY 2018	35,573	-	-	751	-	34,822
FY 2017	14,161	-	-	-	-	14,161
FY 2016	11,437	-	-	-	-	11,437
FY 2015	11,026	-	-	-	-	11,026
FY 2014	7,270	-	-	-	-	7,270
FY 2013	2,980	-	-	-	-	2,980
FY 2012	2,538	-	-	-	-	2,538
Prior FY's	5,665	-	-	-	-	5,665
	\$ 2,149,431	\$ -	\$ -	\$ 2,768,125	\$ -	\$ 7,932,458

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

Real property (non-owner occupied)	\$4,015,579
Non-Corp Personal Property	-
Corporate Personal Property	-
Real Property (semiannual payments)	2,510,723
Real Property (Half Year)	-
	<u>\$6,526,302</u>

The City's liquidity position continues to be strong as illustrated in the following cash and investments table. Restricted cash and investments are comprised primarily of invested American Rescue Plan Act (ARPA) funds received in advance and bond proceeds restricted to associated capital projects and expenditures.

Cash and Investment Summary		
August 31, 2023		
	Cash	Investments
Beginning Balance	\$ 10,208,962	\$ 29,205,759
Add:		
Cash Receipts	14,643,350	127,865
Investment Transfer	-	-
Less:		
Disbursements	11,679,313	-
Investment Transfer	-	-
Ending Balance	\$ 13,172,999	\$ 29,333,624
Restricted	\$ 2,700,337	\$ 10,211,600

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

Restricted Cash				
	8/1/2023	Increase	Utilization	8/31/2023
Police Seizures	\$ 80,854	\$ -	\$ -	\$ 80,854
Bowers Trust	80,222	103	-	80,325
National Opioid Settlement	37,345	7,395	-	44,740
GOB 21	995,504	1,273	152,187	844,590
ARPA	179,207	826	-	180,033
Capital Projects	1,362,701	1,741	-	1,364,442
Demolition & Fiscal Agent Bonds	105,353	-	-	105,353
	\$ 2,841,186	\$ 11,338	\$ 152,187	\$ 2,700,337
Restricted Investments				
	8/1/2023	Increase	Utilization	8/31/2023
DDC	\$ 4,484	\$ 20	\$ -	\$ 4,504
GOB 21	3,626	16	-	3,642
ARPA	10,158,977	44,477	-	10,203,454
	\$ 10,167,087	\$ 44,513	\$ -	\$ 10,211,600

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

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

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

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

National Opioid Settlement is for opioid intervention in Cumberland.

Capital Projects and Associated Debt:

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

Available Bond Proceeds				
	8/1/2023	Increase	Utilization	8/31/2023
CDA 2019	\$ 554,549	\$ -	\$ 524,898	\$ 29,651
CDA 2021	4,795,712	-	562,016	4,233,695
CDA 2023	2,646,365	-	72,009	2,574,356
GOB 21	999,128	-	150,897	848,231
	\$ 8,995,754	\$ -	\$ 1,309,821	\$ 7,685,933
Decatur Street Project				
	8/1/2023	Increase	Utilization	8/31/2023
MWQFA Series 2022A	\$ 41,731	\$ -	\$ 41,731	\$ -
MWQFA Series 2022B	129,235	-	129,235	-
Decatur Street Grants	74,516	-	74,516	-
	\$ 245,481	\$ -	\$ 245,481	\$ -
CSO Projects				
	8/1/2023	Increase	Utilization	8/31/2023
Evitts Creek Phase 3 Debt	\$ 2,297,851	\$ -	\$ -	\$ 2,297,851
Evitts Creek Phase 3 Grant	5,418,560	-	-	5,418,560
Evitts Creek Phase 4 Debt	3,550,900	-	-	3,550,900
Grit Removal and UV Disinfection	4,445,000	-	-	4,445,000
78" Pipeline Debt	19,941,232	-	-	19,941,232
78" Pipeline Grant	46,338,060	-	-	46,338,060
	\$ 81,991,603	\$ -	\$ -	\$ 81,991,603

CDA 2019 utilization of \$525K is toward street paving, including Avondale, Kentucky, Centre, Mechanic, and Polk. CDA 2021 utilization of \$562K includes \$374K toward the Fort Hill Reservoir cover replacement, \$112K for the remaining cost of street paving split with CDA 2019, \$5K toward Mason Rec Complex BMX upgrades, \$5K toward the McMullen Street bridge design, and \$66K toward the Public Safety Building elevator upgrades. CDA 2023 utilization of \$72K is toward the Wastewater Treatment Plant influent screen. GOB21 utilization of \$151K includes \$5K toward the Baltimore Street bridge and \$147K toward the Baltimore Street Access project; reduced by \$1K interest earned.

Remaining CDA 2019 funds are allocated to SCADA upgrades (\$30K). Remaining CDA 2021 funds are primarily allocated to the Baltimore Street Access project (\$1.86M), fuel pump replacement (\$350K), elevator modifications (\$279K), cross connections/hydrants valves (\$211K), Fort Hill reservoir cover replacement (\$213K), 5-ton dump truck (\$160K), and Constitution Park infrastructure (\$105K). Remaining GOB21 funds are primarily allocated to the Baltimore Street bridge replacement (455K), the Baltimore Street Access project (277K), and the Cole Street Valve Equipment (\$50K). Remaining CDA 2023 funding consists primarily of CPD patrol vehicles (\$28K), ambulance (\$385K), 5-ton dump truck (\$190K), water filtration building design (\$500K), influent screen construction (\$212K), and wastewater plant roof replacements (\$342K).

The Decatur Street waterline project is funded with \$1.0 in grants and \$2.1 million in loans with \$0.5 million of the loan amount being forgivable after 10 years. Construction was completed June 30, 2023 and the project was administratively closed July 31, 2023. Final debt and grant drawdowns are expected to be received in September 2023.

The following four projects are major upgrades to the combined sewer collection system. Evitts Creek Phase 3 is in the engineering phase with the necessary funding in place. Phase 3 project cost is estimated at \$7.5 million and is funded with \$5.4 million in grants and \$2.3 million in loan with \$1.1 million of the loan amount being forgivable. Phase 3 is on hold pending site access being granted by CSX. Evitts Creek Phase 4 is in the planning phase and has most of the funding in place. Phase 4 project cost is estimated at \$4 million and is funded with \$3.6 million in loan with \$1.5 million of the loan amount being forgivable. A water reclamation facility grit removal and UV disinfection project is in the planning phase with the necessary funding in place. The grit removal and UV disinfection project is projected to begin during FY25 at an estimated cost of \$4.4 million and is funded with \$4.4 million in loan with \$1.5 million of the loan amount being forgivable. The 78" pipeline project is pending Army Corp of Engineers approval and private property easement or acquisition and anticipated to begin construction during FY25 or FY26. The total estimated project cost is \$67 million and is substantially funded with \$46.3 million in grants and \$20.0 million in loan with \$3.0 million of the loan amount being forgivable.

COVID-19:

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

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

Available Funding (*as of August 31, 2023*):

Purpose	Awarded	Allocation				
		Budgeted	Allocated Interest Earned	Utilized Interest Earned	Utilized ARPA Budget	Remaining
American Rescue Plan Act (ARPA)	\$19,595,850					
Respond to the health emergency						
Community Programs						
DDC Assistance to Small Businesses		\$ 183,500			\$ 52,750	\$ 130,750
Promoting the Community		\$ 33,563			\$ 32,217	\$ 1,346
Amphitheatre and Pavilion 1&2		\$ 174,350	\$ 10,650	\$ 1,824	\$ 174,350	\$ 8,826
Pool Area		\$ 71,250	\$ 92,751	\$ 73,228	\$ 71,250	\$ 19,524
Janes Place for Abused Children		\$ 57,622			\$ 30,631	\$ 26,991
Union Rescue Mission		\$ 749,000			\$ 749,000	\$ -
Community Development Property Improvement		\$ 264,960			\$ 103,618	\$ 161,342
Affordable Housing Assistance		\$ 410,516			\$ 97,589	\$ 312,927
YMCA Bus Replacement		\$ 216,000			\$ 216,000	\$ -
Skate Park - Mason Rec Complex		\$ -	\$ -	\$ -	\$ -	\$ -
City of Cumberland Signage		\$ -	\$ 69,676	\$ -	\$ -	\$ 69,676
PPE						
General		\$ 29,268.64			\$ 29,269	\$ -
Facilities and Equipment		\$ 22,215.53			\$ 22,216	\$ -
Prisoner Processing Improvements		\$ 176,200			\$ -	\$ 176,200
HVAC improvement at City Hall & Public Safety		\$ 1,300,000			\$ 4,950	\$ 1,295,050
Premium Pay		\$ 833,952			\$ 833,952	\$ -
Revenue Loss		\$10,000,000			\$ 7,074,957	\$ 2,925,043
Infrastructure Investments						
South End Water Main Replacement		\$ 2,000,000			\$ 116,326	\$ 1,883,674
Industrial Blvd Water Main		\$ 2,000,000			\$ -	\$ 2,000,000
Replace 4" Water Lines with 6" (City-Wide)		\$ 1,073,452			\$ 60,040	\$ 1,013,412
Unallocated		\$ -				\$ -
Unallocated Interest Earned						\$ 341,702
Total:	\$19,595,850	\$19,595,850	\$ 173,077	\$ 75,051	\$ 9,669,114	\$10,366,463

Respectfully submitted,

Jeffrey F. Silka
City Administrator

sln

File Attachments for Item:

. Maintenance Division Monthly Report for August 2023

MAINTENANCE DIVISION REPORT
August 2023

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

Central Services Report

**PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
AUGUST 2023**

- Potholes and Citizen Reports
 - 38 Service Requests Completed
 - 15 Streets and 4 Alleys Repaired
- Utility Hole Repairs
 - 24 Water Repairs
 - 6 Sewer Repairs
 - Material Totals:
 - 3 CY Concrete
 - 350.5 Tons Asphalt
- Tree and Brush Work
 - 11 Hazard Tree Removed
 - 27 Trees Trimmed
 - Resolved 37 Tree Complaints
 - Canopy Clearing:
 - Church Street
 - City Hall
- Street Cleaning Operations
 - 37 Loads Collected
 - 35 Tons of Debris to Landfill
 - 663 Miles of Streets Swept
- Sign Work
 - 8 Traffic Control Sign Repaired / Installed
 - 22 Street Name Signs Repaired / Installed
 - 5 Handicap Signs Removed / Installed

- Miscellaneous
 - Traffic Set for 4 Events
 - Baltimore Street Underpass Cleaned 5x
 - Major Utility Repair on Shriver Avenue (110 Tons HMA Laid)
 - Scratch Coating on The Following Streets
 - Franklin St.
 - Holland St.
 - Pear St.
 - Bedford St.
 - Avondale Ave.
 - Durham Dr.

PUBLIC WORKS/MAINTENANCE PARKS & RECREATION MONTHLY REPORT AUGUST 2023

- Constitution Park, Mason's Complex and Area Parklets
 - Cleaned up garbage 21 times.

- Parks & Parklets Mowing
 - Parklets
 - Mowed 10 days
 - Park
 - Mowed 20 days
 - Mason Sports Complex
 - Mowed 18 days

- Ball Fields

Location	Mowed	Drug	Lined
Flynn	3	2	1
Northcraft	3		
Nonneman	3		
Cavanaugh	4	3	2
Abrams	2	1	
Long	3	2	
JC	2		
Galaxy	4		4

Miscellaneous

- Completed Drainage Project at Duck Pond
- Submitted RFP for Duck Pond Beautification
- Completed Fill Site Behind Long Field
- Installed New Nets at Mason's Complex for Soccer Goals
- Participated with Maryland DNR to Cage Infant Trees at Constitution Park and Mason Sports Complex.

**FLEET MAINTENANCE
MONTHLY REPORT
AUGUST 2023**

DEPARTMENT	REPAIRS
Central Services	6
Community Development	1
DDC	0
Engineering	0
Fire	6
Fleet Maintenance	1
Flood	3
MPA	0
P & R Maintenance	12
Police	26
Public Works	1
Sewer	15
Snow Removal	0
Street Maintenance	58
Water Distribution	18
WFP	3
WWTP	0
In House Fleet Maintenance Projects	8
Scheduled Preventative Maintenance	22
Field Service Calls	8
Total Fleet Maintenance Projects	188
Total Repair Orders Submitted	26
Fleet Maintenance Risk Management Claims	0

CENTRAL SERVICES MONTHLY REPORT AUGUST 2023

- **City Hall:** Repaired the lock on the office beside the elevator in the basement. Moved all the furniture for Michaels Janitorial to clean the carpets. Fixed the two outside porch lights so they would be on at night. Took all the E cycle to the scrape yard for the IT Department. Put some office furniture to gather for the Finance Department. Fixed the basement door to the alley stairwell on the Fire Department side. Move and install new mics and new cables for the Cisco sound system in the Council Chambers for the IT Department.
- **Municipal Service Center:** Replaced the water hose reels and hose Bibbs in the middle and back garages. Repaired several parking lot lights in the front of the building. PM on the main gate.
- **Public Safety Building:** Worked on the Police garage door. Repaired a toilet on second floor Fire Department. Replaced one of the condenser fan motors on the chiller. Repaired lights in the shower stall Police locker room. Repaired a leaking water line in the Fire Department garage.
- **Fire Stations #2:** Maintenance on the garage door. Fixed the sump pump in the basement that stopped working and cleaned up some water on the basement floor.
- **Fire Station #3:** Checked on the building for water leak.
- **Canadian Hose House:** Checked on the building for water leak.
- **Downtown Area & Mall:** Set up and took down the stage for Friday After 5.
- **Traffic and Street Lights:** Reported 16 street lights for the power company to repair. Picked up a broken street light at the corner of Fayette and Chase St. Put the street lights in and out of flash at Bridge Street and Green St for the gas line replacement and sidewalk repair many times.
- **Parks areas:** Worked on the ballfield lights at Mason Park, ten of them not working. Repaired the lights around the main pool building at the Park. Had another signal phase power outage at the Park. Checked all the pump motors for damage. Installed a phase loss relay to protect the main pool pump motor control because of the signal phase power outages that keep happening.

- **Other:** Carver Building, repaired a door on the southwest side someone broke into and got a quote on the plywood to cover the remaining windows. Installed two outlets on the train platform at the Western Maryland Train Station for the Steel Highway Web cams. Checked on reported down wire on Fort Ave and Dirk St. Meet with DDC Director on where the stage is to go on Washington St for Heritage Days.
- Load tested generators. Aug. 31, 2023
- Monthly Safety Meeting – Aug.10, 2023
- PM's on all the pumps and motors at PSB, City Hall and MSC

File Attachments for Item:

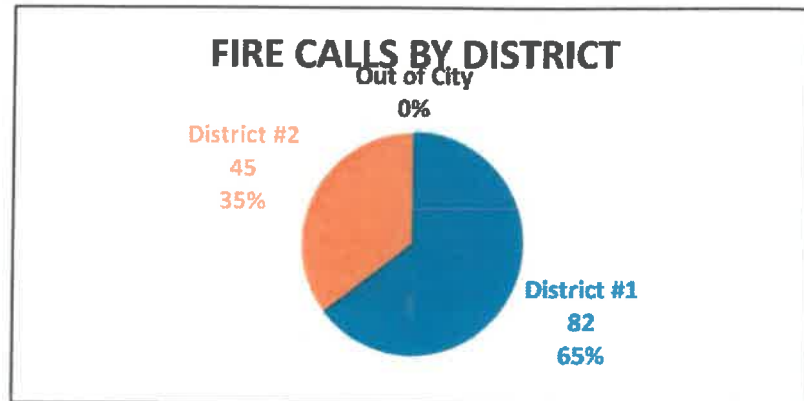
. Fire Department Monthly Report for August 2023

REPORT OF THE FIRE CHIEF FOR THE MONTH OF AUGUST, 2023
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 127 Fire Alarms:

Responses by District:

District #1	82
District #2	45
Out of City	0
	<hr/> 127



Number of Alarms:

First Alarms Answered 127

Calls Listed Below:

Property Use:

Public Assembly	6
Educational	4
Institutional	7
Residential	62
Stores and Offices	3
Manufacturing	2
Industrial	0
Storage	1
Special Properties	42
	<hr/> 127

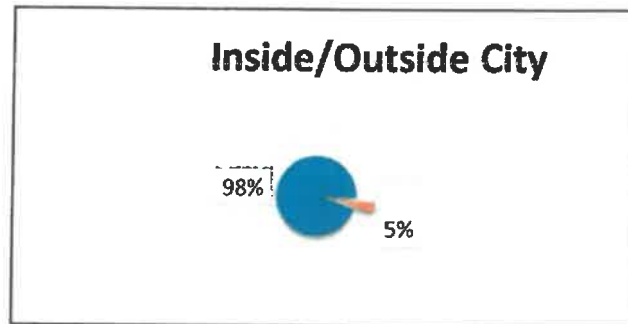
Type of Situation:

Fire or Explosion	7
Overpressure, Rupture	2
Rescue Calls	66
Hazardous Conditions	9
Service Calls	8
Severe Weather	1
Good Intent Calls	17
False Calls	17
	<hr/> 127

Total Fire Service Fees Billed by Medical Claim-Aid for the Month of August:	\$1,460.00
Total Fire Service Fees Billed by Medical Claim-Aid Fiscal Year to Date:	\$4,070.00
Fire Service Fees Paid in August:	\$165.00
Total Fire Service Fees for Fire Calls Paid in Fiscal Year 2024:	\$580.00
Fire Service Fees for Inspections and Permits Billed in August:	\$200.00
Fire Service Fees for Inspections and Permits Paid in August:	\$50.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$100.00

Cumberland Fire Department Responded to 567 Emergency Medical Calls:

In City Calls	557
Out of City Calls	10
Total	567



Total Ambulance Fees Billed by
Medical Claim-Aid in August: \$167,200.00

Ambulance Fees Billed Fiscal Year to Date: \$190,035.00

Ambulance Fees Paid:
Revenue Received in August: \$154,434.68

Revenue:
FY2024 Ambulance Fees Paid in FY2024: \$62,494.04

All Ambulance Fees Paid in FY2024: \$234,985.14
(Includes all ambulance fees, current and previous fiscal years, paid in FY2024.)

Cumberland Fire Department Provided 2 Paramedic Assist Calls:

0 Paramedic Assist Calls within Allegany County	
2 Paramedic Assist Calls outside of Allegany County	
<u>2</u>	

Ridgeley VFD, WV	<u>2</u>
	2

Cumberland Fire Department Provided 8 Mutual Aid Calls:

6 Mutual Aid Calls within Allegany County	
2 Mutual Aid Calls outside of Allegany County	
<u>8</u>	

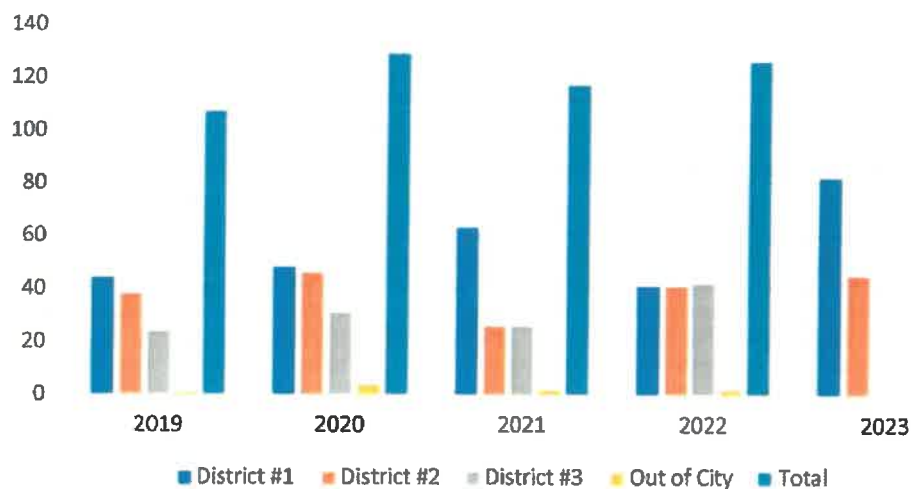
Bowman's Addition VFD	4
Cresaptown VFD	<u>2</u>
	6

Ridgeley VFD, WV	<u>2</u>
	8

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

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
District #1	44	48	63	41	82
District #2	38	46	26	41	45
District #3	24	31	26	42	0
Out of City	<u>1</u>	<u>4</u>	<u>2</u>	<u>2</u>	<u>0</u>
Total	107	129	117	126	127

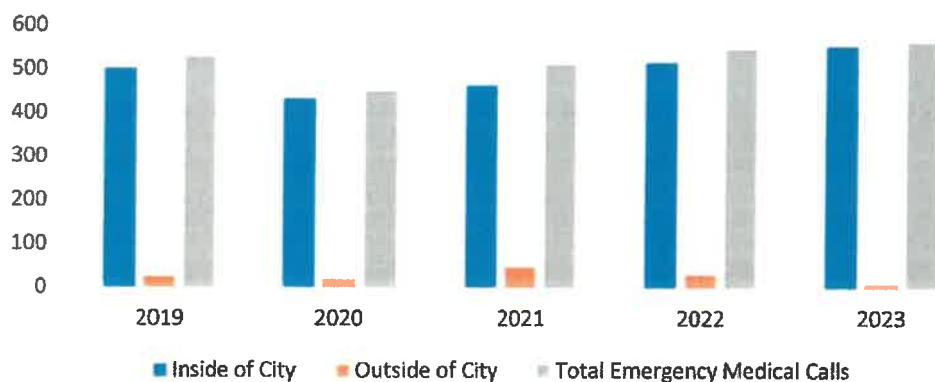
Fire Calls for a 5-Year Period



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

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Inside of City	504	435	466	519	557
Outside of City	<u>27</u>	<u>18</u>	<u>49</u>	<u>32</u>	<u>10</u>
Total Emergency Medical Calls	531	453	515	551	567

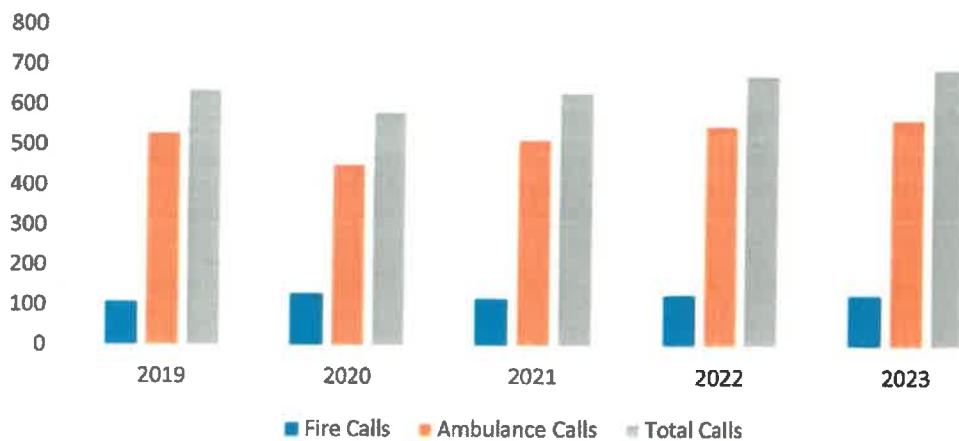
Ambulance Calls for a 5-Year Period



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

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Fire Calls	107	129	117	126	127
Ambulance Calls	<u>531</u>	<u>453</u>	<u>515</u>	<u>551</u>	<u>567</u>
Total Calls	638	582	632	677	694

Fire and Ambulance Calls for a 5-Year Period



Training

Training Man Hours:	168 man hours
Pump Operations	
Street Locations	
Ladder Operations	
Post Incident Review	
Ropes and Rigging	
Pre-Fire Planning	
WMRMC Hyperbaric Chamber	
Rescue Operations	
Standpipe Operations	
Forcible Entry	
CERT Team	
EMT-B	
EMT-Paramedic	

Fire Prevention Bureau

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

Personnel

Nothing to report.

Statistics Compiled by Julie A Davis, Fire Administrative Officer

File Attachments for Item:

. Police Department Monthly Report for August 2023



City of Cumberland Department of Police

Monthly Report
August 2023



City of Cumberland Department of Police

Monthly Report

August 2023

Part 1 Crimes for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Aggravated Assaults	15	6	B & E (All)	8	23	Murder	0	0	Rape	1	0
Robbery	4	8	Theft - Felony	0	0	Theft - Vehicle	3	4			

Selected Criminal Complaints for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Theft - Misdemeanor	25	19	Theft - Petty	23	45	Domestic Assaults	24	23	CDS	33	37
Disturbances	156	165	DOP/Vandalism	25	19	Indecent Exposure	5	2	Sex Off - Other	1	4
Suicide	0	0	Suicide - Attmp.	1	0	Tampering M/V	0	0	Abuse - Child	2	1
Trespassing	33	43	Assault on Police	4	3	Assault Other	30	31			

Selected Miscellenous Incidents for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Alcohol Volations	3	0	Juvenile Compl.	18	27	Missing Persons	2	5	School Resource	71	115
School Threat	0	1	Sex Off. Regist.	4	0	Truancy	0	0	Death Investigation	4	8

Selected Traffic Incidents for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
DWI	10	8	Hit & Run	28	19	M/V Crash	56	54	Traffic Stop	347	371

Selected Service Calls for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Alarms	30	35	Assist Motorist	30	39	Check Well-Being	160	174	Foot Patrol	84	121
Assist Other Agency	84	82	Bike Patrol	7	8	Special Events	8	3	Suspicious Activity	84	100

Current Incident Status for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Open	27	95	Arrest	247	286	Closed	2088	2365	Suspended	76	55



City of Cumberland Department of Police

Monthly Report

August 2023

Arrests Totals for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
M/V Citations	45	47	M/V SERO	0	3	M/V Warnings	301	321	Arrest on View Adult	45	35
Arrest On Crim. Cit.	18	35	Arrest Summons	27	26	Arrest Warrant Adult	55	65	Adult Crim.	150	161
Arrest Summon (Chrg)	22	25	Arrest Warrant (Chrg)	17	28	Juvenile Crim.	17	25	Arrest on View Juv	15	24
Arrest Warrant JUV	1	0	Emer. Petition	53	67	Fingerprinting	0	0	RunAway & Miss Per.	2	10
Civil Citation	3	0									

Total Incidents Reported :

2022	2023
2,438	2,801

Chuck Ternent - Chief of Police

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

August 2023

SWORN PERSONNEL: 51 SWON OFFICERS

Administration	6 officers
Squad D1	8 officers
Squad N1	8 officers
Squad D2	8 officers
Squad N2	7 officers
C3I/C3IN	5 officers
School Resource	2 officers
Academy	7 recruits
Medical/Modified Duty	0 officers

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: 834

COMP TIME USED: 138

SICK TIME USED: 52

YEAR TO DATE (beginning 07/01/23): 1,962

YEAR TO DATE (beginning 07/01/23): 260.75

YEAR TO DATE (beginning 07/01/23): 72

OVERTIME REPORT

OVERTIME WORKED: 148.25

HOSPITAL SECURITY: 80

COURT TIME WORKED: 424

YEAR TO DATE (beginning 07/01/23): 254.25

YEAR TO DATE (beginning 07/01/23): 259

YEAR TO DATE (beginning 07/01/23): 840

File Attachments for Item:

. Utilities Division Flood/Water/Sewer Monthly Reports for July and August 2023

Utilities Division Activity Report for July 23 WATER

REQUEST	W/E 7/7/23	W/E 7/14/23	W/E 7/21/23	W/E 7/31/23	MONTHLY TOTALS
Service Technicians					
NON READS	7	34	26	55	122
FINAL READS/TURN ONS/SHUT OFFS & DEMOS		1	1	1	3
LEAK INVESTIGATIONS/turn off-on	8	6	7	3	24
METER/STOP INVESTIGATIONS	14	8	16	14	52
REPAIR WIRING/GET READING					0
ORANGE TAG FOR REPAIRS		9	4		13
RED/PINK TAG FOR SHUT OFF					0
TURN WATER ON	8	54	68	25	155
NONPMT/BAD CK/AGREEMENT SHUT OFFS	1	83	51	21	156
SUSPENDED ACCTS - RECHECKS			2	1	3
REPLACE/REPAIR METER/LID/VALVE					0
SVC SEPARATIONS/INVESTIGATIONS	1				1
INSTALL COUPLERS/PLUGS/LOCKS					0
NEW METER - Residential	7	3	4	1	15
METER FIELD TESTS - Residential					0
METER TESTS - Industrial					0
NEW METER - Industrial	2	3	1		6
HYDRANTS FLUSHED					0
PRESSURE CHECK/NO WATER/DIRTY WATER	1	1	1	1	4
MOVE METERS OUTSIDE	5	5	8	1	19
SP Change Outs/Repairs/Reactivates/Move	10	8	18	2	38
Replace/Reattach smartpoint antenna	1				1
INSULATE METER BOXES					0
FREEZE UPS-LEAKS/METERS & LINES					0
CCP - BACKFLOW/RETRO	5	5	8	1	19
HYDRANT/IRRIGATION METER					0
Total					631
Pipe Technicians					
LINE LOCATOR	122	123	259	133	637
TAPS SERVICED	10	10	12	6	38
LEAKS REPAIRED		1	3	4	8
TOPSOILED & SEEDED 217 WEMPE				3	3
CUT BRUSH IN REAR OF HOUSE/716 DALE	3				3
HELPED TRITON MAKE 2" TAPS	4				4
RAISED VALVE BX - PACA @ SMALLWOOD	4				4
BALT ST - TURNED IN NEW MAIN/FLUSHED		2			2
WINTON @ GREENE - RAISED CURB/VALVE BX		3			3
MARKET @ MECHANIC - RAISED VALVE BOX		4			4
REPLACED VALVE - VICTORIA ST		7			7
926 MD AVE - INSTALLED RISER		3			3
PIT N GO/220 - INSTALLED MANHOLE & LID		3			3
QUEEN & WINDSOR- COLD PATCHED HOLES		3			3
509 WHITE AVE - INSTALLED RISER		3			3
540 ROSE HILL - TOPSOILED AROUND BOX		3			3
CENTRE ST - INSTALLED HYD REPAIR KIT		3			3
BALT ST - MARKED LINE FOR TRTION			4		4
LEAK INVESTIGATION - ROSE HILL AVE			2		2
CHECKED 4 ODD JOBS			4		4
27 BROWNING - NPL HIT LINE/SHUT OFF			3		3
709 MONTGOMERY - CLEANED WORK AREA			3		3
HAULED 8" PIPE TO TRITON			4		4
LOADED PIPE FOR BRIDGE JOB			4		4
TIED IN 14" MAIN UNDER BRIDGE				3	3
RAN 30' OF 14" DUCTILE/NEW VALVE (BRIDGE)				3	3
BACKFILLED 811 MAPLEWOOD				3	3
BALT ST - CLOSED/OPENED 6" VALVE				3	3
LEAK INVEST/RIDGE TERR & HOMER ST				3	3
BALT ST - INSTALLED PIPE TO VALVE				2	2
BALT ST - INSTALLED 16" VALVE				7	7
BALT ST - TIED IN 14" MAIN				8	8

Watershed

Pushed & graded dirt, blacktop & concrete @ park fill site (several days)
Assisted with installing 6" meter - Mexico Farms
Line locate - 121 Whitetail Ln
Removed stumps/old post/brush from park fill site
Lake Gordon Rd - Trimmed trees & brush
Hauled 850 to BW tank - pushed brush & trees/trimmed trees clearing main line
Park fill site - installed new drain line
Line locate - Hazen Rd
Hauled stumps from shale pit
Hauled dozer from Wills Creek to park fill site
Removed downed tree from emergency acces road
Rannell's Rd - removed old 2" wheel valve and replaced with a 2" stop and backfilled
Removed trees from Lake Gordon Rd
Refueled equipment - Columbia Ave
Cleaned tools & truck (several times)
Removed trees - Growden Rd
Replaced bearings & seals on brush hog wheel
Beallsmill Rd/Huber property - repaired 6" blow off valve lead off of 36" main line
Beallsmill Rd/Huber property - poured concrete around 6" blow off
Hauled mule back to town & took trailer back to dam
Hauled 311 from park fill site to Valley Rd
Cut & removed downed trees on Golden Ln 36" main
Removed trees from Eastman Rd 36" main
Removed tree from Lake Gordon Rd 36" main
Hauled 392 from Valley Rd to shop
Looked at job at duck pond
Fixed yards on Frantz Ln
Started digging ditches and removing stumps for drain fields at the duck pone
Hauled away stumps from duck pond
Park duck pond - installed 4" corrugated drain pipe & backfilled with clean stone

Projects

Projects					0
GRAND TOTAL					1418

July 2023 Monthly Report

FLOOD MAINTENANCE

Test run pumps and run gates

Run gate operators

Check sewage regulators

Safety meeting

Run Greene St. pump

Clean all storm drains

Mowed Rt. 28 ditch, west levee ditch, parklets, Moose, Kelly Blvd, Narrows, Furlows, Dentist Office,

Viaduct, Bull Pen, Mill Race

Mowed all fields and levees

Herbicide treatment

Perform other maintenance work as required

SEWER BRANCH

Calls answered	3
Service lines opened	0
Owner's trouble	3
Traced lines/main	501
Mains Repairs/ Replace	4
Sewer taps installed/replaced	0
Cleaned catch basins	17
Cleanouts installed	0
Televised sewer mains	500' main
Televised sewer lines	4 service lines
Call outs/ overtime	5 callouts/ 13.5 hours overtime
Weekly check of overflows, pits	4

Catch basin repair/rebuild	0
Flushed mains	1,060 Feet
Gallons of water used	4,500 Gals.
605 Vac-con truck	3,000 Gals.
608 Flush truck	1,500 Gals.

Safety meeting

416 Warwick Ave rebuild catch basin
 520 and 522 Broadway Cir. 8" sewer main (two places)
 521 Rose Hill Ave. repaired 4' of 8" sewer main
 10 James St. repaired 4' of 6" sewer main
 117 Allegany St. flushed and cut roots C/O to main
 Camera all of Browning St. main and service lines
 Mechanic St. cleaned CSO
 Repaired storm drain on Pine Ave.
 WWTP used vacutor two days
 Service center cleaned storm drains
 Hydro 4 sites (sewer)
 Hydro 9sites (water)

Utilities Division Activity Report for August 23 WATER

REQUEST	W/E 8/11/23	W/E 8/18/23	W/E 8/25/23	W/E 8/31/23	MONTHLY TOTALS
Service Technicians					
NON READS	12	34	29	49	124
FINAL READS/TURN ONS/SHUT OFFS & DEMOS	2	3	2	1	8
LEAK INVESTIGATIONS/turn off-on	4	5	6	3	18
METER/STOP INVESTIGATIONS	13	16	14	14	57
REPAIR WIRING/GET READING				1	1
ORANGE TAG FOR REPAIRS	10	2	1	7	20
RED/PINK TAG FOR SHUT OFF					0
TURN WATER ON	57	43	43	32	175
NONPMT/BAD CK/AGREEMENT SHUT OFFS	33	36	46	23	138
SUSPENDED ACCTS - RECHECKS	1				1
REPLACE/REPAIR METER/LID/VALVE					0
SVC SEPARATIONS/INVESTIGATIONS	1				1
INSTALL COUPLERS/PLUGS/LOCKS	1				1
NEW METER - Residential	10	3	1	7	21
METER FIELD TESTS - Residential					0
METER TESTS - Industrial					0
NEW METER - Industrial					0
HYDRANTS FLUSHED	34				34
PRESSURE CHECK/NO WATER/DIRTY WATER	3	2	1	1	7
MOVE METERS OUTSIDE	16	14	13	1	44
SP Change Outs/Repairs/Reactivates/Move	22	16	16	7	61
Replace/Reattach smartpoint antenna					0
INSULATE METER BOXES					0
FREEZE UPS-LEAKS/METERS & LINES					0
CCP - BACKFLOW/RETRO	16	14	13	1	44
HYDRANT/IRRIGATION METER				1	0
Total					755
Pipe Technicians					
LINE LOCATOR	352	242	173	54	821
TAPS SERVICED	19	17	11	7	54
LEAKS REPAIRED	3	4	1	1	9
BALT ST - TUNRED IN VALVES/FLUSHED HYDS	4				4
FRED ST - FLUSHED HYDRANTS	2				2
BALT ST - TIED IN NEW 14" MAIN	4				4
FLUSHED DEADEND HYDRANTS	4				4
BALT ST - COLD MIXED DITCH LINE	4				4
GREENE ST/PHARMACARE - LEAK CHECK	2				2
116 SEYMOUR - LOWERED LID	4				4
BEDFORD ST - NO PKG SIGNS/NOTICES RUN	4				4
BEDFORD ST - INSTALLED NEW HYDRANT	5				5
INSTALLED NEW SHUT OFF/319 PA AVE		4			4
OPENED HYDS DUE TO RESERVOIR CLOSURE			3		3
106 W IND BLVD - RESET BOX & LID			3		3
GREENE ST - RAISED CURB BOX/NEW LID			2		2
CLEANED WAREHOUSE/TOOK OUT TRASH			4		4
GREASED BACKHOE			4		4
CLEANED BRASS ROOM/PUT AWAY FITTINGS			4		4
PARKVIEW DR - FLUSHED HYDRANT			3		3
PREPPED BUTLER ALLEY FOR NEW VALVE			3		3
LOCATED DEADHEAD/CUT OFF/BALT ST			3		3
INSTALLED NEW VALVE/BUTLER ALLEY				4	4
BALT ST - CAPPED OFF 4" MAIN				4	4
CLEANED PIPE YARD/TRASH/SKIDS				4	4
PREPPED FOR VALVE - WILLOWBROOK RD				4	4
NARROWS HYD - RAN FIRE HOSE TO DRAIN				4	4
REPLACED VALVE - WILLOWBROOK RD				4	4
					0
					0
					0

Watershed					
Finished drains @ duck pond					
Hauled excavator to Naves Crossroad then back to dam					
Hauled dozer to new fill site					
Graded dirt/blacktop/concrete @ new fill site (several days)					
Backfilled around valve pit @ park fill site					
Hauled 392 to Peavine Run shale pit and later back to the park fill site					
Cleaned ditch on Canal Parkway					
Backfilled hole - Beallsmill Rd					
Line locate - 14003 Hazen Rd					
Took water sample to dam for 302 Pulaski					
Hauled shale from Peavine Run to duck pond & to old fill site to cover concrete & blacktop					
Installed air valve at dam					
Removed downed trees - Lake Gordon Rd & Eastman Rd					
Marked Whitetail Ln with white paint for dig up					
Greased backhoe & sharpened chainsaws					
Repaired water test station on Whitetail Ln					
Trimmed trees at fence line at dam garage					
Repaired 6" drain at park fill site					
Hauled 392, dozer, paver to Shriver Ave for street dept					
Began draining FH reservoir					
Mowed main lines (several days)					
Refueled mini for 304 crew/Refueled generator at warehouse					
Went over reservoir shut down with Jason Phillips					
Hauled foam blocks from dam to FH reservoir					
Turned down valves - Dorn Ave					
Returned extra block for park to PVIS					
Backfilled around vault @ park fill site					
Installed 6" drain pipe around valve vault at park fill site					
Picked up trash that was dumped on Lake Gordon Rd					
Landscaped Dollar General - Naves Crossroad					
Kent Ave - cleaned up work site					
Trimmed trees on 36" main - Leiper St					
Projects					
Projects					0
GRAND TOTAL					1730

August 2023 Monthly Report

FLOOD MAINTENANCE

Test run pumps and run gates

Run gate operators

Check sewage regulators

Safety meeting

Run Greene St. pump

Clean all storm drains

Mowed Rt. 28 ditch, west levee ditch, parklets, Moose, Kelly Blvd, Narrows, Furlows, Dentist Office,

Viaduct, Bull Pen, Mill Race

Mowed all fields and levees

Cleaned field #2,3

Installed 24" drain pipe in in Maryland side fields

Perform other maintenance work as required

SEWER BRANCH

Calls answered	2
Service lines opened	1
Owner's trouble	1
Traced lines/main	465
Mains Repairs/ Replace	3
Sewer taps installed/replaced	0
Cleaned catch basins	3
Cleanouts installed	2
Televised sewer mains	1,025' main
Televised sewer lines	3 service lines
Call outs/ overtime	6 callouts/ 11 hours overtime

Weekly check of overflows, pits	4
Catch basin repair/rebuild	1
Flushed mains	0 Feet
Gallons of water used	3,000 Gals.
605 Vac-con truck	3,000 Gals.
608 Flush truck	0 Gals.

Safety meeting

500 Arnett Terr rebuilt catch basin

207 Maryland Ave. repaired sewer service line

622 Hill top Dr. repaired sewer service line installed C/O

507 Louisiana Ave repaired sewer service line installed
C/O

CCTV all sewer mains at constitution park

CCTV 628 Hill Top Dr.

CCTV Buckingham and Windsor Rd. main and service
lines

Cleaned storm drains at service center

Cleaned screen bars at W.W.T.P.

Hydro 2 sites (water)

Hydro 3 sites (sewer)

File Attachments for Item:

1. Approval of the Closed, Work and Regular Session Minutes of September 5, 2023

Mayor and City Council of Cumberland

Closed Session Minutes

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

2nd Floor Conference Room

Tuesday, September 5, 2023; 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)(7) of the General Provisions Article of the Annotated Code of Maryland to receive legal advice for ongoing negotiations in regards to the City's Consent Decree for Combined Sewer Overflows.

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

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

ALSO PRESENT: Jeffrey F. Silka, City Administrator; Allison Layton, City Clerk; Michael S. Cohen, City Solicitor; Ken Tressler, Director of Administrative Services; Robert Smith, Director of Engineering & Utilities



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, September 5, 2023, 4:45 p.m.

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

ALSO PRESENT: Jeffrey F. Silka, City Administrator; Allison Layton, City Clerk; Michael Cohen, City Solicitor; Shannon Adams, Fire Chief; Steve Grogg, Deputy Fire Chief

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

I. FIRE DEPARTMENT UPDATE

Chief Adams provided an update, along with a handout, as to where the department stands as of September 1, 2023.

The Chief advised that they are currently down three people, and after testing obtained three people that were considered hireable. He stated that seven people were in training for paramedics, and said the department is still at 52 personnel, 48 operational, and 4 administrative. Chief Adams advised that an organizational chart was included with the handout.

The Chief discussed call volume, which he said is up 1,055 calls – Fire and EMS together. He advised that this is the biggest jump for a 2-year span. He said fire calls are down, EMS calls are rising. He stated that they are trying to decrease where new apparatus has to go out, and talked about the Lucas Devise, which he stated does CPR and almost takes the place of two people on a call. He said it was purchased with a grant, and has been very helpful.

Chief Adams explained that the uptick of calls are a combination of things, and mentioned that overdoses average about two a day. He stated that on average, the CFD is the healthcare for the area - the ER is overloaded, and counterparts are overloaded as well.

Chief Adams discussed reimbursement and how they have streamlined to paperless billing, which he said now takes just an hour a day – down from two hours a day. He talked about delays with getting patients into hospital rooms, and said the delay is at the hospital usually.

The Fire Chief discussed recruit testing and instructor training, saying that 18 people applied, 10 showed up, and 5 passed, which he said was similar to their counterparts. He stated that their training met or exceeded the County officer standard – the highest being Fire Officer 4. He added that there are 5 people currently in the instructor process, with 2 planning to be certified in the next month, and 2 more waiting to get into classes. He said the training academy is up to about 12 people. The Chief also stated that the recent promotions list is included with the handout.

Chief Adams discussed special operations training, advising that they now have 16 certified in confined spaces response and 3 going to MSP ground school helicopter training. He added that 10 are in the process of rope rescue technician training and 10 in Haz-mat technician training. He stated that there is a push to get more colleges involved, advising that Garrett is the only local college doing the training right now.

Chief Adams stated that they have changed some response procedures a bit – trying to use the new rescue truck instead of the ladder truck when the ladder is not needed, which saves wear and tear on the ladder truck. He said they have gone back to a smaller firefighter engine, and noted that it will mean cost savings in the future.

The Fire Chief advised their new vehicle squad is being equipped and ready to go, but said there was a mishap with a new truck last week. He talked about the new engine being due here in the next two weeks, ready to go, and said the two reserve engines are taking a beating. He also advised that new ambulances will be here after the first of the year. He mentioned that software has caused some issues, and said they are looking at new software.

Deputy Chief Grogg advised that he had met with Mr. Silka about status of the fleet and what may be needed in the future, and provided a handout. The Deputy Chief stated that costs have gone up a lot, and said the 1994 engine is the best of all three due to it being built before all the electronics were mandated. He also stated that body-wise, the 1994 is in better shape.

Deputy Chief Grogg advised that they have developed a preventive maintenance plan to head off issues, and said the ambulances have been riddled with issues; however, the heavier ambulances have a truck chassis so are holding up much better. He said the new heavy rescue truck they are getting will take some burden off the engines. He provided a handout of the current fleet showing mileage and year made, and projections for the future. He also mentioned that morale in the CPD is the highest he's ever seen it in his 28 years with the Department, and said they are all very appreciative of everything M&CC has done for them.

Mr. Silka discussed the new equipment the CFD is requesting. He stated that 24–36-month lead time is good, and every month it gets longer. He said they are asking for a slot in the assembly line to pay two years in the future, and asked for consensus to get in line for the Spring of 2025.

Mayor Morriss stated that this gives the advantage of being able to plan finances out two years in advance for the FY26 budget.

Chief Adams stated that he knew they had issues when the Deputy Chief brought him the research, and there was discussion about how backed up assembly is and that used fleet is being

bought up by larger departments. He stated amidst all the issues, Deputy Chief Grogg has been very helpful.

Consensus to get on the assembly line list

The Chief advised that Station 2 is past its life expectancy and said apparatuses are a big problem. He discussed it possibly becoming a training place, but said it would need a training pad area, and two bays would be beneficial. He also mentioned that there are only two people at Station 2 right now, and said they average 2-3 ambulance calls per shift.

II. CODE SWEEPS DISCUSSION

Mr. Silka advised that they have started policing neighborhoods and have devised a Code Sweep, with N. Centre and Mechanic done last week. He stated that all code officers go out at one time, walking the streets looking for violations. They are provided with door hangers – one side is a reminder, the other side is a thank-you, and an entry into a gift certificate drawing. Mayor Morriss stated that most of the calls he's received have been positive, and said this Code Sweep is about modifying behavior and making people care about their property.

III. AGENDA REVIEW SEPTEMBER 5, 2023

Mr. Silka reviewed the Public Meeting Agenda, and discussed Order 27,310, which is regarding modifying the Carver Center money, re-allocating \$3K of it to address windows in the building for security.

Council Member Marchini asked for a correction of the minutes from the August 15th Work Session, saying the Mixx shop is on Centre Street, not Baltimore Street as stated in the minutes.

IV. MAYOR AND CITY COUNCIL UPDATES

Mayor Morriss mentioned the Whiskey Rebellion event and Friday after Five, along with Heritage Days this coming Saturday and Sunday. He also spoke about the ribbon cuttings in the last couple of weeks – Elijah Thane Art Gallery; AJ's Cookie Jar; and Basecamp Coffee's 2nd location. He stated that Archway Station has a ribbon cutting coming up next week.

Council Member Furstenberg mentioned that Dan Diehl from Allegany High School broke another swimming record.

Council Member Cioni mentioned the LBC meeting on Thursday at St. Paul's, and said the Friends of the Park event held recently was the biggest attendance at the Constitution Park pool all season long. He stated that there is a Friends of the Park meeting tomorrow night.

Mayor Morriss also mentioned the Women's Civic Club Dinner on Thursday – the kick-off for Heritage Days, with tickets available online.

Council Member Marchini mentioned the Dragon Boat Races on September 23rd – 11 people have signed up, and they need 10 more. She stated that she has sent around an email update about Baltimore Street, which is all good news.

V. ADJOURNMENT

With no further business at hand, the meeting adjourned at 5:55 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 Meeting
57 N. Liberty Street

DATE: September 05, 2023

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

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

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Michael S. Cohen, City Solicitor

IV. Statement of Closed Meeting

Mayor Morriss announced that a closed meeting had been held on September 5, 2023 at 4:00 p.m. and read into the record a summary of that session which is attached hereto and made a part of these minutes as required under Section 3-306 (c)(2) of the General Provisions Article of the Annotated Code of Maryland.

V. Presentations

1. Presentation of City Star Awards

Robert Thomas Bruce (not present); Gloria Schintzius (not present); Don Martin (present); Danny Benson (present); Stephanie Yonce (present); AHEC West (present); Charlotte and Paul Lapp (present)

Chief Ternent spoke about Robert Thomas Bruce, saying that Mr. Bruce is commonly seen around City Hall, the Public Safety Building and the downtown area with his dust pan and broom, cleaning up and picking up cigarette butts, trash, etc. The Chief said he's thanked Mr. Bruce many times, and eventually he was nominated for this award. He added that Ed Mullaney had also previously given Mr. Bruce a Good Citizen award.

Mayor Morriss spoke about Gloria Schintzius, owner of Little Caesar's Pizza, Springdale Street, who was nominated by Cheryl Nash for her work in supporting the City of Cumberland and the community, and said she is known to go above and beyond for her customers and employees. He said she has donated dozens of pizzas to the schools and football teams.

Mayor Morriss spoke about Don Martin, owner of Don's Barbershop on Virginia Avenue, saying he himself has been known to stop by there and get advice about the neighborhood. He said Mr. Martin's shop is where people go to discuss what's happening, and said there's a real sense of community there. The Mayor thanked him for all the good work he does for the City.

Mayor Morriss spoke about Danny Benson, and said he's seen him at many of the charity events around town, of which he is very active. The Mayor thanked him for all the work he does for the charities.

Stephanie Yonce was nominated by Kathy McKinney. Ms. McKinney stated that she met Ms. Yonce when she herself was the historical coordinator for the City, and said Ms. Yonce has been her point person for George Washington's Headquarters cabin. She said Ms. Yonce has represented the D.A.R. and has tirelessly dedicated her time to the cabin's welfare and the tours since the cabin was placed in Riverside Park.

Mayor Morriss spoke about AHEC West, and about all the services they provide including taking care of youths who are sometimes overlooked in the community. Chief Ternent stated that the CPD and AHEC West partner together frequently.

Ed Mullaney spoke about Paul and Charlotte Lapp and all the work they put in with Let's Beautify Cumberland and the Cumberland Garden Club, and several other organizations that they are active in.

VI. Director's Reports

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

(A) Engineering

1. Engineering Division Monthly Report for August 2023

VII. Approval of Minutes

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

1. Approval of the Closed, Work, and Regular Session Minutes of August 15, 2023

VIII. Public Hearings

1. A public hearing to consider Charter Amendment Resolution No. 152 to repeal and re-enact with amendments Section 13 of the Charter of the City pertaining to the compensation of the Mayor and City Council.

Convened: 6:35 p.m.

Former Council Member Joe George spoke to recommend approval of the Amendment, saying Mayor and Council do what they do for the love of the City, and said as a former Council Member he sees the number of hours the Mayor puts in, and said that Council Members attend meetings, workshops, grand openings, festivals, dinners and functions, and are visible and accessible. He stated that they do these things to be out there with the citizens, and added that many expenses are out-of-pocket, and are not reimbursed. He mentioned that M&CC bought their own shirts to show how much they love Cumberland, said this job shouldn't be a financial burden, and thanked M&CC for their dedication.

Adjourned: 6:38 p.m.

2. A public hearing to amend the City of Cumberland Zoning Ordinance (i.e., Chapter 25 of the Code) for the purpose of adopting regulations pertaining to short-term rentals.

Convened: 6:38 p.m.

Mr. Silka explained the Ordinance, and said the main goal is to get a handle on how many short-term rentals are in the AirBnB, to be sure they are registered and paying the hotel tax to the County. He said the City is looking to implement inspections to ensure the safety of those renting, and said the latest number of short-term rentals in the City is 60. Council Member Cioni voiced support for the Ordinance.

Adjourned: 6:39 p.m.

IX. Public Comments – Agenda Items

There were no public comments

All public comments are limited to 5 minutes per person

X. Unfinished Business

(A) Ordinances

1. Ordinance 3965 (*2nd and 3rd readings*) - amending the City of Cumberland Zoning Ordinance (Chapter 25 of the Code) for the purpose of adopting regulations pertaining to short-term rentals in the City of Cumberland.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the reading and move to the third after comment was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 5-0.

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

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

XI. New Business

(A) Resolutions

1. **Resolution No. 2023-04** (*1 reading*) - granting the Cumberland Outdoor Club a property tax credit for tax years 2023-2024 pursuant to Section 9-302(f) of the Tax Property Article of the Annotated Code of Maryland.

READING: The Resolution was submitted in title only for its single reading. On a motion made by Council Member Cioni, seconded by Council Member Furstenberg, the resolution was passed on a vote of 5-0.

2. **Resolution No. 2023-05** (*1 reading*) - granting the Carver Community Center a property tax credit for tax years 2023-2024 pursuant to Section 9-302(b)(8) of the Tax Property Article of the Annotated Code of Maryland.

READING: The Resolution was submitted in title only for its single reading. On a motion made by Council Member Furstenberg, seconded by Council Member Marchini, the resolution was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

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

Order 27,307 - authorizing the execution of a Donation Agreement with Brenda D. Morrison, Personal Representative of the Estate of Ronald L. Morrisson, for real property at 404 Furnace Street, Tax ID #05-019524.

Order 27,308 - authorizing the abatement of 2022-2023 taxes in the amount of \$12,087.84 for City-owned property at 600 Bishop Walsh Road (Tax ID #06-050301).

Order 27,309 - authorizing Special Taxing District residential exemptions for 45 N. Centre Street (\$745.10); 43-45 N. Liberty Street (\$206.34); 50-52 N. Centre Street (\$300.73); 27 N. Centre Street (\$334.93); and 47 Baltimore Street (\$383.88).

Order 27,310 - amending Order No. 27,147 of December 20, 2022 allowing up to \$3,000 of the allocated \$25,000 to be used to secure windows at the Carver Center.

Order 27,311 - accepting the bid of Southern Corrosion, Inc. for the Water Tank Maintenance Service Contract (2023-03-WTR) in the not-to-exceed lump sum of \$133,210.00 for FY24, with each year increasing from the base premium by the increase in the CPI.

Order 27,312 - authorizing the execution of a Cost-Share Agreement between MDOT-SHA and the City, relative to City Project 2022-24-BR, Replacement of Bridge A-C-08. Fayette St. Over CSXT Railway, with the City's cost-share portion estimated at \$106,951.70 which is 20% of the total estimated cost of \$534,758.51.

Order 27,313 - authorizing the Chief of Police to enter into a Memorandum of Understanding with the Family Crisis Resource Center to provide police overtime in the

amount not to exceed \$5,000 for the purpose of providing Domestic Violence Response Team (DVRT) Follow-Ups.

Order 27,314 - authorizing the Chief of Police to enter into an Updated Memorandum of Understanding with the City of Frostburg, Allegany County and Frostburg State University to employ a temporary civilian employee for the purpose of providing clerical services to the Allegany County Combined Criminal Investigation Unit (C3I).

Order 27,315 - authorizing the Chief of Police to enter into an Updated Memorandum of Understanding with Allegany County to employ a temporary civilian employee for the purpose of providing clerical services to the Allegany County Narcotics Task Force (ACNTF).

Order 27,316 - rescinding the bid of Steve Flanders for surplus equipment Ingersoll Garden Tractor with Plow due to non-compliance with bid procedures, and accepting the bid of \$285 from Timothy McDermott for said equipment.

Order 27,317 - declaring computer equipment as surplus property and authorizing it to be scrapped or e-cycled.

Order 27,318 - authorizing the execution of an Encroachment Agreement by and between the Mayor and City Council, Uhl Enterprises, Inc. and Uhl Real Estate, LLC for the purpose of installing overhead lines for fiber to run across Davidson Street and Charles Street.

XII. Public Comments

Mike McKay, Senator, provided for the elected officials a 90-day report for Allegany County for all bills passed in the General Assembly, and discussed the different fundings that were addressed. He advised that it represents over \$160 for all the different pieces of legislation passed, nine this year, and talked about working on next year's priorities.

Mayor Morriss thanked the Senator for coming in and it was stated that this district has a good history of understanding with the Western Maryland Delegation.

All public comments are limited to 5 minutes per person

XIII. Adjournment

With no further business at hand, the meeting adjourned at 6:54 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____

File Attachments for Item:

1. Public Hearing to receive comment on the Consolidated Annual Performance Evaluation Report (CAPER) for the 2022 FY, Presented by by Lee Borrer, Senior Community Development Specialist.

Consolidated Annual Performance and Evaluation Report
2020 CAPER
July 1, 2022 – June 30, 2023

The City of Cumberland announces the availability for public review and comments, its Consolidated Annual Performance Evaluation Report (CAPER) for the 2022 fiscal year. The CAPER is the official report submitted to HUD that evaluates accomplishments against City 5-year Consolidated Plan goals and objectives. The CAPER specifically describes accomplishments for projects funded using Community Development Block Grant funds during the year as described in the City's 2022 Annual Action Plan. *The Public Hearing to receive comments on the CAPER will be held on September 19 at 6:15 p.m. during the Mayor & City Council meeting at City Hall in the accessible 3rd floor Council Chambers.*

The CAPER covers accomplishments realized from July 1, 2022 – June 30, 2023. The report evaluates progress towards meeting goals and objectives for the categories of housing, homelessness, public services, public facilities, infrastructure, economic development, and planning; while addressing fair housing and the needs of special populations.

The City received an annual allocation of \$803,672 and \$2,124 program income in Community Development Block Grant funds. Projects funded by prior year awards continued. A total of \$1,148,230 (\$935,642 regular funds and \$206,118 in CARES Act funds) was expended on housing, public facility & infrastructure improvements, public services, and administration/planning activities. Over 1,042 low-moderate-income residents of Cumberland were directly affected by CDBG funded activities while 24,842 people benefited indirectly from "area" wide activities. Sub recipient and City matching funds totaled \$497,372.

The 2022 CAPER report will be submitted to HUD on or before Friday, September 29, 2023. **The 15-day public comment period will run from Friday, September 1, 2023 through Monday, September 18, 2023.** Anyone wishing to review and provide comments related to the year-end report or to request additional meeting room accommodations should contact Lee Borrer, Senior Community Development Specialist, City of Cumberland, Department of Community Development, 57 North Liberty Street, Cumberland, Maryland 21502 at (301) 759-6437 or TDD # 1-800-735-2258 or e-mail to lee.borrer@cumberlandmd.gov; at least 3 days before September 19, 2023. All comments received will be included in the report for review by the U.S. Department of Housing and Urban Development.

Infrastructure/Facilities: 82% regular expenditures & 62% CARES ACT (CV) funds expenditures
Improvements to segments of sidewalk within Jane Frazier Village, Queen City Drive, and South Street were completed and are ADA compliant, Two Constitution Park facilities improvement projects were completed on the Guard Station and pool sites. The YMCA Gilchrist, a Transitional Homeless Shelter gymnasium roof rehabilitation was completed benefiting 257 people attending programming at the shelter. Regular CDBG & CV funds completed parts of youth center rehabilitation on Centre Street downtown and the YMCA transitional shelter's roof rehab.

Housing & Homeless Services: 1% regular expenditures & 22% CV expenditures
One rental rehabilitation was completed and 181 transitional homeless enjoyed hot food. **CV funds provided filters and a 24/7 crisis hotline to the Family Crisis Resource Center for victims of intimate partner violence which sheltered 57 households for 974 bed nights and provided documented services to 581 city residents. CARES ACT funds provided homeless prevention to 2 households.**

Public Services: 5 % regular expenditures and 16% CV expenditures (not capped by HUD)
Health-87 people received short term prescriptions, 73 persons received long term prescriptions, 17 people in need received emergency dental services. 30 children received services for child abuse/neglect while Jane's Place, Inc. also provided education and outreach events to targeted populations in Cumberland. Family Crisis Resource Center, Inc. provided free or reduced intensive violence intervention education to 25 people. CV funds provided broadband accessibility to 83 households connecting to the internet.

ADV. On or before September 1, 2023

File Attachments for Item:

1. Charter Amendment Resolution No. 152 (*2nd and 3rd readings*) - to repeal and re-enact with Amendments Section 13 of the Charter of the City of Cumberland pertaining to the compensation of the Mayor and City Council

CHARTER AMENDMENT RESOLUTION NO. 152

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY CONTAINED IN ARTICLE 11-E OF THE CONSTITUTION OF THE STATE OF MARYLAND AND SECTION 4-304 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND ENTITLED “A RESOLUTION TO REPEAL AND RE-ENACT WITH AMENDMENTS SECTION 13 OF THE CHARTER OF THE CITY PERTAINING TO THE COMPENSATION OF THE MAYOR AND CITY COUNCIL.”

WHEREAS, Section 13 of the City Charter pertains to compensation for the Mayor and City Council;

WHEREAS, the said section of the City Charter has not been altered since the passage of Charter Resolution No. 73, passed August 9, 1978;

WHEREAS, the current rate of compensation for the Mayor is \$7,200.00 per year and it is \$4,800 for members of the City Council;

WHEREAS, this rate of compensation has not been changed since July 1, 1981, roughly forty-two years ago; and

WHEREAS, an increase in the aforesaid compensation is long overdue.

NOW, THEREFORE:

SECTION 1: BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that Section 13 of the City Charter is repealed and re-enacted to read as follows:

Section 13. Compensation of mayor and councilmen.

Effective July 1, 2023, the Mayor shall be compensated at the rate of Fifteen Thousand Dollars (\$15,000.00) for each fiscal year, and City Councilpersons shall be compensated at the rate of Ten Thousand Dollars (\$10,000.00) for each fiscal year. Said compensation shall be adjusted for each cost-of-living adjustment and other changes in annual compensation given to civil service employees generally, without regard to whether the changes are temporary or permanent.

SECTION 2: AND BE IT FURTHER RESOLVED, that a public hearing on this Charter Amendment Resolution shall be held on the ____ day of _____, 2023. Notice of the public hearing identified hereinbefore was provided by publication in the Cumberland Times-News on the ____ day of _____, 2023, the said date being at least twenty-one (21) days prior to the date of the hearing, and by posting on the North Centre Street entrance of City Hall, Cumberland, Maryland, the date of the public hearing. The City Clerk is hereby specifically directed to carry out the provisions of this Section.

SECTION 3: AND BE IT FURTHER RESOLVED, that the date of the passage of this Resolution is _____, 2023, and the amendment of the Charter of the City of Cumberland hereby enacted shall become effective on the ____ day of _____, 2023 unless a proper petition for a referendum hereon shall be filed on or before the 40th day after the date of the passage of this Resolution, as provided by Section 4-304 of the Local Government Article of the Annotated Code of Maryland. A complete and exact copy of this Resolution shall be continuously posted on the North Centre Street entrance of City Hall, Cumberland, Maryland, until _____, 2023, and the title of this Resolution and a fair summary of its terms shall be published in the Cumberland Times-News no less than four times, at weekly intervals, before the aforesaid date.

SECTION 4: AND BE IT FURTHER RESOLVED, that the City Clerk is hereby specifically directed to carry out the provisions of Section 3 hereof and to cause to be affixed to this Resolution a certificate of the publication in the Cumberland Times-News, and the Mayor, if there is no petition for referendum, shall declare the Charter Amendment made to be effective on the 50th day after this Resolution is effective date herein provided for, which is _____, 2023, by affixing his signature hereto in the space provided below the effective date hereof.

SECTION 5: AND BE IT FURTHER RESOLVED, that if a proper petition for referendum on the Charter Amendment herein proposed is filed, the Mayor and other proper officials of the City of Cumberland shall comply with applicable law, including, but not limited to, Subtitle 3 of Title 4 of the aforesaid Local Government Article.

SECTION 6: AND BE IT FURTHER RESOLVED, no later than ten (10) days after the Charter Amendment effected by this Resolution becomes effective, either as herein provided or following a referendum, the City Clerk shall mail a copy of this

Resolution to the Department of Legislative Services of Maryland, said mailing to include a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a certificate showing the number of Councilpersons voting for and against it, and a report on the votes cast for or against the amendments hereby enacted at any referendum hereon, and the effective date of the Charter Amendment.

THIS RESOLUTION PASSED THIS ____ DAY OF _____, 2023.

Raymond M. Morris, Mayor

ATTEST:

Allison Layton, City Clerk

The Charter Amendment enacted by the foregoing Resolution became effective this ____ day of _____, 2023.

Raymond M. Morris, Mayor

ATTEST:

Allison Layton, City Clerk

I HEREBY CERTIFY, that the foregoing Resolution, amending the Charter of the City of Cumberland, Maryland, was passed the ____ day of _____, 2023, with ____ votes in affirmation and ____ votes in the negative.

Allison Layton, City Clerk

I HEREBY CERTIFY that:

1. Notice of the public hearing identified hereinbefore was provided by publication in the Cumberland Times-News on the ____ day of _____, 2023, the said date being at least twenty-one (21) days prior to the date of the hearing, and by posting on the North Centre Street entrance of City Hall, Cumberland, Maryland, the date of the public hearing. A true and correct copy of the published notice is attached hereto. The said hearing was held on the ____ day of _____, 2023.

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

_____,
_____,
_____ and

as evidenced by the true and correct copy of the Cumberland Times-News certificate of publication attached hereto, and that it was posted on the North Centre Street entrance of City Hall, Cumberland, Maryland together with a copy of this Resolution commencing on the day the title of this Resolution was first published in the Cumberland Times-News on the ____ day of _____, 2023 and continuing through the date this Resolution became effective.

3. The foregoing is a true and exact copy of the Charter Amendment Resolution No. ____ passed by the Mayor and City Council of Cumberland, Maryland, in Regular Session on the ____ day of _____, 2023.

4. A petition for a referendum was not filed within the forty-nine (49) days following the date of the passage of the foregoing Resolution and, therefore, it became effective on the ____ day of _____, 2023.

Allison Layton, City Clerk

File Attachments for Item:

. Order 27,320 - rescinding Order 27,308 dated September 5, 2023 and authorizing the abatement of 2023-20234 taxes in the amount of \$12,087.84 for City-owned property at 600 Bishop Walsh Road (Tax ID #06-050301)

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

ORDER NO. 27,320

DATE: September 19, 2023

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

THAT, Order No. 27,308 approved on September 5, 2023 be and is hereby rescinded due to a misstated tax year and;

BE IT FURTHER ORDERED THAT, the City Comptroller be and is hereby authorized to abate 2023-2024 taxes in the amount of \$12,087.84 for the City-owned cellular tower location at 600 Bishop Walsh Road (Tax ID#06-050301).

Raymond M. Morriss, Mayor



City of Cumberland
57 N Liberty Street
Cumberland, MD 21502

CUMBERLAND MAYOR & CITY COUNCIL

57 N LIBERTY ST
CUMBERLAND , MD 21502-

Description & Location: WATER TOWER
600 BISHOP WALSH RD
CUMBERLAND , 21502

Instant Statement for PIDN: 06050301

Current Credit: 0.00

Date: 08/14/2023

Code	Year	Bill#	Date	Date Effective	Normal	Penalty	Interest	Due	Payment	Adj. Type	Adjust	Adj. Date
2023 Real Estate Tax Annual	2023		07/01/2023	07/01/2023	12087.84	0.00	0.00	12087.84	0.00		0.00	
Totals:									12087.84	0.00		

File Attachments for Item:

. Order 27,321 - accepting certain bids received for the "2023 GovDeals Sale 3 of Surplus Vehicles and Equipment" and rejecting all other bids

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

ORDER NO. 27,321

DATE: September 19, 2023

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

THAT, the following bids received for the "2023 Sale 3 of Surplus Vehicles and Equipment on GovDeals " be and are hereby accepted, and all other bids received be and are hereby rejected:

	Unit #	Year	Make	Bidder	Bid Amount
1.	603 Sewer		2007 Chevrolet Silverado Classic 2500HD 4x4	Carter, David	\$5,550.00
2.	Crack Sealer		Cimline Crack Sealer (Asphalt) Diesel	Downer, Ryan	\$15,300.00
3.	604 Sewer		2012 Chevrolet Silverado 1500 4x4	Harper, Howard	\$8,200.00
4.	108 Engineering		2007 Chevrolet Trail Blazer LS	Squier, Leigh	\$4,000.00
5.	308 Water Dis.		2013 Chevrolet Silverado 2500HD	Elbardaweel, Rafat	\$10,001.00
6.	507 P&R		2007 Chevrolet Silverado Classic 3500 Diesel	Morrow, John	\$13,421.00
7.	503 P&R		2008 Chevrolet Silverado 3500HD (Parts Only)	Gossard, Joseph	\$3,410.00
8.	104 Water Dis.		2008 Chevrolet Colorado	Bennett, Robert	\$4,250.00
9.	101 Com. Dev.		2002 Dodge Durango SXT	Squier, Leigh	\$2,025.00
			TOTAL		\$66,157.00

Raymond M. Morriss, Mayor

[illegible]

Tax	Add'l Fees	Total	GovDeals Fee	Net Pay
\$0.00		\$5,550.00	\$0.00	\$5,550.00
\$1,032.75		\$16,332.75	\$0.00	\$15,300.00
\$0.00		\$8,200.00	\$0.00	\$8,200.00
\$0.00		\$4,000.00	\$0.00	\$4,000.00
\$0.00		\$10,001.00	\$0.00	\$10,001.00
\$0.00		\$13,421.00	\$0.00	\$13,421.00
\$0.00		\$3,410.00	\$0.00	\$3,410.00
\$0.00		\$4,250.00	\$0.00	\$4,250.00
\$0.00		\$2,025.00	\$0.00	\$2,025.00
\$1,032.75	\$0.00	\$67,189.75	\$0.00	\$66,157.00

File Attachments for Item:

. Order 27,322 - declaring office furniture (six chairs) as surplus property and authorizing it to be sold, donated or disposed of and accepting the request from the Town of Ridgeley, WV to donate the chairs

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

ORDER NO. 27,322

DATE: September 19, 2023

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

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

IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, THAT, the surplus office chairs are hereby declared to be surplus property and are authorized for donation to the Town of Ridgeley, WV.

Raymond M. Morriss, Mayor



TOWN OF RIDGELEY

1 Ridgeley St

P.O. Box 1290

Ridgeley, West Virginia 26753

Phone: 304-738-9400 Fax: 304-738-3777

September 5, 2023

Cumberland City

To Whom it may concern:

The Town of Ridgeley would like to request the donation of the office chairs you have available.

Thank You

William Shepherd

Mayor

RCVD

CLERK'S OFFICE
2023SEP5 PM1:47

File Attachments for Item:

. Order 27,323- declaring vehicles and equipment to be surplus and authorizing them for sale, trade in or scrap

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

ORDER NO. 27,323

DATE: September 19, 2023

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

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

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

<i>Unit</i>	<i>Department</i>	<i>Vehicle</i>	<i>VIN / Serial No.</i>
MED-342	Fire	2014 Ford F-450 Ambulance	1FDUF4HT5EEB88073
	Central Services	2007 Chevrolet 2500 HD 4X4 Pickup	1GCHK24KX7E572470

Raymond M. Morriss, Mayor

File Attachments for Item:

. Order 27,324 - authorizing the emergency lighting, flood lighting, DOT lighting and lighting housing of a surplus 2014 Ford F450 Ambulance to be donated to Barton Hose Company

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

ORDER NO. 27,324

DATE: September 19, 2023

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

WHEREAS, the Mayor and City Council desire to donate parts of said vehicle;

IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, THAT, the 2014 Ford F450 Ambulance is hereby declared to be surplus property and accepting the request from Barton Hose Company to donate the emergency lighting, flood lighting, DOT lighting and lighting housing of the ambulance.

Raymond M. Morriss, Mayor



Barton Hose Company No. 1, Inc
19202 Legislative Road – POB 277 – Barton Maryland – 21521- (301) 463-6163

Trained to Save, Dedicated to Serve

September 12, 2023

Mayor & Council of Cumberland
57 Liberty Street
Cumberland, Maryland

Ref – Surplus 2014 F-450 Ambulance

Mayor & Council

On behalf of the Barton Hose Company No 1. Inc we are requesting your kind assistance of allowing our department to acquire and remove the emergency, flood and reverse lighting including the housing for the lights off of the surplus ambulance 2014 F-450.

We would supply our own tools and equipment needed to remove the lighting and tape up any connections that would be terminated, for the purpose of updating outdated emergency lighting on our current fire apparatus.

We appreciate your consideration!

Respectfully,

Eric Mowbray

Electronically Signed

Assistant Fire Chief
301-707-2000
Emowbray193@gmail.com



Allison Layton <allison.layton@cumberlandmd.gov>

2014 F450 Ambulance

1 message

Eric Mowbray <emowbray193@gmail.com>
To: allison.layton@cumberlandmd.gov

Mon, Sep 11, 2023 at 2:49 PM

Good Day Ms. Layton

Mr. Brian Boradwater advised me that I would need to send you an email requesting the approval from the Mayor and Council to remove the Emergency Lighting, Flood Lighting, DOT lighting and lighting housings from the 2014 F450 Ambulance that the City has up for surplus.

The use would be for my volunteer fire department to update our emergency, flood and dot lighting on our fire trucks. I would use my own tools and supplies to remove the lights from the surplus ambulance.

The city clerk also recommended that I send you the email.

Thanks,

Eric M. Mowbray

Assistant Fire Chief
Barton Hose Company No 1. Inc
POB 111
Barton Maryland, 21521
301-707-2000



This e-mail message and any attached files are confidential and are intended solely for the use of the addressee(s) named above. This communication may contain material protected by attorney-client, work product, or other privileges. If you are not the intended recipient or person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error, and any review, use, dissemination, forwarding, printing, copying, or other distribution of this e-mail message and any attached files is strictly prohibited. If you have received this confidential communication in error, please notify the sender immediately by reply e-mail message and permanently delete the original message

File Attachments for Item:

. Order 27,325 – authorizing an extension through October 31, 2023 on the forgivable loan originally approved by Order No. 27,069 dated August 16, 2022, due to construction delays

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

ORDER NO. 27,325

DATE: September 19, 2023

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

THAT, an extension to the forgivable loan originally approved by Order No. 27,069 on August 16, 2022, for the renovation project at 432 N. Centre Street, be and is hereby approved and;

BE IT FURTHER ORDERED THAT, the extension to said loan, requested due to delays with construction and unforeseen needs for additional improvements to the property be and is hereby valid through October 31, 2023.

Raymond M. Morriss, Mayor

Nick and Marcy Dearcangelis
for property at 432 N Centre Street

Mayor and City Council

We would like to request an additional timeline on our forgivable loan based on delays in construction. Contractor delays and unforeseen needs for additional improvements have put us behind our original schedule. The additional improvements have added additional financial commitments and the project will be even better than originally expected. We appreciate your consideration for this matter. Schedule is as follows:

Sept 8th-26th Hand and finish drywall-both floors
Sept 27th-Oct 3rd Paint interior both floors
Oct 3rd-Oct 10th Install floors upstairs
Oct 3rd-Oct 13th Install ceramic tile bathrooms: 1.5 bathrooms up and 1 down
Oct 10th-Oct 17th Install kitchen cabinets and island-upstairs
Oct 10th-Oct 17th Install all trim, both floors
Oct 17th-Oct 23rd Final plumbing and electric-both floors
Oct 14th-Oct 20th install furnaces and hot water heaters-both floors
Oct 17th-Oct 27th Final punch list

We appreciate your help in getting this project completed and hope you will consider this extension. Please contact either of us if you would like to stop by and view the progress, we would be happy to share our vision.

Sincerely,
Nick Dearcangelis 301-268-5569
Marcy Dearcangelis 301-707-0369

File Attachments for Item:

. Order 27,326 - authorizing the sole source purchase of one (1) Pierce Saber Fire Engine, Custom Stock Pumper Job #41230 from Atlantic Emergency Solutions in the amount not to exceed \$898,000, including equipment and mounting of equipment

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

ORDER NO. 27,326

DATE: September 19, 2023

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

THAT, the Sole Source purchase of one (1) Pierce Saber Fire Engine, Custom Stock Pumper Job #41230 from Atlantic Emergency Solutions, 12351 Randolph Ridge Lane, Manassas, Virginia 20109, in the not-to-exceed amount of Eight Hundred Ninety-Eight Thousand Dollars and No Cents (\$898,000), be and is hereby approved; and

BE IT FURTHER ORDERED THAT, this special pricing is in accordance with City Code Section 2-171(d), which pertains to the purchase of equipment or services only available through a sole source or a source that has significant familiarity with the city resource for which the purchase is sought,

Raymond M. Morriss, Mayor

Budget:
Fiscal Year Budget 2025

Council Agenda Summary

Meeting Date: September 19, 2023
Key Staff Contact: Fire Chief Shannon Adams
City Administrator Jeff Silka

Item Title:

Purchase One (1) Pierce Saber Fire Engine

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

Recommend to sole source purchase one (1) Pierce Saber Fire Engine, Custom Stock Pumper Job #41230 from Atlantic Emergency Solutions, 12351 Randolph Ridge Lane, Manassas, Virginia 20109, in the amount not to exceed Eight Hundred Ninety-Eight Thousand Dollars and No Cents, \$898,000.00 that includes equipment and mounting of equipment.

Due to the emergent need to replace fire apparatus, on the September 5, 2023 Work Session, the Mayor and City Council authorized the City Administrator and Fire Chief to enter into a purchase agreement as soon as possible.

Pierce Manufacturing is the only company that is able to meet our critical timeframe to purchase a stock engine pumper.

The new fire engine will be delivered in May 2025.

Amount of Award:

Budget number: *FISCAL YEAR BUDGET 2025*

Grant, bond, etc. reference:



This purchase agreement (together with all attachments referenced herein, collectively, the "Agreement"), made and entered into by and between Atlantic Emergency Solutions, Inc., a Virginia corporation ("Atlantic"), and City of Cumberland ("Customer") is effective on the last signature date set forth on the signature lines below (the "Effective Date").

1. Purchase and Payment. Customer agrees to purchase and Atlantic agrees to sell to Customer the fire apparatus (and any associated equipment) furnished by Atlantic to Customer (hereinafter referred to, collectively, to as the "Apparatus") as more fully described in the specifications attached hereto as Exhibit A (the "Specifications") and incorporated herein for the total purchase price of \$898,000.00 USD (the "Purchase Price"). Payment shall be made as set forth on Exhibit A. In the event of a conflict between the Specifications and any request for proposal, request for bid, or other Customer provided or drafted documents, the Specifications shall control. The Purchase Price does not include any applicable state, local, and/or transit rates of sales and use tax. Any discount(s), whether implied or explicit, will be applied upon delivery, acceptance, and final invoicing of Apparatus.

2. Changes to Specifications. If, subsequent to the Effective Date of this Agreement: 1) the manufacturer of the Apparatus (or a manufacturer of a component therein) makes design and/or production changes, including, but not limited to future drivetrain upgrades (such as engine, transmission or axle upgrades) ("Manufacturer Modifications"); or 2) design or production changes are made to the Apparatus to comply with any applicable government regulation (such as the Federal Motor Vehicle Safety Standards or the Environmental Protection Agency Emissions Standards) or industry standards (such as those adopted by the National Fire Protection Association) (cumulatively referred to hereinafter as "Compliance Modifications"), and if there is an increase in costs to Atlantic as a result of Manufacturer Modifications or Compliance Modifications, the Purchase Price shall be automatically adjusted to reimburse Atlantic for said costs. Atlantic shall make reasonable efforts to advise the Customer of such changes within a reasonable time and provide documentation to support any changes in price to Customer upon request. In addition, Customer and Atlantic may agree to make changes to the Specifications, but any such changes must be by written change order signed by Customer and Atlantic ("Change Order"). However, in the case of Manufacturer Modifications or Compliance Modifications resulting in additional costs to Atlantic, Atlantic may execute Changes Orders without joinder of Customer, and any such Change Orders shall be binding on Customer. Atlantic shall not be liable to Customer for any delay in performance or delivery arising from any Change Order.

3. Persistent Inflationary Environment. If the Producer Price Index of Components for Manufacturing [www.bls.gov Series ID: WPUID6112] ("PPI") has increased at a compounded annual growth rate of 5.0% or more between the month Pierce accepts our order ("Order Month") and a month 14 months prior to the then predicted Ready For Pickup date ("Evaluation Month"), then pricing may be updated in an amount equal to the increase in PPI over 5.0% for each year or fractional year between the Order Month and the Evaluation Month. Atlantic will document any such updated price for the Customer's approval before proceeding and provide an option to cancel the order.

4. Cancellation or Default by Customer. In the event that Customer cancels its order or otherwise breaches this Agreement by reason of non-payment or otherwise prior to delivery, Atlantic shall be permitted to retain possession and ownership of the Apparatus and shall not be obligated to deliver same to Customer. In addition, Atlantic and Customer agree that if such Customer breach were to occur, it would be difficult to determine actual damages to Atlantic. Customer acknowledges and agrees that: 1) the Apparatus is a unique and highly customized vehicle, made specifically for Customer; 2) Atlantic has invested a significant effort and incurred significant expense in the design and engineering of the Apparatus for Customer; and 3) due to its unique and customized nature, resale of the Apparatus will be difficult to a third-party without a significant loss to Atlantic. As a result, Atlantic and Customer agree that Thirty Percent (30%) of the Purchase Price is a reasonable estimate of the damages that would be incurred by Atlantic if a breach occurred in the future and shall be due and payable to Atlantic by Customer in the case of such a breach. Customer and Atlantic agree that this amount of liquidated damages is fair and reasonable and would not constitute a penalty to Customer. In the event of non-payment by Customer subsequent to delivery, Atlantic may recover full possession of the Apparatus by any lawful means, and shall be entitled to any additional damages sustained by Atlantic as a result of any diminution of value of the Apparatus resulting from use or damage thereto to the extent that such damages exceed the liquidated damages above. Atlantic shall have and retain a purchase money security interest in the Apparatus to secure payment of the Purchase Price and all other sums owed by Customer to Atlantic. In the event of nonpayment by Customer of any debt, obligation or liability now or hereafter incurred or owing by Customer to Atlantic, Atlantic shall have and may exercise all rights and remedies of a secured party under the Uniform Commercial Code Secured Transactions (UCC) provisions as adopted by the Commonwealth of Virginia. In addition, Atlantic shall be entitled to recovery from Customer all of Atlantic's reasonable attorneys' fees and all costs of collection resulting from non-payment or other non-performance hereunder by Customer.

5. Delivery, Inspection and Acceptance. (a) Delivery. It is estimated that the Apparatus shall be ready for delivery F.O.B. (Atlantic Emergency Solutions 10233-A Governor Lane Blvd, Williamsport, Maryland 21795) within 570 days from the Effective Date of this Agreement, subject to delays caused by the Customer, delays caused by Change Order(s) or delays provided for in Paragraph 10 below. The stated delivery date is an estimate only and not guaranteed. Atlantic shall advise Customer when the Apparatus is ready for delivery. (b) Inspection and Acceptance. Upon delivery, Customer shall have fifteen (15) days within which to inspect the Apparatus for substantial conformance to the Specifications. In the event of substantial and material non-conformance to the Specifications, Customer shall furnish Atlantic with written notice sufficient to permit Atlantic to evaluate such non-conformance ("Notice of Defect") within said fifteen (15) day period. If the Apparatus is not in substantial and material conformance with the Specifications, any material and substantial defects shall be remedied by Atlantic within thirty (30) days from the Notice of Defect. In the event Atlantic does not receive a Notice of Defect within fifteen (15) days of Delivery, the Apparatus shall be deemed to be in conformance with the Specifications and fully accepted by Customer.

6. Notice. Any required or permitted notices hereunder must be given in writing at the address of each party set forth below, or to such other address as either party may substitute by written notice to the other in the manner contemplated herein, by one of the following methods: 1) hand delivery; 2) registered, express, or certified mail, postage prepaid, return receipt requested; or 3) nationally-recognized commercial overnight courier.

Atlantic Emergency Solutions, Inc.
Director of Order Management
12351 Randolph Ridge Lane
Manassas, Virginia 20109

Customer
City Of Cumberland
57 North Liberty Street
Cumberland, MD 21502

7. Warranty. Any applicable warranty or warranties are attached hereto as **Exhibit B** (collectively, the "Warranty") and made a part hereof. Any additional warranties must be expressly approved in writing by Atlantic.

8. Disclaimer of Additional Warranties. OTHER THAN AS EXPRESSLY SET FORTH IN PARAGRAPH 6 ABOVE AND **EXHIBIT B** TO THIS AGREEMENT, ATLANTIC (AS WELL AS ITS SUPPLIERS), THEIR PARENT COMPANIES, AFFILIATES, SUBSIDIARIES, LICENSORS OR SUPPLIERS, THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, SHAREHOLDERS, AGENTS AND REPRESENTATIVES MAKE NO WARRANTIES, WRITTEN OR ORAL, EXPRESS OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, BY STATUTE OR OTHERWISE. FURTHERMORE, ANY OTHER WARRANTIES, WHETHER WRITTEN OR ORAL, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF QUALITY, IMPLIED WARRANTY OF MERCHANTABILITY, IMPLIED WARRANTY AGAINST INFRINGEMENT, AND IMPLIED WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE, ARE EXPRESSLY EXCLUDED AND DISCLAIMED. CUSTOMER FURTHER ACKNOWLEDGES THAT STATEMENTS MADE BY SALES REPRESENTATIVES OR IN PROMOTIONAL MATERIALS DO NOT CONSTITUTE WARRANTIES.

9. Exclusions of Incidental and Consequential Damages. IN NO EVENT SHALL ATLANTIC (OR ITS SUPPLIERS) BE LIABLE TO CUSTOMER FOR ANY CONSEQUENTIAL OR INCIDENTAL DAMAGES INCURRED BY CUSTOMER (INCLUDING, BUT NOT LIMITED TO LOSS OF USE AND/OR LOST PROFITS) AS A RESULT OF ANY BREACH OF THIS AGREEMENT, WHETHER ARISING UNDER THEORIES OF BREACH OF CONTRACT, STRICT LIABILITY, STATUTORY LIABILITY, BREACH OF EXPRESS OR IMPLIED WARRANTY, NEGLIGENCE, OR OTHERWISE.

10. Indemnity. To the extent permitted by law, Customer shall indemnify, defend and hold harmless Atlantic and all of its officers, directors, employees, representatives, dealers, agents and subcontractors, from and against any and all claims, costs, judgments, liability, loss, damage, attorneys' fees or expenses of any kind or nature whatsoever (including, but without limitation, relating to personal injury or death) caused by, resulting from, arising out of or occurring directly or indirectly in connection with Customer's purchase, operation, ownership, installation or use of any items (including, without limitation, the Apparatus) sold or supplied by Atlantic, except only to the extent caused by the sole negligence of Atlantic.

11. Force Majeure. Atlantic shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond Atlantic's control which make Atlantic's performance impracticable, including but not limited to, wars (declared or not), terrorism, insurrections, strikes, riots, fires, hurricanes, storms, floods, earthquakes, other acts of nature, acts of God, explosions, accidents or mechanical breakdown, acts of sabotage or vandalism, any acts of government authority, delays or failures in transportation, inability to obtain necessary labor supplies, inability to utilize manufacturing facilities, regulations

or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, epidemics, quarantine restrictions, failure of vendors to perform their contracts or labor troubles causing cessation, slowdown, or interruption of work.

12. Manufacturer's Statement of Origin. It is agreed that the manufacturer's statement of origin ("MSO") for the Apparatus covered by this Agreement shall remain in the possession of Atlantic until the entire Purchase Price has been paid. If more than one Apparatus is covered by this Agreement, then the MSO for each individual Apparatus shall remain in the possession of Atlantic until the Purchase Price for that Apparatus has been paid in full.

13. Assignment. Neither party may assign its rights and obligations under this Agreement unless it has obtained the prior written approval of the other party.

14. Severability. If any provision, or part hereof, of this Agreement shall be declared invalid by judicial determination or legislative action, only such provision, or part thereof, so declared invalid shall be affected, and all other provisions not consistent therewith or directly dependent thereon shall remain in force and effect.

15. Governing Law; Jurisdiction. Without regard to any conflict of law provisions, this Agreement is to be governed by and under the laws of the Commonwealth of Virginia. Atlantic and Customer further agree that the York County Circuit Court located in the Commonwealth of Virginia shall be the exclusive venue in the event of any litigation relating to this Agreement and/or the Apparatus.

16. Entire Agreement and Amendments. This Agreement constitutes the sole and only agreement between Atlantic and Customer relating to the Apparatus, and supersedes any prior understanding or written or oral agreements between the parties relating to the Apparatus. No amendment, modification or alteration of the terms hereof shall be binding unless the same is executed in writing, dated subsequent to the date hereof and duly executed by Atlantic and Customer.

17. Waiver. The waiver of any breach of any term or provision hereof by either party hereto shall not be considered a waiver of any other term or provision or of any other or later breach of this Agreement, regardless of the nature of such subsequent event or breach, unless such waiver is expressly stated in writing by an authorized representative of the waiving party.

18. Captions; Counterparts. The captions and paragraph numbers appearing herein are inserted only as a matter of convenience and are not intended to define, limit, construe or describe the scope or intent of any paragraph, nor to in any way affect this Agreement or the interpretation or application thereof. This Agreement may be executed in duplicate counterparts which, when taken together, shall constitute one and the same Agreement.

Accepted and agreed to by:

ATLANTIC EMERGENCY SOLUTIONS, INC.

Name: Jack Jackson

Signature: 

Title: Director of Order Management

Date: 09/06/2023

CUSTOMER: City of Cumberland

Name: Jeffrey Z. Silk

Signature: 

Title: City Administrator

Date: 9-05-2023

EXHIBIT A

**SPECIFICATIONS AND
PURCHASE DETAIL FORM**
Atlantic Emergency Solutions, Inc.
Director of Order Management
12351 Randolph Ridge Lane
Manassas, Virginia 20109
Fax (703) 257-2572

Date: 8/15/2023

Customer Name: City of Cumberland

Quantity	Chassis Type	Body Type	Price per Unit
1	Saber	Stock Pumper #41230	\$841,000.00
1	Equipment/Changes		\$57,000.00
			\$
			\$
			\$

Payment Terms: Full payment of \$898,000.00 due upon final inspection.

Other Terms: _____

Specifications: A complete copy of the applicable Specifications is attached hereto and incorporated herein by this reference.

Training Requirements: Standard Atlantic Emergency Solutions in-service training at departments station date at delivery.

If any portion of the Purchase Price is to be made subsequent to delivery of the Apparatus to Customer and it is necessary for Customer to obtain third-party financing for said payment, Customer shall provide Atlantic proof of the availability of financing at the time of the execution of this Agreement. All taxes, excises and levies that Atlantic may be required to pay or collect by reason of any present or future law or by any governmental authority based upon the sale, purchase, delivery, storage, processing, use, consumption, or transportation of the Apparatus sold by Atlantic to Customer shall be added to the Purchase Price and paid by Customer. All delivery prices or prices with freight allowance are based upon prevailing freight rates and, in the event of any increase or decrease in such rates, the Purchase Price will be increased or decreased accordingly. Delinquent payments shall be subject to a carrying charge equal to one and one-half percent (1.5%) per month or, if such amount exceeds that permitted under the law, then the maximum lesser percentage amount which is permitted by law.

EXHIBIT B

WARRANTY

**(A complete copy of any and all applicable warranties is attached
hereto and incorporated herein by this reference.)**

File Attachments for Item:

. Order 27,327 - accepting the bid from Harbel, Inc., for the repairs to Bridge A-C-01 McMullen Bridge (City Project 18-16-BR) in the not-to-exceed amount of \$500,577.92

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

ORDER NO. 27,327

DATE: September 19, 2023

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

THAT, the bid from Harbel, Inc., 11521 Milnor Avenue/PO BOX 358, Cumberland MD 21502, for the repairs to Bridge A-C-01 McMullen Bridge (City Project 18-16-BR) in the not-to-exceed amount of Five Hundred Thousand Five Hundred Seventy Seven Dollars and Ninety Two Cents (\$500,577.92), be and is hereby approved.

Raymond M. Morriss, Mayor

Budget:
115.99XE.63000

Council Agenda Summary

Meeting Date: 9/19/2023

Key Staff Contact: Matt Idleman, P.E.

Item Title:

Award Repairs to Bridge A-C-01 McMullen Bridge, City Project # 18-16-BR

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

Award Repairs to Bridge A-C-01 McMullen Bridge Contract to low responsive bidder, Harbel, Inc., in the lump sum cost of \$500,577.92.

This project involves various repairs on McMullen Bridge including replacement of multiple sections of pedestrian sidewalk, and associated drainage components (trench drain, cleanouts), replacement of roadway joint compression seals and angles, repair of delaminated and loose concrete and spalls at substructure and superstructure components (abutment, backwalls, wingwalls and girders), localized parapet replacement, and associated traffic control measures.

This project was advertised for bid on 7/26/23. Bids closed on 8/23/23, with one qualified bid being received. The low bidder was Harbel Inc., with an acceptable bid of \$500,577.92.

The project is budgeted for this fiscal year, and utilizes City Funds & State Aid Funds

Amount of Award: \$500,577.92

Budget number: 115.99XE.63000

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

APPENDIX A - PROPOSAL FORM PACKET

Bid Checklist

- ☒ Complete all forms in the Proposal Form Packet
- ☒ Make a duplicate of the Proposal Form Packet
- ☒ Sign both the original and the duplicate Proposal Form Packets
- ☒ Place the signed original and the signed duplicate Proposal Form Packets, along with the Proposal Guaranty in the same envelope
- ☒ Address the envelope as instructed in the General Provision, Instructions to Bidders, Submittal Procedure
- ☒ Seal the Envelope
- ☒ Mail or hand deliver the sealed envelope as instructed in the General Provision, Instructions to Bidders, Submittal Procedure

BID OR PROPOSAL

Proposal by Harbel, Inc.
Name
11521 Milnor Avenue / P.O. Box 358
Address (Street and/or P.O. Box)
Cumberland MD 21501-0358
City State Zip
(301) 729-8303 (301) 729-0163
A.C. Phone No. A.C. Fax No.

To furnish all materials and to perform all work in accordance with the Plans and Specifications relating to a contract for:

REPAIRS TO BRIDGE A-C-01 MCMULLEN BRIDGE
CITY PROJECT NO. 18-16-BR

as set forth in the Description which is a part of the Contract documents, on which proposals will be received until, but not after 2:00 p.m., Local Time, on 8/23/2023, as set forth in the Invitation for Bids herewith.

To the Mayor and City Council
City of Cumberland
Maryland

Mayor and City Council:

In accordance with the advertisement of the City of Cumberland, inviting proposals for the work hereinbefore named, and in accordance with the plans and specifications now on file in the City Engineering Department do/does certify that Harbel, Inc. is/are the only person or persons interested in this proposal as principals; that the proposal is made without collusion with any persons, firm or corporation; that and examination has been made of the specifications and contract form contained herein, also of the plans and of the site of the work and Harbel, Inc. do/does propose to furnish all necessary machinery, equipment, material specified, labor and other means of construction in whatever manner and sequence required. It is understood that the quantities of work as shown on the "Bid Form" are to be performed complete at the indicated unit prices bid for each item.

BID FORM

ITEM NO.	ITEM	UNITS	QTY	MDOT STD. SPECIFICATION/ DRAWING REF.	UNIT PRICE	TOTAL COST
120500	MAINTENANCE OF TRAFFIC	LS	1	DWG. SHEETS TCP-1 THRU TCP-4	\$106,064.61	\$106,064.61
130875	MOBILIZATION AND DEMOLITION	LS	1	108	\$45,682.80	\$45,682.80
100000-LS	FALSEWORK, DESIGN AND CONSTRUCTION	LS	1	TC-4.01, 4.05.03.01	\$8,967.69	\$8,967.69
210000-1	REMOVAL OF SPALLED/DELAMINATED CONCRETE TO EXTENTS INDICATED	SF	330	405, 525	\$30.48	\$10,058.40
210025	REMOVAL OF EXISTING PAVEMENT AND SUBBASE	CY	3	405	\$588.55	\$1,765.65
210026-1	REMOVAL OF EXISTING SIDEWALK, OVERHEAD	CY	4	405	\$2,111.90	\$8,447.60
210026-2	REMOVAL OF EXISTING SIDEWALK W/ SUBGRADE	CY	15	405	\$889.30	\$13,339.50
210041	REMOVAL OF EXISTING CONCRETE BARRIER	LF	22	405	\$1,210.99	\$26,641.78
301110	SELECT BACKFILL USING AASHTO NO. 57 AGGREGATE (SIDEWALK SUBBASE)	CY	8	302	\$164.39	\$1,315.12
400000-1	CLEANOUTS AND PIPE CONNECTIONS	EA	8	DWG. SHEET 15	\$852.94	\$6,823.52
400000-2	TRENCH DRAIN AND PIPE CONNECTIONS	LF	34	DWG. SHEET 15	\$257.31	\$8,748.54
410205	REMOVAL OR PORTIONS OF EXISTING STRUCTURE (REPAIR TYPE 3)	LS	1	405	\$12,897.22	\$12,897.22
433155	SUPERSTRUCTURE CONCRETE FOR BRIDGE - BEAM REPAIR	CY	3	420, 902	\$3,597.68	\$10,793.04
433156	SUPERSTRUCTURE CONCRETE FOR BRIDGE - PARAPET REPLACEMENT	CY	3	420,902	\$8,101.14	\$24,303.42
456136	EPOXY COATED REINFORCEMENT STEEL BARS	LB	1200	421	\$5.47	\$6,564.00

ITEM NO.	ITEM	UNITS	QTY	MDOT STD. SPECIFICATION/ DRAWING REF.	UNIT PRICE	TOTAL COST
438112	PNEUMATICALLY APPLIED MORTAR (REPAIR TYPE 1)	CY	7	423/902.03	\$3,356.48	\$23,495.36
492080	BRIDGE ROADWAY AND SIDEWALK JOINTS - STEEL ANGLES W/ STUDS, COMPRESSION SEAL	LF	172	460/911.04 DWG. SHEET 13	\$771.55	\$132,706.60
502100	CEMENT TREATED BASE COURSE	SY	8	502	\$348.08	\$2,784.64
504500	SUPERPAVE ASPHALT MIX 9.5MM FOR SURFACE, PG 64S-22, LEVEL 2	TON	2	504	\$1,581.16	\$3,162.32
571075	PORTLAND CEMENT CONCRETE SPALL REPAIR - MIX NO. 6 (REPAIR TYPE 2 AND REPAIR TYPE 3)	CY	1	DWG. SHEET 14, 902	\$7,311.84	\$7,311.84
655105-1	5 INCH CONCRETE SIDEWALK W/ SUBGRADE	SF	954	603	\$22.81	\$21,760.74
655105-2	6 INCH CONCRETE SIDEWALK, OVERHEAD	SF	217	603	\$46.13	\$10,010.21
695183	REMOVE AND RESET EXISTING FENCE	LF	80	DWG. SHEET 10	\$58.57	\$4,685.60
805007	4" DIA. PVC COATED METALLIC CONDUIT AND FITTINGS	LF	12	805/921.07.03	\$187.31	\$2,247.72
TOTAL ITEMS:						\$500,577.92

WRITTEN TOTAL: Five Hundred Thousand, Five Hundred Seventy Seven Dolars and Ninety Two Cents

The Contractor further covenants and agrees that the work shall be satisfactorily completed in Sixty (60) Calendar Days after the written notice to proceed. Failure to meet the schedule will be grounds for the City of Cumberland to assess Liquidated Damages of Two Hundred Dollars (\$200) per day for each consecutive calendar day beyond the completion date specified herein.

It is further proposed:

To furnish a proposal guaranty (certified check or bid bond) in the amount of 5% of total bid. No bid shall be considered without it.

Enclosed herewith is a proposal guaranty (certified check or bid bond) in the amount of

Five Percent of the Total Bid Amount (\$ 5% Total Bid Amount).

This is a Proposal Guaranty, which will be returned to the bidder if unsuccessful, and if successful, will be returned to him if the Form of Contract shall be executed within ten calendar days after the award of Contract; but if so awarded to this bidder, this check (or bond) is to be forfeited to the City of Cumberland, Maryland, if the Form of Contract is not executed within ten calendar days after the award.

Please note:

If successful bidder, it is required to furnish a Performance Bond and Payment Bond in the full amount of the price in the award of Contract, as security for the full and satisfactory completion of the project as specified. For all awarded bids exceeding \$100,000.00 in total cost.

To guarantee the performance of this work in a good workmanship manner, and to replace or repair any rejected work prior to final completion and acceptance.

Signed: David J. Madden
Signature
David J. Madden
Printed Name
President
Title
8/23/2023
Date

Secretary: Leslie Rippey
Signature
Leslie Rippey
Printed Name
8/23/2023
Date

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AFFIDAVIT OF QUALIFICATION TO BID

I hereby affirm that

1. I am the President and the duly authorized
(Title)

representative of the firm of Harbel, Inc.
(Name of Corporation)

and that I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting.

2. Except as described in paragraph 3 below, neither I nor the above firm, nor to the best of my knowledge, any of its officers, directors, or partners, or any of its employees directly involved in obtaining contracts with the State or any county, bi-county or multi-county agency, or subdivision of the State have been convicted of, or have pleaded nolo contendere to a charge of, or have during the course of an official investigation or other proceeding admitted in writing or under oath acts or omissions which constitute bribery, attempted bribery, or conspiracy to bribe under the provisions of Article 27 of the Annotated Code of Maryland or under the laws of any state or the federal government (conduct prior to July 1, 1977 is not required to be reported).
3. (State "none" or, as appropriate, list any conviction, pleas, or admission described in paragraph 2 above, with the date; court, official, or administrative body; the individuals involved and their position with the firm, and the sentence or disposition, if any.)

None

I acknowledge that this affidavit is to be furnished to such other agencies as are hereinafter set forth and, where appropriate, to the Board of Public Works and to the Attorney General under section 16D of Article 78A of the Annotated Code of Maryland. I acknowledge that, if the representations set forth in this affidavit are not true and correct, any such agency may terminate any contract awarded and take any other appropriate section. I further acknowledge that I am executing this affidavit in compliance with section 16D of Article 78A of the Annotated Code of Maryland, which provides that certain persons who have been convicted of or have admitted to bribery, attempted bribery, or conspiracy to bribe may be disqualified, either by operation of law or after a hearing, from entering into contracts with the State or any of its agencies or subdivisions.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.



(Signature)

**David J. Madden
President**

8/23/2023

(Date)

Harbel, Inc.

11521 Milnor Avenue / P.O. Box 358

Cumberland, MD 21501-0358

LOCAL PREFERENCE CERTIFICATION

1. I am the President of Harbel, Inc.
(Print / type position) (Print/type business name)

hereinafter referred to as the "Business."

2. The Business maintains an active bona fide place of business at:

11521 Milnor Avenue

(Street address)

Cumberland, MD 21502

(City, state, zip code)

The said place of business is located within [check one]:

- ☐ The City of Cumberland, Maryland
☒ Allegany County, Maryland
☐ None of the Above (Not Applicable)

3. I have made inquiry with the Maryland State Department of Assessments and Taxation. If the Business is required to register to do business with the State of Maryland, it is in good standing with the State of Maryland.
4. I hereby certify under the penalties of perjury that the contacts of the foregoing Local Preference Certification are true and correct.

David J. Madden, President

Name (print or type)

8/23/2023

Date



Signature

NOTE: In order to receive a local preference, City residents' City of Cumberland and Allegany County real and personal property taxes must be paid current through the date of the submission of bids and County residents' Allegany County real and personal property taxes must be paid current through that date. Such taxes shall not be deemed to be current if they are unpaid, in whole or in part, as of the date interest begins to accrue on the unpaid balance thereof in accordance with Ann. Code of Md., art. Tax-Property, §§ 10-102 and 10-103.

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ADDENDUM RECEIPT VERIFICATION FORM

All addenda issued must be acknowledged, therefore before bids may be considered responsive, the City of Cumberland, Maryland must receive verification that all bids considered the contents of all Contract Documents and all Addenda issued, as applicable, for this project.

I do solemnly declare and affirm under the penalties of perjury that this bid was prepared by this firm, including all subcontractors and suppliers, with consideration of all the information contained in the as advertised Contract Documents and all Addenda issued, as applicable.

☐ NO ADDENDA WERE ISSUED

☒ ADDENDUM NO. 1 to 1

(Must be filled in by the bidder - if only one Addendum enter 1 in the blank space provided)

Date: 8/23/2023

By: David J. Madden, President

(print name of Authorized Representative)



(signature of Authorized Representative)

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90 County

State of Maryland License

01101630

01725471

01896761



HARBEL INC
P O BOX 358
CUMBERLAND MD 21502

HARBEL INC
11521 MILNOR AV
UPPER POTOMAC INDUSTRIAL PARK
CUMBERLAND MD 21502

23

CODE	UNIT	TYPE OF LICENSE	NO OF LIC	COST
77	015	CONSTRUCTION FIRM (NOT FOR HOME IMPROVEMENT)	1	15.00

DATE OF ISSUE
MO DAY YR
04/14/2023

MONTHS PAID
12

ISSUING FEES	2.00
TOTAL	17.00
AMOUNT PAID	17.00

**THIS LICENSE MUST BE PUBLICLY DISPLAYED
AND EXPIRES ON APRIL 30, 2024**

ISSUED BY

DAWNE D. LINDSEY, CLERK OF CIRCUIT COURT
30 WASHINGTON STREET
CUMBERLAND, MARYLAND 21502 (301)777-5922

MCR

The information below is for the Clerk's Office use only, customers can disregard.

These barcodes are for use with the new Cashiering System. When your site is upgraded, you will be given instructions for their use.

These barcodes must be scanned in order for RCS:

Scan this one first



01S150S101725471S101101630

Scan this one second



15.00SM0.00SM0.00SM2.00