



**MAYOR**

Brian K. Grim

**CITY ADMINISTRATOR**

Jeff Rhodes

**CITY SOLICITOR**

Michael Scott Cohen

**COUNCIL**

Seth D. Bernard

David Caporale

Richard J. "Rock" Cioni

Eugene T. Frazier

**CITY CLERK**

Marjorie A. Woodring

## **AGENDA**

**Mayor and City Council of Cumberland  
City Hall Council Chambers  
Room 212  
6:15 P.M.**

DATE 1/17/2017

**\*Pledge of Allegiance**

**I. ROLL CALL**

**II. PROCLAMATIONS**

- (A) Proclamation recognizing the Vietnam Veterans' Community Access Center recently established at 205 Baltimore Avenue in the city

**III. DIRECTOR'S REPORT**

(A) Police

1. Police Department monthly report for December, 2016

(B) Fire

1. Fire Department monthly report for December, 2016

(C) Public Works

1. Maintenance Division monthly report for December, 2016
2. Engineering Division monthly report for December, 2016

**IV. APPROVAL OF MINUTES**

(A) Routine

1. Approval of the Regular Session Minutes of December 6, 2016

(B) Administrative / Executive

1. Approval of the Closed Session Minutes of December 6 and December 20, 2016

## **V. NEW BUSINESS**

### **(A) Resolutions**

1. Resolution approving the designation of the Cumberland Sustainable Community Area, approving the application of a Sustainable Community Application to the State of Maryland, and authorizing the Mayor and City Administrator to sign all necessary documentation

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

1. Order accepting the bid from Brekford Corporation for three (3) replacement Police Department vehicles through the State of Maryland Contract for Police Vehicles in an amount not to exceed \$122,523
2. Order appointing the following: Tiffany Ritter - DDC 1/17/17 - 7/31/19; Stephen Gibson, Ph. D. - Historic Preservation Commission 1/17/17 - 12/31/19; Jackie Hyatt - Shade Tree Commission 1/17/17 - 9/30/20; Bernard Lechman and Phil Crippen - Zoning Board of Appeals 1/17/17 - 1/14/20
3. Order authorizing the execution of a Pre-Consent Agreement with James P. and Mitzi A. Morgan to authorize the provision of water service to property on Hillcrest Drive, outside of the municipal limits, contingent upon the Morgan's acquisition of the property
4. Order authorizing the execution of a Second Amendment to the IAFF Local #1715 Collective Bargaining Agreement dated July 1, 2014 through June 30, 2017

### **(C) Letters, Petitions**

1. Letter from Race Director Megan Mertz asking permission to hold the 2nd Annual Mental Health Matters 5-Mile Run and 1.5-Mile Walk on May 13, 2017 at 8:00 a.m. in Cumberland

## **VI. PUBLIC COMMENTS**

All public comments are limited to 5 minutes per person

## **VII. ADJOURNMENT**



Regular Council Agenda  
January 17, 2017

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**Description**

Proclamation recognizing the Vietnam Veterans' Community Access Center recently established at 205 Baltimore Avenue in the city

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

City of Cumberland  
- MARYLAND -

# Proclamation

- WHEREAS,** Veterans Centers were established by Congress in 1979 in recognition of the fact that a significant number of Vietnam veterans were experiencing adjustment problems; and
- WHEREAS,** Since that time, over 300 Veterans Centers have been established nationwide to provide a broad range of counseling, outreach, and referral services to combat Veterans and their families; and
- WHEREAS,** Veterans Centers help to guide Veterans and their families through many of the major adjustments in lifestyle that often occur after a Veteran returns from combat; and
- WHEREAS,** Veterans are eligible who served during *ALL* periods of armed hostilities and the services are provided confidentially and free of charge; and
- WHEREAS,** Recognizing the need to address underserved areas of the nation, the Department of Veterans Affairs has established a Veterans Community Access Center at 205 Baltimore Avenue in the City of Cumberland to provide services to our region;

**Now, Therefore, the Mayor and City Council of Cumberland**  
*do hereby recognize the*

## Cumberland Community Access Center

*for the valuable service they provide for our local veterans and their families, and we do urge all citizens to spread the word and make others aware of the availability of these services.*

**Given under our hands and seals this 17<sup>th</sup> day of January, in the year 2017, with the Corporate Seal of the City of Cumberland hereto attached, duly attested by the City Clerk.**

**ATTEST:**

**MAYOR AND CITY COUNCIL  
OF CUMBERLAND**

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*Marjorie A. Woodring*  
**City Clerk**

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*Brian K. Grim*  
**Mayor**



Regular Council Agenda  
January 17, 2017

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**Description**

Police Department monthly report for December, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



# **City of Cumberland Department of Police**

## **Monthly Report December 2016**



# City of Cumberland Department of Police

## Monthly Report

### December 2016

#### Part 1 Crimes for the Month

	2015		2016		2015		2016		2015		2016	
Aggravated Assaults	5	7	B & E (All)	24	27	Murder	0	0	Rape	2	1	
Robbery	1	6	Theft - Felony	7	9	Theft - Vehicle	1	4				

#### Selected Criminal Complaints for the Month

	2015		2016		2015		2016		2015		2016	
Theft - Misdemeanor	22	28	Theft - Petty	56	46	Domestic Assaults	27	22	CDS	49	59	
Disturbances	171	159	DOP/Vandalism	19	22	Indecent Exposure	0	1	Sex Off - Other	1	3	
Suicide	1	2	Suicide - Attmpt.	1	0	Tampering M/V	0	0	Abuse - Child	3	1	
Trespassing	12	7	Assault on Police	1	4	Assault Other	36	42				

#### Selected Miscellaneous Incidents for the Month

	2015		2016		2015		2016		2015		2016	
Alcohol Volitions	2	4	Juvenile Compl.	11	15	Missing Persons	12	6	School Resource	77	82	
School Threat	0	0	Sex Off. Regist.	21	17	Truancy	3	5	Death Investigation	6	9	

#### Selected Traffic Incidents for the Month

	2015		2016		2015		2016		2015		2016	
DWI	8	6	Hit & Run	26	30	M/V Crash	75	76	Traffic Stop	296	326	

#### Selected Service Calls for the Month

	2015		2016		2015		2016		2015		2016	
Alarms	57	69	Assist Motorist	36	49	Check Well-Being	64	102	Foot Patrol	30	14	
Assist Other Agency	76	65	Bike Patrol	0	0	Special Events	8	9	Suspicious Activity	62	113	

#### Arrests Totals for the Month

	2015		2016		2015		2016		2015		2016	
M/V Citations	38	40	M/V Warnings	229	227	Adult Criminal	119	131	Juvenile Criminal	13	28	

**Total Incidents Reported :**                      **2015**      **2016**  
**1,919**                      **2,038**

  
 Charles Hinnant - Chief of Police

# CUMBERLAND POLICE DEPARTMENT

## MONTHLY REPORT

### DECEMBER 2016

#### SWORN PERSONNEL: 50 SWORN OFFICERS

Administration	6 officers
Squad 1A	9 officers
Squad 1B	9 officers
Squad 2A	9 officers
Squad 2B	9 officers
C3I/C3IN	5 officers
School Resource	2 officers
Academy	1 officer

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

CPD Office Associate	1 full time
CPD Records Clerk	1 full time
Safe Streets Coordinator	1 full time*
CPD Crime Analyst	1 full time*
CPD Drug Coordinator	1 full time*
CPD Maintenance	1 part time
C3I Office Associate	1 full time
C3IN Office Associate	1 part time**
C3I Office Associate	1 part time **
MPA Supervisor	1 part time
Parking Meter Supervisor	1 full time
Parking Enforcement	2 part time
MPA Garage Attendants	2 part time
Code Enforcement	2 part time

\* = Grant funded

\*\* = Shared costs with other agencies

#### LEAVE REPORT

VACATION TAKEN: 725 HOURS  
 COMP TIME USED: 295 HOURS  
 SICK TIME USED: 267 HOURS

YEAR TO DATE (beginning 7/1/16): 5332 HOURS  
 YEAR TO DATE (beginning 7/1/16): 1452 HOURS  
 YEAR TO DATE (beginning 7/1/16): 1398 HOURS

#### OVERTIME REPORT

OVERTIME WORKED: 206 HOURS  
 HOSPITAL SECURITY: 112 HOURS  
 COURT TIME WORKED: 67 HOURS

YEAR TO DATE (beginning 7/1/16): 2281 HOURS  
 YEAR TO DATE (beginning 7/1/16): 685 HOURS  
 YEAR TO DATE (beginning 7/1/16): 530 HOURS

#### TRAINING REPORT

32 OFFICERS TRAINED FOR 827 HOURS

Item # 2  
 YEAR TO DATE (beginning 7/1/15) 6,674 HOURS

# ***CUMBERLAND POLICE DEPARTMENT***

## **Warrant Fugitive Initiative**

December 2016 totals for warrant initiative, broken down by agency:

CPD	4 arrests	3 warrants served	1 criminal summons served
ACSO	3 arrests	5 warrants served	
MSP	0 arrests	0 warrants served	
FPD	0 arrests	0 warrants served	
C3I	3 arrests	2 warrants served	2 criminal summonses served
C3IN	0 arrests	0 warrants served	
OTHER	0 arrests	0 warrants served	
<b>TOTALS</b>	<b>10 arrests</b>	<b>10 warrants served</b>	<b>3 criminal summonses served</b>

Of these, Detective David Broadwater arrested 10 people, and served 10 warrants and 3 criminal summonses.

He opened 8 "Fugitive" investigations and made arrests in 3 existing cases, for a total of 11 cases generated for the month.

### **SIGNIFICANT CASES:**

1.) In December Detective Broadwater was asked to locate and apprehend a wanted sex offender, who was wanted for a Sex Offender Violation, for failing to register as required by law, and had apparently fled the area. Detective Broadwater learned that the suspect may be living in Mesa, Arizona. Further investigation determined an address and apartment number. Detective Broadwater further learned that the apartment had recently been rented by a female subject originally from Cumberland. He then made contact with the Mesa Police Department, who responded to the location and were able to take the suspect into custody. The suspect has since been returned to the State of Maryland and has been formally charged.

2.) In December Detective Broadwater learned of another registered sex offender who was wanted on two outstanding warrants, one for Robbery, and one for a Sex Offender Violation, for failing to register as a sex offender. Detective Broadwater made contact with acquaintances of the suspect and as a result was able to make contact with the suspect. He was then able to convince the suspect to surrender himself.



Regular Council Agenda  
January 17, 2017

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**Description**

Fire Department monthly report for December, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

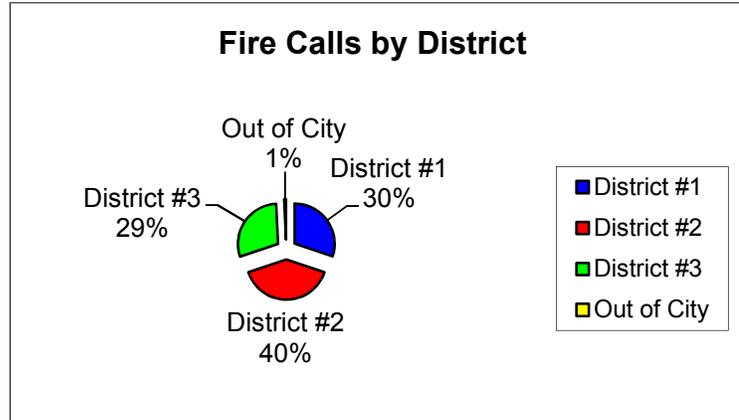
**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**REPORT OF THE FIRE CHIEF FOR THE MONTH OF DECEMBER 2016**  
**Prepared for the Honorable Mayor and City Council and City Administrator**

**Cumberland Fire Department Responded to 126 Fire Alarms:**

Responses by District:	
District #1	38
District #2	50
District #3	37
Out of City	1
	<hr/> 126



Number of Alarms:	
First Alarms Answered	124
Working Alarms Answered	1
Second Alarms Answered	1
	<hr/> 126

**Calls Listed Below:**

Property Use:	
Public Assembly	3
Institutional	6
Educational	0
Residential	75
Stores and Offices	9
None	5
Special Properties	28
	<hr/> 126

**Type of Situation:**

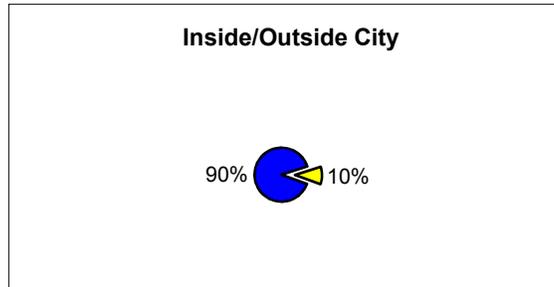
Fire or Explosion	5
Overpressure, Rupture	1
Rescue Calls	59
Hazardous Conditions	8
Service Calls	19
Good Intent Calls	24
False Calls	10
	<hr/> 126

Total Fire Service Fees for Fire Calls Billed by MCA in December:	\$1,170.00
Total Fire Service Fees for Fire Calls Billed by MCA Fiscal Year to Date:	\$21,370.00
Fire Service Fees for Fire Calls Paid in December:	\$1,580.00
Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date:	\$6,250.00
Total Fire Service Fees Paid in FY2016:	\$9,165.75

Fire Service Fees for Inspections and Permits Billed in December:	\$150.00
Fire Service Fees for Inspections and Permits Paid in December:	\$150.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$1,350.00

**Cumberland Fire Department Responded to 469 Emergency Medical Calls:**

In City Calls	420
Out of City Calls	<u>49</u>
Total	469



Total Ambulance Fees Billed by Medical Claim-Aid for , December, :	\$138,696.50
Ambulance Fees Billed Fiscal Year to Date:	\$738,147.91
Ambulance Fees Paid: Revenue Received in December:	\$75,867.23
FY2017 Ambulance Fees Paid in FY2017:	\$380,122.64
Total Ambulance Fees Paid in FY2017: (All ambulance fees, previous and current fiscal years, paid in FY2017.)	\$521,715.08

**Cumberland Fire Department Provided 26 Mutual Aid Calls:**

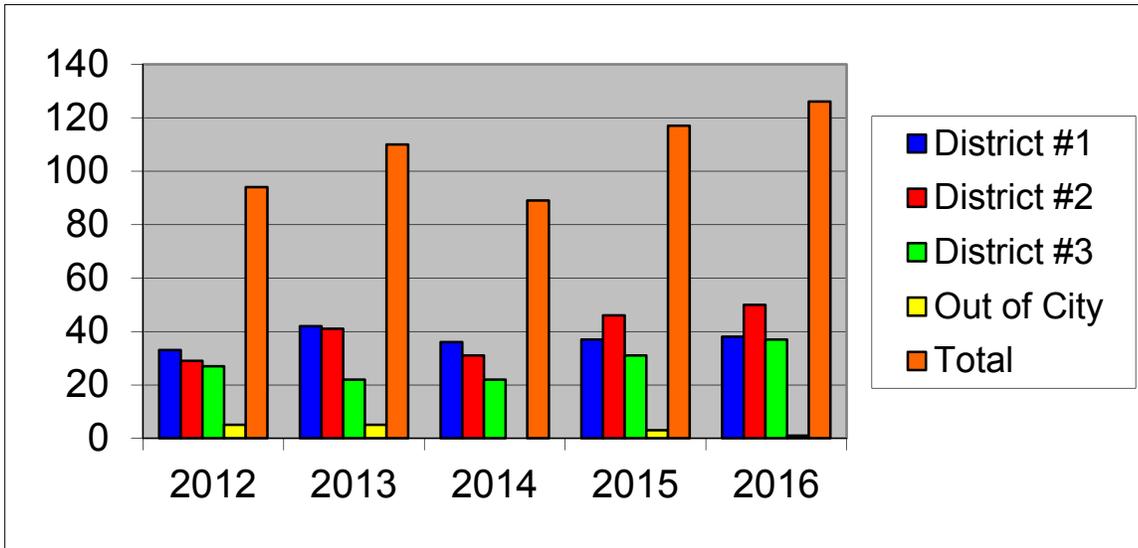
24 Mutual Aid Calls within Allegany County	
<u>2 Mutual Aid Call outside of Allegany County</u>	
26	
Bowman's Addition VFD	6
Cresaptown VFD	5
District #16 VFD	3
Flintstone VFD	4
LaVale Rescue Squad	<u>6</u>
	24
Cumberland Valley, PA EMS	1
Ridgeley, WV VFD	<u>1</u>
	26

**Cumberland Fire Department Provided 23 Paramedic Assist Calls:**

15 Paramedic Assist Calls within Allegany County	
<u>8 Paramedic Assist Calls outside of Allegany County</u>	
23	
Cresaptown VFD	10
Flintstone VFD	4
LaVale Volunteer Rescue Squad	<u>1</u>
	15
Cumberland Valley, PA EMS	1
Ridgeley, WV VFD	5
Short Gap, WV VFD	1
Wiley Ford, WV VFD	<u>1</u>
	23

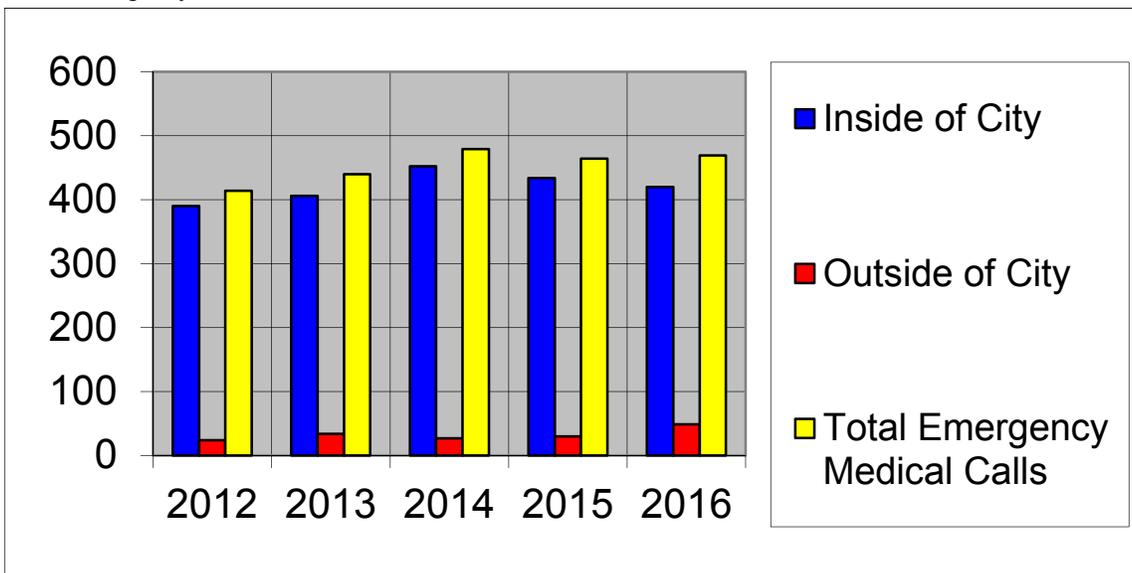
### Fire Calls in the Month of December for a Five-Year Period

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
District #1	33	42	36	37	38
District #2	29	41	31	46	50
District #3	27	22	22	31	37
Out of City	<u>5</u>	<u>5</u>	<u>0</u>	<u>3</u>	<u>1</u>
Total	94	110	89	117	126



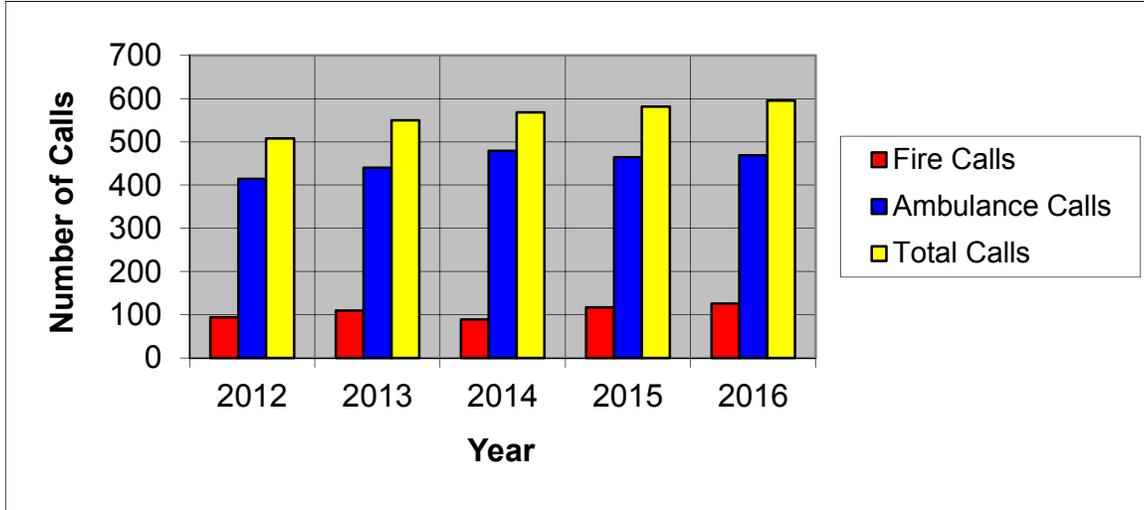
### Ambulance Calls in the Month of December for a Five-Year Period

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Inside of City	390	406	452	434	420
Outside of City	<u>24</u>	<u>34</u>	<u>27</u>	<u>30</u>	<u>49</u>
Total Emergency Medical Calls	414	440	479	464	469



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

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Fire Calls	94	110	89	117	126
Ambulance Calls	414	440	479	464	469
Total Calls	508	550	568	581	595



#### Training

Training Man Hours:	175.25
Training Listed Below:	
Discuss Safety Issues	15.50
Safety	7.00
Pump Operations	3.00
Apparatus Check Procedures	46.00
Cold Weather Operations	19.00
Autism Aware for First Responders	10.00
Cardiovascular System	13.75
BLS Pharmacology	11.00
Fire Scene Management	7.00
Haz-Mat Awareness & Operations	15.00
Street Locations	7.00
Physical Fitness	12.00
FireHouse Reporting System	9.00
	<hr/>
	175.25

#### Fire Prevention Bureau

Complaints Received	5
Conferences Held	62
Correspondence	18
Inspections Performed	4
Investigations Conducted	14
Plan Reviews	0
Pre-Plans	0

#### Personnel

Firefighter/EMT-B Jesse L. Opel retired effective December 31, 2016, following 17 years of service.

Statistics Compiled by Julie A. Davis, Fire Administrative Officer









Regular Council Agenda  
January 17, 2017

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**Description**

Maintenance Division monthly report for December, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**MAINTENANCE DIVISION REPORT**  
**December 2016**

**Street Maintenance Report**

**Fleet Maintenance Report**

**PUBLIC WORKS/MAINTENANCE  
STREET BRANCH  
MONTHLY REPORT  
DECEMBER 2016**

- POTHoles AND COMPLAINTS
  - Potholed varied streets and alleys using approximately 3 tons of Cold Mix and 6ton of HMA.
  - Blacktop plants shut down 12/9/16.
  
- STREET SWEEPING
  - Swept 15 curb miles (approx. 8 cubic yards of debris).
  - Temperatures became too cold to continue sweeping operation.
  
- MISCELLANOUS
  - Leaf Pick-Up continued with 27 loads of leaves.
  - Completed 2 Service Request.
  - Snow Removal 4 days.
  - Refilling Salt Barrels 6 days.
  - Cleaning snow equipment 3 days.

<b>STREET MAINTENANCE - DEC. 2016</b>		12/1-12/3	12/4-12/10	12/11-12/17	12/18-12/24	12/25-12/31	TOTAL
SERVICE REQUEST COMPLETED		1	1				2
PAVING PERFORMED	TONS						0
CONCRETE WORK	CY						0
UTILITY HOLES REPAIRED	WATER						0
	SEWER						0
	CY						0
	TONS						0
POTHoles FILLED	STREETS		6				6
	ALLEYS		2				2
	DAYS			2	4	1	7
	Cold Mix			x	x	x	0
	TONS		6.0				6
PERMANENT PATCH	CY						0
	TONS						0
COMPLAINTS COMPLETED							0
	CY						0
	TONS						0
TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED							0
STREET NAME SIGNS REPAIRED/INSTALLED							0
HANDICAPPED SIGNS REPAIRED/INSTALLED/REMOVED			1				1
							0
							0
PAINTING PERFORMED	BLUE						0
	YELLOW						0
	RED						0
PAVEMENT MARKINGS INSTALLED	No.						0
STREET CLEANING	LOADS	2					2
	MILES	15					15
SWEEPER DUMPS HAULED TO LANDFILL	TONS						0
SALT BARRELLS	DAYS		2	2	2		6
CLEANED BALTIMORE ST. UNDERPASS							0
CLEAN SNOW EQUIPMENT	Days			2	1		3
BRUSH REMOVAL/TREE WORK	Days				1		1
Check Drains/Clean Debris	DAYS						0
LEAF PICK UP	Loads	5	9	7	2	4	27

Eichner - Placed 2 loads of topsoil behind curb 12/1/16

Eichner - completed blacktop on 12/2/16

Traffic Control and OT for New Years Eve Downtown

<b>Snow Removal OT</b>	<b>DATE</b>	<b>12/11/16</b>	<b>12/15/16</b>	<b>12/15/16</b>	<b>12/17/16</b>	<b>12/18/16</b>	<b>12/19/16</b>	<b>12/30/16</b>
	11pm-7am				2 guys 1 truck	2 guys 1 truck		8 guys 4 trucks
	7am-3pm	8 guys 4 trucks			10 guys 5 trucks			4 guys 2 trucks
	3pm-11pm	2 guys 1 truck			4 guys 2 trucks			8 guys 4 trucks
	Salt Brine Sidewalks		XX	XX				

Item # 4  
XX

**Fleet Maintenance  
December 2016**

<b>Total Fleet Maintenance Projects</b>	<b>103</b>
Street Maintenance	20
Snow Removal	14
DDC	0
CPD	15
Water Distribution	13
P & R Maintenance	3
CFD	6
Sewer	2
Code Enforcement	1
Flood	0
PIP	0
WWTP	0
Engineering	0
Facility Maintenance	0
Fleet Maintenance	0
Central Services	1
Municipal Parking	0
Public Works	0
Water Filtration	1
Small Engine Repairs	0
Scheduled Preventive Maintenance	17
Field Service Calls	10
<b>Total Work Orders Submitted</b>	<b>29</b>
<b>Risk Management Claims</b>	<b>0</b>
<b>Fork Lift Inspections</b>	<b>0</b>



Regular Council Agenda  
January 17, 2017

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**Description**

Engineering Division monthly report for December, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**City of Cumberland, Maryland  
Engineering Division - Monthly Report**

Program Projects Update							December 31, 2016	
Order	Department	Program/Project Name	Description	Phase	Comments	Updated By	Date of Update	
	PUBLIC WORKS	Curbside Recycling	Curbside recycling program started in the City of Cumberland July 1, 2014	Ongoing	<p><b>UPDATE</b> Staff met with Burgmeier's Hauling to discuss the letter submitted requesting to extend garbage/recycling contract for FY18 by Jan 1, 2017. A meeting was held in December to discuss the extension in service. Burgmeier's proposed an increase for trash and recycling hauling service. The two parties negotiated on the increase %. Increase in fee required due to changes to required company benefits (Affordable Care Act) and recycling markets.</p> <p>Proposal letters for continued service over the next two fiscal years forwarded to the City Administrator's office for next steps.</p>	RJK	29-Dec-16	
	WWTP	Cumberland Pretreatment Program	City Ordinance No. 3251 regulates industrial and significant dischargers to Cumberland's sewer and POTW. There are 4 Significant Industrial Users (SIUs)	Regulatory	<b>NO CHANGE</b>	RJK	29-Dec-16	
	WWTP	POTW NPDES Permit	Requirements for compliance		<b>NO CHANGE</b>	RJK	18-Aug-16	
	WWTP/CSO	CSO Consent Decree Compliance Reporting	Reporting/Inspections	Semi-Annual/As Needed	<p><b>UPDATE</b> The semi annual report will be completed prior to January 10, 2017. Data collection shows that there is once a gain a decrease in flows (based on connections) over 2016. Various demolition efforts have overshadowed flow data from new developments (such as the new Sleep Inn) and redevelopments such as McDonald's, Roy Rogers and Sheetz.</p> <p>The decrease in connection flows is 8,000 gpd, equal to 32 EDUs.</p> <p>The City of Cumberland is limited annually to 23,000 gpd in connections (or about 92 new housing units). Any new large size developments shall undergo review from the Engineering Division for the need for approval for new connections.</p> <p>The report will be completed after the New Year when December 2016 WWTP flows can be recorded.</p>	RJK	29-Dec-16	
	WFP	NPDES Permit	Requirements for compliance		<b>NO CHANGE</b>	RJK	29-Dec-16	

**City of Cumberland, Maryland**  
**Engineering Division - Monthly Report**

Program Projects Update						December 31, 2016	
Order	Department	Program/Project Name	Description	Phase	Comments	Updated By	Date of Update
	Watershed	Evitts Creek Steering Committee	Cross-jurisdictional committee working on source water protection efforts.		NO CHANGE	PTE	29-Apr-16
	STC	Shade Tree Commission	Care of trees along city rights of way and in parks.	NA	NO CHANGE Fall tree removal project is active. Writing year end reports and filing applications for Tree City USA award and PLANT award.	PTE	30-Dec-16
	Evitts Creek Water Company	Forest Stewardship Plan (aka Resource Management Plan)	Management of the forested property around Lakes Gordon and Koon	NA	NO CHANGE The Forest Management Plan is in the writing stage.	PTE	30-Dec-16

John:

Here is my planning staff activities report contribution for the month of December 2016. Please be advised that I was on vacation during the week of December 26. If you should have any questions, please let me know. Thanks.

2013 Comprehensive Plan Implementation – Discussed the status of the Skatepark Project with the Recreation Director. Discussed the status of the Infrastructure Asset Management System with Engineering staff. Reviewed and updated Plan Implementation status report.

Cumberland Bicycle Advisory Committee - Updated the Committee members on the status of the bikeway projects and canceled the January 12 meeting due to a lack of agenda items.

Subdivision/Site Plan Reviews - Responded to questions regarding a minor lot line adjustment plat for a proposed common lot line shift for a proposed side yard driveway between two residential properties on First Street. Responded to citizen questions regarding site plans for the Burger King restaurant. Coordinated with the Code Enforcement Administrator regarding plans for a minor site plan for a laboratory conversion at 320 Greene Street.

Zoning Amendment Petitions – Notified affected city staff of the adoption of ZTA 16-01 – Lighting Standards. Edited Section 6 of the Zoning Ordinance to incorporate the changes and printed copies of the revised chapter for the Planning Commission and Board of Zoning Appeals members. Made arrangements for the revised Section to be posted on the City's Web Site.

Planning Commission Administration – Prepared and finalized the agenda and meeting packet for the January 12 PC meeting. Began compiling the 2016 Planning Commission Annual Report. Requested 2016 building and development permit data from Community Development staff. Began collecting background data for the Annual Report. Compiled a draft section regarding 2016 infrastructure improvement projects and provided a copy to Engineering staff for review and comment. Updated the Site Plan Review Checklist to reflect changes made by adoption of ZTA 16-01 – Lighting Standards. Distributed copies of the revised checklist to city staff and local engineering/surveying firms.

Board of Appeals Administration – Attended the December 7 BOA meeting. Prepared and mailed a BOA sign variance approval letter to the applicant for ZA 134 – 2020 Bedford Street. Canceled the January 18 BOA meeting due to a lack of agenda items. Scheduled the January 4 BOA Annual meeting and confirmed a quorum. Consulted with the City Clerk regarding the two outstanding BOA member vacancies and when they would be filled. Prepared an agenda and meeting packet for the January 4 Annual Meeting.

MDP/MML Coordination – Attended a Frostburg State Planning Class presentation on December 8 as part of an MDP panel.

Annexation Petitions – No work was conducted on this task during the month of December.

Street Closure/Naming Petitions – No work was conducted on this task during the month of December.

Economic Development – Attended the December 6 Heritage Association meeting.

General Transportation Issues/Projects – Prepared a draft text for a letter of support for a Scenic Byways Corridor Management Plan grant application being prepared by Frederick County. Send the signed Scenic Byway Corridor Management Plan letter of support to Frederick County. Reviewed the final TAC (Tourist Advisory Corridor) signage plans for Cumberland.

TMDL/Stormwater Management Coordination and Implementation - No work was conducted on this task during the month of December.

Zoning Administration – Responded to an inquiry from a local insurance company regarding the need for a flood hazard determination letter. Confirmed the permitted use compliance for a Virginia Avenue office in the B-L Zone. Discussed residential setback requirements for a contemplated house addition on Louisiana Avenue. Responded to questions from a resident regarding how to calculate the maximum allowed lot coverage for a residential property. Coordinated with city officials regarding the development history of the 1 Elizabeth Street Campground. Responded to questions regarding a zoning permit for 118 Valley Street. Responded to an inquiry from a Potomac Street homeowner regarding zoning requirements and application procedures for a home office. Responded to questions from a signage consultant for Kentucky Fried Chicken regarding allowable signage and permitting requirements.

Miscellaneous Other Activities – Prepared a Planning Staff Activities Report for the months of November and December. Coordinated with Street Department staff to request the removal and storage of the National Road Monument flags for the winter season. Coordinated with Human Resources staff to prepare and submit a retirement petition. Coordinated with Community Development staff to identify any and all new street addresses issued during the final quarter of 2016 for a January report to Allegany County.



Regular Council Agenda  
January 17, 2017

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**Description**

Approval of the Regular Session Minutes of December 6, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



**MAYOR**  
Brian K. Grim

**CITY ADMINISTRATOR**  
Jeffrey D. Rhodes

**CITY SOLICITOR**  
Michael Scott Cohen

**COUNCIL**  
Nicole Alt-Myers  
Seth D. Bernard  
David J. Caporale  
Richard J. Cioni, Jr.

**CITY CLERK**  
Marjorie A. Woodring

# MINUTES

**MAYOR AND CITY COUNCIL OF CUMBERLAND**  
**City Hall Council Chambers**  
**Room 212**  
**6:15 p.m.**

DATE: 12/6/16

## \*Pledge of Allegiance

### I. ROLL CALL

The meeting convened at 6:24 p.m.

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, Richard J. Cioni, Jr.

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Charles Hinnant, Chief of Police; Donald Dunn, Fire Chief; Marjorie Woodring, City Clerk

### II. DIRECTOR'S REPORT

#### (A) Police

1. Police Department monthly report for October 2016

**Item Action:**Approved

Motion to approve the report was made by Alt-Myers, seconded by Bernard, and was passed on a vote of 5-0.

#### (B) Administrative Services

1. Administrative Services monthly report for October, 2016

**Item Action:**Approved

Motion to approve the report was made by Alt-Myers, seconded by Bernard, and was passed on a vote of 5-0.

#### (C) Public Works

1. Utilities Division and Central Services monthly report for October, 2016

**Item Action:Approved**

Motion to approve the report was made by Alt-Myers, seconded by Bernard, and was passed on a vote of 5-0.

**III. APPROVAL OF MINUTES****(A) Administrative / Executive****Item Action:Approved**

Mayor Grim announced that a Closed Session had been held on Tuesday, December 6, 2016 at 5:30 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.

1. Approval of the Closed Session Minutes of October 18, 2016

**Item Action:Approved**

Motion to approve the minutes was made by Alt-Myers, seconded by Caporale, and was passed on a vote of 5-0. A statement of closure is attached to these minutes.

**IV. UNFINISHED BUSINESS****(A) Ordinances**

1. Ordinance (*2nd and 3rd readings*) - amending Section 6.08(5) of the Cumberland Zoning Ordinance to reduce the lighting standards restrictions applicable to residential uses prohibited in the City's Business and Industrial Zones

Mr. Rhodes introduced the Ordinance for its second reading and provided background on the intent of the Ordinance, which was to reduce the lighting standards to allow a match with the lighting standards required for the zoning classifications.

SECOND READING: The Ordinance was presented in Title only for its second reading. The reading was interrupted and motion to suspend the second reading and move to the third after comment was made by Caporale, seconded by Alt-Myers, and approved on a vote of 5-0.

Mayor Grim called for questions or comments from Council or the public. The Ordinance then proceeded to its third reading.

THIRD READING: The Ordinance was presented in Title only for its third reading and was adopted on a vote of 5-0.

ORDINANCE NO. 3815

**V. NEW BUSINESS****(A) Resolutions**

1. Resolution authorizing certain qualifying businesses located in the city limits to receive Gateway Enterprise Zone Tax Credits for the 2016-2017 tax year

The Resolution was introduced by Mr. Rhodes and background provided.

The Resolution was presented in Title only and Mayor Grim entertained questions or

comments.

Motion to approve the Resolution was made by Alt-Myers, seconded by Caporale, and was passed on a vote of 5-0.

RESOLUTION NO. R2016-14

(B) Orders (Consent Agenda)

**Item Action: Approved**

Mr. Rhodes provided background on each item on the Consent Agenda and entertained questions and comments from Council.

Motion to approve Consent Agenda Items 1-8 was made by Alt-Myers, seconded by Cioni, and was passed on a vote of 5-0.

1. Order authorizing the acceptance of a deed for 114-116 Winton Place from the Allegany County Habitat for Humanity, Inc. and authorizing the Mayor and City Administrator to sign documentation to effect the transfer

ORDER NO. 26,065

2. Order approving the application of Historic Tax Credits to property at 624 Queen City Drive, owned by Plamondon Leasing Associates (Roy Rodgers Restaurant); the recommended tax credit is \$64,903 applied over a 5-year period, which equals 5% of the total eligible new development costs of \$1,298,052.50

ORDER NO. 26,066

3. Order authorizing the execution of a Capital Projects Grant Agreement with the State of MD Board of Public Works and the Government Board of the Washington Street Association, to provide funding for the Washington Street Lighting Project (21-15-M) in the amount not to exceed \$93,000

ORDER NO. 26,067

4. Order authorizing the execution of an Engineering Services Agreement with Whitman, Requardt and Associates to provide construction phase engineering services for the "CSO Storage Facility Project at the WWTP" (1-10-WWTP) for the amount not to exceed \$1,593,524

ORDER NO. 26,068

5. Order accepting the bid of Leonard S. Fiore, Inc. for the project "Phase I - CSO Storage Facility at the WWTP (01-10-WWTP)" in the estimated unit price of \$26,416,340.00, contingent upon the final approval from the Maryland Department of the Environment

ORDER NO. 26,069

6. Order authorizing the execution of an Engineering Services Agreement with Whitman, Requardt and Associates to provide services for the "78-inch Parallel Pipeline from Mill Race to CSO Storage Project" (19-16-S) for an amount not to exceed \$164,065.00. This award is contingent upon receipt of final approval from the MD Department of the Environment for the CSO Storage Facility Project.

ORDER NO. 26,070

7. Order rescinding the current Internet Access and Internet E-mail Policy and the current City-Owned

Computer Use Policy and adopting a revised Computer and Internet Use Policy to update and combine the two prior policies

ORDER NO. 26,071

- 8. Order approving a revised Table of Organization to reorganize the Department of Community Development

ORDER NO. 26,072

- 9. Order approving appropriations and transfers for Fiscal Year 2015-2016

ORDER NO. 26,073

**VI. PUBLIC COMMENTS**

All public comments are limited to 5 minutes per person

No public comments were provided at this time.

**VII. ADJOURNMENT**

With no further business at hand, the meeting adjourned at 6:43 p.m.

Minutes approved on \_\_\_\_\_

Mayor Brian K. Grim \_\_\_\_\_

ATTEST: Marjorie A. Woodring, City Clerk \_\_\_\_\_

## **Mayor and City Council of Cumberland**

### **Closed Session Summary**

Tuesday, December 6, 2016 at 5:00 p.m.

Second Floor Conference Room, City Hall

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On Tuesday, December 6, 2016, the Mayor and City Council met in closed session at 5:00 p.m. in the second floor conference room of City Hall to discuss matters relating to wage and economic re-openers for the IAFF Local #1715 and UFCW Local #1994 collective bargaining agreements.

Persons in attendance included Mayor Grim, Council Members Alt-Myers, Bernard, Caporale, and Cioni; City Administrator Jeff Rhodes, Police Chief Charles Hinnant, Fire Chief Donald Dunn, and City Clerk Marjorie Woodring.

On a motion made by Caporale and seconded by Alt-Myers, Council voted 5-0 to close the session. No actions were voted upon and the meeting was adjourned at 6:15 p.m.

Authority to close the session was provided by the State Government Article of the Annotated Code of Maryland, Subsection 10-508 (a) (9).

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Brian K. Grim, Mayor

Entered into the public record on December 6, 2016.

# Mayor and City Council of Cumberland

## Closed Session Minutes

City Hall, 57 N. Liberty Street, Cumberland, MD 21502  
 Second Floor Conference Room  
 Tuesday, October 18, 2016  
 5:15 p.m.

**PRESENT:** Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, and Richard J. "Rock" Cioni

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

**MOTION:** Motion to enter into closed session to discuss personnel issues pursuant to the provisions of the Annotated Code of Maryland, State Government Article, Section 10-508 (a) (1) was made by Councilman Bernard, seconded by Councilman Caporale, and was passed on a vote of 5-0.

**AUTHORITY TO CLOSE SESSION:**

*Annotated Code of Maryland, State Government*

- Section 10-508 (a) (1): to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;

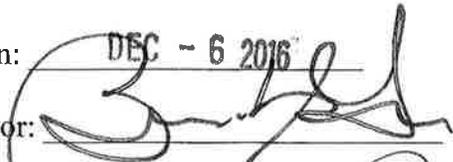
**TOPICS:** Personnel issues

Minutes approved on:

Brian K. Grim, Mayor:

ATTEST: Marjorie A. Woodring, City Clerk

DEC - 6 2016






Regular Council Agenda  
January 17, 2017

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**Description**

Approval of the Closed Session Minutes of December 6 and December 20, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

## **Mayor and City Council of Cumberland**

### **Closed Session Summary**

Tuesday, December 6, 2016 at 5:00 p.m.

Second Floor Conference Room, City Hall

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Persons in attendance included Mayor Grim, Council Members Alt-Myers, Bernard, Caporale, and Cioni; City Administrator Jeff Rhodes, Police Chief Charles Hinnant, Fire Chief Donald Dunn, and City Clerk Marjorie Woodring.

On a motion made by Caporale and seconded by Alt-Myers, Council voted 5-0 to close the session. No actions were voted upon and the meeting was adjourned at 6:15 p.m.

Authority to close the session was provided by the State Government Article of the Annotated Code of Maryland, Subsection 10-508 (a) (9).

---

Brian K. Grim, Mayor

Entered into the public record on December 6, 2016.

**Mayor and City Council of Cumberland**  
**Closed Session Summary**

Tuesday, December 20, 2016 at 5:30 p.m.  
Second Floor Conference Room, City Hall

---

On Tuesday, December 20, 2016, the Mayor and City Council met in closed session at 5:30 p.m. in the second floor conference room of City Hall to discuss performance evaluations of the City Administrator, City Solicitor, and City Clerk; and to discuss changes to the City Administrator's contract.

Persons in attendance included Mayor Grim, Council Members Alt-Myers, Bernard, Caporale, Cioni; City Solicitor Michael Cohen, and City Clerk Marjorie Woodring.

On a motion made by Caporale and seconded by Cioni, Council voted 5-0 to close the session. No actions were voted upon and the meeting was adjourned at 6:20 p.m.

Authority to close the session was provided by the State Government Article of the Annotated Code of Maryland, Subsection 10-508 (a) (1).

This statement is made by:



Brian K. Grim, Mayor



Regular Council Agenda  
January 17, 2017

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**Description**

Resolution approving the designation of the Cumberland Sustainable Community Area, approving the application of a Sustainable Community Application to the State of Maryland, and authorizing the Mayor and City Administrator to sign all necessary documentation

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

# City of Cumberland

- Maryland -

## RESOLUTION

No. \_\_\_\_\_

A Resolution of the Mayor and City Council of Cumberland, Maryland to designate the City of Cumberland's Sustainable Community Area as a Sustainable Community, pursuant to the Sustainable Community Map and Sustainable Community Plan (the "**Plan**," ) further described in the Sustainable Community Application (the "**Application**") to be submitted for approval either directly by the Department of Housing and Community Development (the "**Department**") of the State of Maryland or through the Smart Growth Subcabinet of the State of Maryland.

WHEREAS, the Mayor and City Council of Cumberland, Maryland recognizes that there is a significant need for reinvestment and revitalization of the communities in Cumberland; and

WHEREAS, the Mayor and City Council of Cumberland, Maryland proposes to (i) designate the area of Cumberland Sustainable Community Area in the corporate limits of Cumberland as outlined on the attached map (the "**Area**"), as a Sustainable Community, and to (ii) adopt the Plan, as further described in the Application, for the purposes of contributing to the reinvestment and revitalization in the Area; and

WHEREAS, the Area is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act; and

WHEREAS, the applicable law and the Community Legacy Program regulations require a local government to submit an application to the Department in order to become a designated Sustainable Community, and to adopt a satisfactory Sustainable Community Plan in order to be eligible to receive financial assistance under the Community Legacy Program;

NOW, THEREFORE BE IT RESOLVED THAT, the Mayor and City Council of Cumberland, Maryland hereby (i) endorses the designation of the Area as a Sustainable Community; and (ii) adopts a Sustainable Community Plan.

BE IT FURTHER RESOLVED THAT, the chief elected executive official is hereby requested to endorse this Resolution, indicating his or her approval by signature hereof; and,

BE IT FURTHER RESOLVED THAT, the Mayor and City Administrator are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland for consideration by the Smart Growth Sub-Cabinet.

GIVEN UNDER OUR HANDS AND SEALS THIS 17<sup>TH</sup> DAY OF JANUARY, 2017,  
WITH THE CORPORATE SEAL OF THE CITY OF CUMBERLAND HERETO ATTACHED,  
DULY ATTESTED BY THE CITY CLERK

Attest:

Mayor and City Council  
Of Cumberland

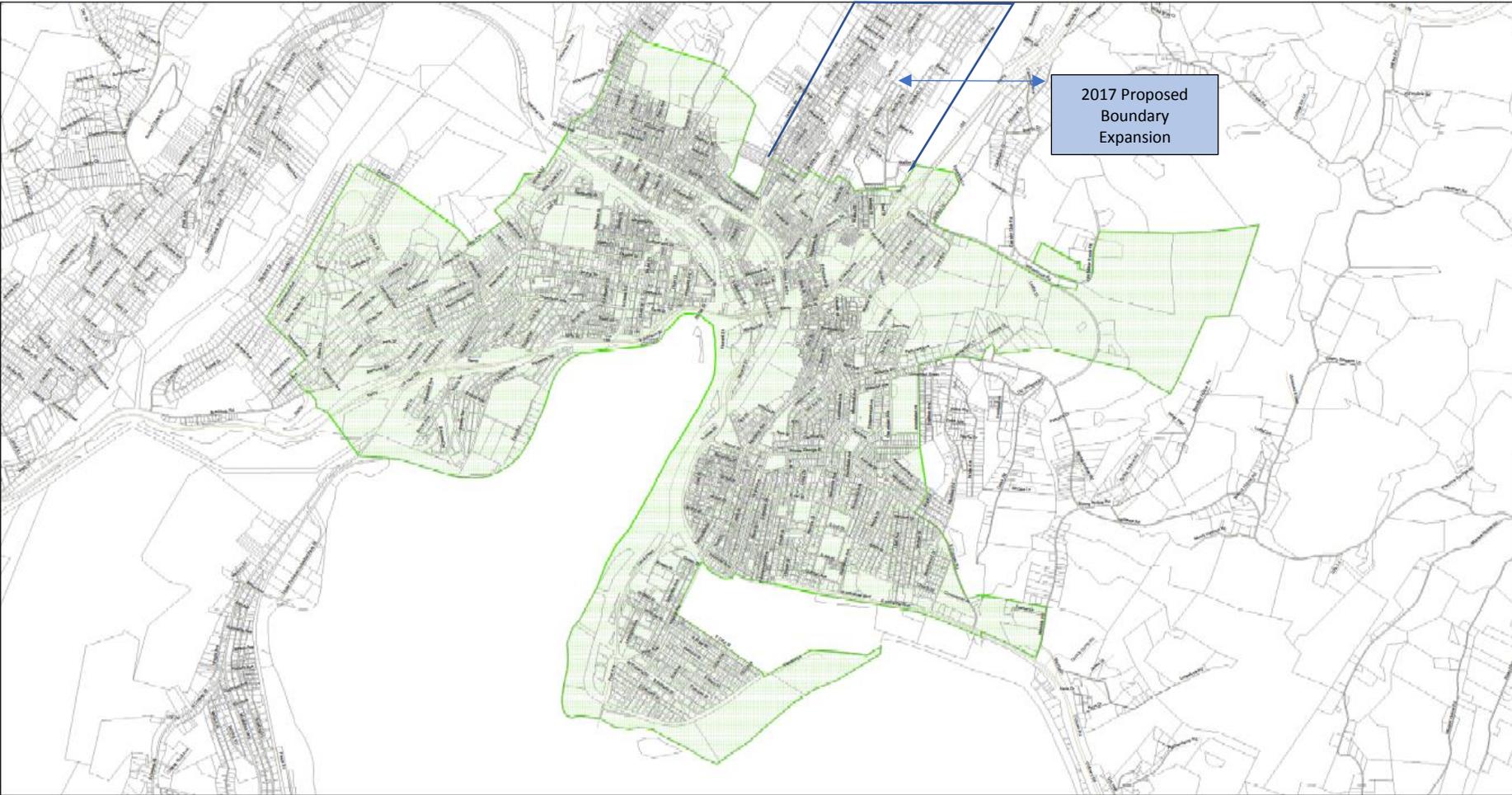
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Marjorie A. Woodring  
City Clerk

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Brian K. Grim  
Mayor

# 2017 Cumberland Sustainable Communities Area





Regular Council Agenda  
January 17, 2017

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**Description**

Order accepting the bid from Brekford Corporation for three (3) replacement Police Department vehicles through the State of Maryland Contract for Police Vehicles in an amount not to exceed \$122,523

**Approval, Acceptance / Recommendation**

- Budgeted
  
- 1st Reading
- 2nd Reading
- 3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

001.040.64000  
FY17 Funds

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

ORDER NO. \_\_\_\_\_

DATE: January 17, 2017**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

**THAT** the bid from Brekford Corp., 7020 Dorsey Building, Hanover, MD, 21076 to supply the following replacement vehicles with installed equipment is hereby accepted in a total amount not to exceed One Hundred Twenty-two Thousand, Five Hundred Twenty-three Dollars (\$122,523.00).

Two (2) 2017 Ford Interceptor Sedans with Cage and MDT @ \$40,562.50 each .....	\$ 81,125.00
One (1) 2017 Ford Police Interceptor Utility .....	41,398.00
<b>Total .....</b>	<b>\$ 122,523.00</b>

**BE IT FURTHER ORDERED**, that all vehicles shall be purchased as part of the State of Maryland Contract for Police Vehicles, pursuant to Section 2-171(b) of the Code of the City of Cumberland.

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**Brian K. Grim, Mayor**

*Fund:* 001.040.64000

*Budgeted:*  
FY17 Funds





www.breckford.com  
7020 Dorsey Road  
Hanover, MD 21076

# SALES ESTIMATE

DATE	QUOTE #
1/10/2017	161670Q

FEDERAL ID: 20-4086662

### NAME / ADDRESS

Cumberland Police Department  
Attn: Rocky Reed  
20 Bedford Street  
Cumberland, MD 21502

### SHIP / DELIVER

Lt. Robert L. Reed  
Administrative Lieutenant  
Cumberland Police Department  
301-759-6478  
240-580-0742

Acct-REP	TERMS	QUOTE #	QUOTE VERSION	QUOTE VALID THROUGH
SE	Net 30	161670Q		2/17/2017

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL
	***UPFIT 2017 FORD INTERCEPTOR UTILITY WITH NO CAGE***			
GEN ITEM	2017 Ford Police Interceptor Utility, State Bid Pricing with solid color (black), Spotlight, rear door inoperative, light disable, cloth front/vinyl rear seating, freight/handling charges.	1	27,853.00	27,853.00
	VISOR LIGHTBAR			
ENFWBF(RW-BW)	8 module Interior Windshield Lightbar, Full Vehicle specific Shroud, 12 LEDs - dual Color - RED/WHITE, BLUE WHITE	1	820.00	820.00
Front / Visor	Vehicle Upfitting- Front / Visor light labor charge: (2 Hours x \$95/hour)	1	190.00	190.00
	REAR LIGHTS			
#ENFTCDGS1208	#ENFTCDGS1208 nFORCE® 8 module Interior Traffic Controller w/ Mounting Bracket, 9 LEDs - HALF RED HALF BLUE	1	500.00	500.00
Rear / Deck Lights	Vehicle Upfitting- Rear / Deck light labor charge: (2 Hours x \$95/hour)	1	190.00	190.00
	PROFILE LIGHTS			
Profile lights (SUV)	Mn# ENFDGS3JJ - Sual Side-by Side nForce light 12 LED Red/Blue (Red / Blue) Qty:2	1	390.00	390.00
Rear / Deck Lights	INSTALL: BOTTOM OF WINDOW ON BOTH SIDES Vehicle Upfitting- Rear / Deck light labor charge: (2 Hours x \$95/hour)	1	190.00	190.00
	CORNER STROBES			
6 Pack LED	Universal UnderCover™ LED Insert w/ In-line Flasher, 10 ft wire length & 3 interchangeable lenses, Solid Color - (2) Red, (2) Blue, (2) Clear LEDs	1	395.00	395.00
LED's	Vehicle Upfitting- Front and Rear LED installation x LED's labor charge: (4 Hours x \$95/hour)	1	380.00	380.00
	GRILL LIGHTS - SET TO RUN RED BLUE WITH STEADY WHITE ON SCENE LIGHT			
EMPS1STS3E	3" mpower grille BLUE/WHITE - EMPS1STS3E	1	88.00	88.00
EMPS1STS3D	3" mpower grille RED/WHITE - EMPS1STS3D	1	88.00	88.00
ENFSSS3D	nFORCE® Single Surface Mount Light, SAE Class 1, 10-16v, Black Housing, 12 LED, Dual Color - Red/White	1	98.00	98.00
ENFSSS3E	nFORCE® Single Surface Mount Light, SAE Class 1, 10-16v, Black Housing, 12 LED, Dual Color - Blue/White	1	98.00	98.00
Vehicle Upfitting	Vehicle Upfitting- Mounting Installation labor charge: (2 Hours x \$95/hour)	1	190.00	190.00

SIGNATURE (quote approval)

**TOTAL**



www.brekford.com  
7020 Dorsey Road  
Hanover, MD 21076

# SALES ESTIMATE

DATE	QUOTE #
1/10/2017	161670Q

FEDERAL ID: 20-4086662

### NAME / ADDRESS

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Attn: Rocky Reed  
20 Bedford Street  
Cumberland, MD 21502

### SHIP / DELIVER

Lt. Robert L. Reed  
Administrative Lieutenant  
Cumberland Police Department  
301-759-6478  
240-580-0742

Acct-REP	TERMS	QUOTE #	QUOTE VERSION	QUOTE VALID THROUGH
S E	Net 30	161670Q		2/17/2017

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL
#CF-31	TOUGHBOOK LAPTOP CF-3117-01KM Public Sector Specific - Premium, Win7 (Win10 Pro COA), Intel Core i5-5300U 2.30GHz, vPro, 13.1" XGA Touch, 8GB, 256GB SSD, Intel WiFi a/b/g/n/ac, TPM, Bluetooth, Dual Pass (Upper:WWAN/Lower:Selectable), 4G LTE Multi Carrier (EM7355), GPS, Webcam, Emissive Backlit Keyboard, No DVD Drive, Toughbook Preferred, CF-SVCPDEP3Y - Toughbook & Toughpad Premier Deployment - Includes Imaging, Customer Portal Access, Multilocation Shipping and Disk Image Management at the Panasonic National Service Center (Years 1,2,3), CF-SVCLTNF3Y - Protection Plus - Laptop (Years 1, 2 &3), CF-SVC256SSD3Y - 256GB SSD - Toughbook No return of defective drive (Years 1,2 & 3)	1	4,289.00	4,289.00
AS9.C130.402	CONSOLE INTERCEPTOR SUV CONS PKG  CUST P/N - AS4.C237.201 INCLUDES: MOUSETRAP W/WEDGE TILT LEFT AND RIGHT TRIM PANELS SINGLE ARM REST (WITHOUT CUSHION) & SINGLE CUPHOLDER MIC CLIP BRACKET X2 90.C191.002 CONTAINMENT TRAY W/DUAL USB CHARGER WIRE HARNESS FOR USB CHARGER FACE PLATES: Kenwood TK 8180 AND nERGY 400 series 1 12V SOCKET IN RIGHT REAR HOLD OF CONSOLE WIRE HARNESS FOR 12V SOCKET	1	588.00	588.00
#AS9.C130.202	#AS9.C130.202 CF-31 Dock Dual Passthrough *120W Power supply 72" cables *Spring Tilt will be mounted on console with MOUSETRAP	1	910.00	910.00
#AP-CG-A-S12-BL	#AP-CG-A-S12-BL Multi-Band Cellular/PCS/LTE & GPS - Permanent Adhesive - TNC Connector (Cell) & SMA Connector (GPS) - Black	1	120.00	120.00
Console, Dock & Mount	Install of Console, Dock, Mount, MDT Antennas and power supply.	1	450.00	450.00
GEN ITEM	RADIO Customer providing radio (Kenwood TK8180)		0.00	0.00

SIGNATURE (quote approval)

**TOTAL**



www.brekford.com  
7020 Dorsey Road  
Hanover, MD 21076

# SALES ESTIMATE

DATE	QUOTE #
1/10/2017	161670Q

FEDERAL ID: 20-4086662

### NAME / ADDRESS

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Acct-REP	TERMS	QUOTE #	QUOTE VERSION	QUOTE VALID THROUGH
SE	Net 30	161670Q		2/17/2017

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL
Vehicle Upfitting	Vehicle Upfitting- Mounting Installation labor charge: (2 Hours x \$95/hour) ***Customer tuning radio and mounting antenna***	1	190.00	190.00
#ETSA481RSP	SIREN/SPEAKER ETSA481RSP nERGY™ 400 Series Remote Siren, 10-16v - 100w single	1	495.00	495.00
#ETSS100N	#ETSS100N 100N Series Composite Speaker w/ Universal Bail Bracket - 100 watt	1	145.00	145.00
Siren (R) / Speaker	Vehicle Upfitting- Siren Controller / Amplifier installation labor charge: (4 Hours x \$95/hour) Installation of Siren / Speaker	1	380.00	380.00
7160-0314	E TICKET ARMREST SET UP Vehicle Printer Armrest Mount - pretax Pocketed printer arm rest printer mount with roll feed - w/5' mounting equipment 7160-0314 - No pole	1	168.00	168.00
PJ723	PocketJet 7 300dpi Thermal Printer with USB (Only includes the printer. Requires power, USB cable, and printing supplies)	1	405.00	405.00
#LB3692	#LB3692 Car Adapter-Wired-14' Length	1	18.00	18.00
#LB3603	#LB3603 USB Cable - 10' length	1	10.00	10.00
3310G-LTC-ETIX	3310G Vuquest 2D Barcode Imaging Kit for Maryland E-TIX. Includes Scanner with L-Tron Custom Driver's License Scanning Firmware and 9.5' Straight USB Interface Cable	1	315.00	315.00
Vehicle Upfitting	Vehicle Upfitting- Mounting Installation labor charge: (1 Hours x \$95/hour)	1	95.00	95.00
Install kit (Up-fit)	INSTALL KIT Vehicle Mounting Installation Kit: Wiring Harness, Mounting brackets, 120 AMP Bussman Breaker, (2) Bussman J-Case Fuse holders, Tyco 75 amp Relay, (2) 6 panel Blue-Sea Fuse holders and associated material and equipment for install	1	349.00	349.00
#CG-X	#CG-X Charge Guard	1	64.00	64.00
#C-TTP-INUT-2	#C-TTP-INUT-2 2013-2015 Ford Interceptor Utility Premium Fold Up Equipment Tray	1	192.00	192.00
Vehicle Upfitting	Vehicle Upfitting- Mounting Installation labor charge: (1 Hours x \$95/hour)	1	95.00	95.00
Decals-	DECALS Decals- 3M Decals with lifetime warranty	1	650.00	650.00

SIGNATURE (quote approval)

**TOTAL**

Item # 9



www.brekford.com  
7020 Dorsey Road  
Hanover, MD 21076

# SALES ESTIMATE

DATE	QUOTE #
1/10/2017	161670Q

FEDERAL ID: 20-4086662

### NAME / ADDRESS

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Lt. Robert L. Reed  
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Acct-REP	TERMS	QUOTE #	QUOTE VERSION	QUOTE VALID THROUGH
S E	Net 30	161670Q		2/17/2017

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL
CONTRACTS	<p>MARYLAND State Contracts: &gt;DBM-0106-RADEQ (Two Way Radio Equipment) ID # 060B3490002 &gt;eMarylandMarketplace -Maryland State Catalog ****Pricing Structure, Terms and Conditions in accordance with State of Maryland DOIT contract# 060B2490022.**** &gt;MD State Hardware and Associated Equipment and Services and Associated Equipment - BPO# 060B2490022</p> <p>&gt;St. Mary's County Government # SMC-08-SO-41050 (full build out) &gt;Baltimore County Government # ITB 206581 Panasonic Toughbook &gt;Howard County Government # ITB TC00841 &gt;Anne Arundel Government # ITB 7756 &gt;Montgomery County Government # 1015903 &gt;Prince George's County Government # PO60289M6027(123108)0</p> <p>FEDERAL Government: &gt;GSA# GS-07F-0425U www.gsa.gov &gt;Cage Code: 1N9Z7 www.ccr.gov</p> <p>Lt. Robert L. Reed ROCKY.REED@CUMBERLANDMD.GOV Administrative Lieutenant Cumberland Police Department 301-759-6478 240-580-0742</p>		0.00	0.00

Brekford Policy: 3 Year Limited Priority Warranty on Mobile Data Computers-hardware/labor (excluding: batteries). This warranty does not cover physically damaged merchandise. Refund is only available on special circumstances and subjected to 25% restocking fee. No refund will be considered after 15 days from the date of purchase. For tech support and RMA service call (443-557-0200).

SIGNATURE (quote approval)

**TOTAL**

\$41,398.00



www.brekford.com  
7020 Dorsey Road  
Hanover, MD 21076

## SALES ESTIMATE

DATE	QUOTE #
1/6/2017	161651Q

FEDERAL ID: 20-4086662

### NAME / ADDRESS

Cumberland Police Department  
Attn: Rocky Reed  
20 Bedford Street  
Cumberland, MD 21502

### SHIP / DELIVER

Lt. Robert L. Reed  
Administrative Lieutenant  
Cumberland Police Department  
301-759-6478  
240-580-0742

Acct-REP	TERMS	QUOTE #	QUOTE VERSION	QUOTE VALID THROUGH
SE	Net 30	161651Q		3/17/2017

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL
GEN ITEM	***UPFIT 2017 FORD INTERCEPTOR SEDAN WITH CAGE AND MDT*** 2017 Ford Police Interceptor Sedan, State Bid Pricing with solid color (black), Spotlight, rear door inoperative, light disable, cloth front/vinyl rear seating, freight/handling charges	2	25,325.00	50,650.00
#ENFLB	LIGHTBAR #ENFLB nForce Lightbar - 48" 12 LED dual color inboards and 18 LED dual color corner, TD/alley's, amber rear traffic arrow, full steady burn front for scene lighting with full corner alley's front red/white blue/white rear red/amber blue/amber	2	1,815.00	3,630.00
Lightbar	Vehicle Upfitting- Light bar installation labor charge: (3 Hours x \$95/hour)	2	285.00	570.00
ENFSSS3D	GRILL LIGHTS - SET TO RUN RED/BLUE BUT GO TO STEADY BURN WITH FULL SCENE nFORCE® Single Surface Mount Light, SAE Class 1, 10-16v, Black Housing, 12 LED, Dual Color - Red/White	2	98.00	196.00
ENFSSS3E	nFORCE® Single Surface Mount Light, SAE Class 1, 10-16v, Black Housing, 12 LED, Dual Color - Blue/White	2	98.00	196.00
Front / Visor	Vehicle Upfitting- Grill light labor charge: (2 Hours x \$95/hour)	2	190.00	380.00
6 Pack LED	CORNER LED's Universal UnderCover™ LED Insert w/ In-line Flasher, 10 ft wire length & 3 interchangeable lenses, Solid Color - (2) Red, (2) Blue, (2) Clear LED's	2	395.00	790.00
LED's	Vehicle Upfitting- Front and Rear LED installation x LED's labor charge: (4 Hours x \$95/hour)	2	380.00	760.00
#ETSA481RSP	SIREN SPEAKER ETSA481RSP nERGY™ 400 Series Remote Siren, 10-16v - 100w single	2	495.00	990.00
#ETSS100N	#ETSS100N 100N Series Composite Speaker w/ Universal Bail Bracket - 100 watt	2	145.00	290.00
Siren (R) / Speaker	Vehicle Upfitting- Siren Controller / Amplifier installation labor charge: (4 Hours x \$95/hour) Installation of Siren / Speaker	2	380.00	760.00
	PANASONIC TOUGHBOOKS			
SIGNATURE (quote approval)			<b>TOTAL</b>	



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Hanover, MD 21076

## SALES ESTIMATE

DATE	QUOTE #
1/6/2017	161651Q

FEDERAL ID: 20-4086662

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### SHIP / DELIVER

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Administrative Lieutenant  
Cumberland Police Department  
301-759-6478  
240-580-0742

Acct-REP	TERMS	QUOTE #	QUOTE VERSION	QUOTE VALID THROUGH
S E	Net 30	161651Q		3/17/2017

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL
#CF-31	CF-3117-01KMPublic Sector Specific - Premium, Win7 (Win10 Pro COA), Intel Core i5-5300U 2.30GHz, vPro, 13.1" XGA Touch, 8GB, 256GB SSD, Intel WiFi a/b/g/n/ac, TPM, Bluetooth, Dual Pass (Upper:WWAN/Lower:Selectable), 4G LTE Multi Carrier (EM7355), GPS, Webcam, Emissive Backlit Keyboard, No DVD Drive, Toughbook Preferred, CF-SVCPDEP3Y - Toughbook & Toughpad Premier Deployment - Includes Imaging, Customer Portal Access, Multilocation Shipping and Disk Image Management at the Panasonic National Service Center (Years 1,2,3), CF-SVCLTNF3Y - Protection Plus - Laptop (Years 1, 2 &3), CF-SVC256SSD3Y - 256GB SSD - Toughbook No return of defective drive (Years 1,2 & 3)	2	4,270.00	8,540.00
AS9.C130.402	MOUNTING SYSTEM INTERCEPTOR SEDAN CONS PKG INCLUDES: MOUSETRAP W/WEDGE TILT LEFT AND RIGHT TRIM PANELS SINGLE ARM REST (WITHOUT CUSHION) & SINGLE CUPHOLDER MIC CLIP BRACKET X2 90.C191.002 CONTAINMENT TRAY W/DUAL USB CHARGER WIRE HARNESS FOR USB CHARGER FACE PLATES: Kenwood TK 8180 AND nERGY 400 series 1 12V SOCKET IN RIGHT REAR HOLD OF CONSOLE WIRE HARNESS FOR 12V SOCKET	2	588.00	1,176.00
#AS9.C130.202	#AS9.C130.202 CF-31 Dock Dual Passthrough *120W Power supply 72" cables *Spring Tilt will be mounted on console with MOUSETRAP	2	910.00	1,820.00
#AP-CG-A-S12-BL	#AP-CG-A-S12-BL Multi-Band Cellular/PCS/LTE & GPS - Permanent Adhesive - TNC Connector (Cell) & SMA Connector (GPS) - Black	2	120.00	240.00
Console, Dock & Mount	Install of Console, Dock, Mount, MDT Antennas and power supply.	2	450.00	900.00
GEN ITEM	RADIO Customer provides radio (Kenwood TK 8180)	2	0.00	0.00
Vehicle Upfitting	Vehicle Upfitting- Mounting Installation labor charge: (3 Hours x \$95/hour)	2	285.00	570.00
	PRISONER TRANSPORT SYSTEM			

SIGNATURE (quote approval)

**TOTAL**



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## SALES ESTIMATE

DATE	QUOTE #
1/6/2017	161651Q

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Administrative Lieutenant  
Cumberland Police Department  
301-759-6478  
240-580-0742

Acct-REP	TERMS	QUOTE #	QUOTE VERSION	QUOTE VALID THROUGH
S E	Net 30	161651Q		3/17/2017

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL
P1000INT13AOSB	FORD INTERCEPTOR SEDAN - Single Compartment, Pro-cell, ½ Partition, Passenger Side Only Seat Belts ½ Partition; Full Width Transport Seat & Floor Pan; Pair Rear Door Panels; Pair Window Barriers; Lower Extension Panel; Poly Divider & Outboard Seat Belts	2	1,549.00	3,098.00
Vehicle Upfitting	Vehicle Upfitting- Mounting Installation labor charge: (5 Hours x \$95/hour)	2	475.00	950.00
Install kit (Up-fit)	INSTALL KIT Vehicle Mounting Installation Kit: Wiring Harness, Mounting brackets, 120 AMP Bussman Breaker, (2) Bussman J-Case Fuse holders, Tyco 75 amp Relay, (2) 6 panel Blue-Sea Fuse holders and associated material and equipment for install	2	349.50	699.00
#CG-X	#CG-X Charge Guard	2	76.00	152.00
#C-TSM-INSE-D	#C-TSM-INSE-D 2014 Ford Interceptor Sedan Premium Driver Side Trunk Mount	2	128.00	256.00
Trunk Tray / Box	Vehicle Upfitting- Trunk Tray / Box Installation: (1 Hours x \$95/hour)	2	95.00	190.00
7160-0314	E TICKET ARMREST SET UP Vehicle Printer Armrest Mount - pretax Pocketed printer arm rest printer mount with roll feed - w/5' mounting equipment 7160-0314 - No pole	2	168.00	336.00
PJ723	PocketJet 7 300dpi Thermal Printer with USB (Only includes the printer. Requires power, USB cable, and printing supplies)	2	405.00	810.00
#LB3692	#LB3692 Car Adapter-Wired-14' Length	2	18.00	36.00
#LB3603	#LB3603 USB Cable - 10' length	2	10.00	20.00
3310G-LTC-ETIX	3310G Vuquest 2D Barcode Imaging Kit for Maryland E-TDX. Includes Scanner with L-Tron Custom Driver's License Scanning Firmware and 9.5' Straight USB Interface Cable	2	315.00	630.00
Vehicle Upfitting	Vehicle Upfitting- Mounting Installation labor charge: (1 Hours x \$95/hour)	2	95.00	190.00
GEN ITEM	DECALS Decals	2	650.00	1,300.00
SIGNATURE (quote approval)				<b>TOTAL</b>



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## SALES ESTIMATE

DATE	QUOTE #
1/6/2017	161651Q

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301-759-6478  
240-580-0742

Acct-REP	TERMS	QUOTE #	QUOTE VERSION	QUOTE VALID THROUGH
SE	Net 30	161651Q		3/17/2017

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL
CONTRACTS	<p>MARYLAND State Contracts: &gt;DBM-0106-RADEQ (Two Way Radio Equipment) ID # 060B3490002 &gt;eMarylandMarketplace -Maryland State Catalog ***"Pricing Structure, Terms and Conditions in accordance with State of Maryland DOIT contract# 060B2490022.*** &gt;MD State Hardware and Associated Equipment and Services and Associated Equipment - BPO# 060B2490022</p> <p>&gt;St. Mary's County Government # SMC-08-SO-41050 (full build out) &gt;Baltimore County Government # ITB 206581 Panasonic Toughbook &gt;Howard County Government # ITB TC00841 &gt;Anne Arundel Government # ITB 7756 &gt;Montgomery County Government # 1015903 &gt;Prince George's County Government # PO60289M6027(123108)</p> <p>FEDERAL Government: &gt;GSA# GS-07F-0425U www.gsa.gov &gt;Cage Code: 1N9Z7 www.ccr.gov</p> <p>POC:  Lt. Robert L. Reed ROCKY.REED@CUMBERLANDMD.GOV Administrative Lieutenant Cumberland Police Department 301-759-6478 240-580-0742</p>		0.00	0.00
		<b>TOTAL</b>		<b>\$81,125.00</b>

Brekford Policy: 3 Year Limited Priority Warranty on Mobile Data Computers-hardware/labor (excluding: batteries). This warranty does not cover physically damaged merchandise. Refund is only available on special circumstances and subjected to 25% restocking fee. No refund will be considered after 15 days from the date of purchase. For tech support and RMA service call (443-557-0200).

SIGNATURE (quote approval)



Regular Council Agenda  
January 17, 2017

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**Description**

Order appointing the following: Tiffany Ritter - DDC 1/17/17 - 7/31/19; Stephen Gibson, Ph. D. - Historic Preservation Commission 1/17/17 - 12/31/19; Jackie Hyatt - Shade Tree Commission 1/17/17 - 9/30/20; Bernard Lechman and Phil Crippen - Zoning Board of Appeals 1/17/17 - 1/14/20

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

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

ORDER NO. \_\_\_\_\_

DATE: January 17, 2017

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

**THAT,** the following individuals be and are hereby appointed or re-appointed to serve on City boards and commissions as follows:

<i>Board/Commission</i>	<i>Member</i>	<i>Seat</i>	<i>Term</i>
Downtown Development Commission	Tiffany Ritter	Seat 6 / Primary District	1/17/17 – 7/31/19
Historic Preservation Commission	Stephen Gibson, Ph. D.	Seat 3	1/17/17 – 12/31/19
Shade Tree Commission	Jackie Hyatt	Seat 4	1/17/17 – 9/30/20
Zoning Board of Appeals	Bernard J. Lechman Phil Crippen	Seat 1 Seat 5	1/17/17 – 1/14/20 1/17/17 – 1/14/20

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**Mayor Brian K. Grim**



Regular Council Agenda  
January 17, 2017

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**Description**

Order authorizing the execution of a Pre-Consent Agreement with James P. and Mitzi A. Morgan to authorize the provision of water service to property on Hillcrest Drive, outside of the municipal limits, contingent upon the Morgan's acquisition of the property

**Approval, Acceptance / Recommendation**

The Consent Order provides that the City's willingness to grant the Pre-Consent Agreement to the Morgans to allow water service to be provided to the property outside of the municipal boundaries is contingent upon the Morgans' acquisition of the property.

Additionally, the Mayor is authorized to execute the agreement after a deed of ownership has been presented and after the City Solicitor has incorporated the deed recording information and property metes and bounds description into the body of the Pre-Consent Agreement.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

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

ORDER NO. \_\_\_\_\_

DATE: January 17, 2017

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

**WHEREAS**, James P. Morgan and Mitzi A. Morgan intend to purchase certain property on Hillcrest Drive that is located outside the corporate limits of the City and desire to obtain water service from the City; and

**WHEREAS**, the City's willingness to grant a Pre-Consent Agreement to allow water service to be provided to the property outside of the municipal boundaries is contingent upon the Morgan's acquisition of said property;

**NOW THEREFORE BE IT ORDERED**, that the Mayor be and is hereby authorized to execute a Pre-Consent Agreement with James P. and Mitzi A. Morgan once the City has been presented with a deed showing that the property has been conveyed to the Morgans, and after the City Solicitor incorporates the deed recording information and property metes and bounds description into the body of the Pre-Consent Agreement.

---

**Mayor Brian K. Grim**

## PRE-CONSENT AGREEMENT

**THIS PRE-CONSENT AGREEMENT (“Agreement”)** is made and executed the \_\_\_\_ day of \_\_\_\_\_, 2017, by and between **JAMES P. MORGAN and MITZI A. MORGAN** (the “Property Owners”), and the **MAYOR AND CITY COUNCIL OF CUMBERLAND** (the “City”), a municipal corporation formed and existing under the laws of the State of Maryland.

### RECITALS:

**WHEREAS**, the Property Owners own the real property and the improvements thereon at 10106 Hillcrest Drive, Cumberland, MD 21502 (the “Property”) which is described in the following deed: \_\_\_\_\_ and is more particularly described by metes and bounds in the Exhibit A attached hereto and made a part hereof;

**WHEREAS**, the Property is located outside of the corporate limits of the City;

**WHEREAS**, the Property Owners desire to obtain water service from the City for the benefit of the Property, it being understood that the City has not agreed to bear the expense of extending the City’s water service to the site of the Property and said water is conveyed to the Property by means of a privately-owned line which will be tapped into by the Property Owners;

**WHEREAS**, in order to provide water service for the requested purpose, said service would be provided outside of the present municipal boundaries of the City;

**WHEREAS**, the City has established a policy whereby it will not extend its water and/or sewerage services to serve any properties beyond its corporate limits unless the owners of properties seeking either or both of such services agree to request that their properties be annexed into the City and agree to submit to such annexation, whether initiated by the City or third parties;

**WHEREAS**, the Property Owners have agreed to request that the Property be annexed into the City of Cumberland and they have agreed to submit to its annexation; and

**WHEREAS**, the Property Owners have been fully informed and understand that they must request annexation and submit to the annexation of the Property in order to obtain water service from the City.

### WITNESSETH:

**NOW, THEREFORE**, in consideration of these premises and the sum of One Dollar (\$1.00) paid by the Property Owners to the City, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, and the further consideration of the City’s agreement to allow the Property Owners to tap into an

existing line and obtain City water service to serve the Property, it is hereby understood and agreed between the parties hereto as follows:

1. **Recitals.** The Recitals set forth above are not merely prefatory. They are incorporated by reference herein and form a part of this Agreement.

2. **Water Service.** It is understood that the consideration for the Property Owners' promises under this Agreement is the City's agreement to permit them to tap into an existing line in order to obtain City water and to provide them with City water through that tap. It is understood and agreed that the City shall bear no responsibility for the repair and maintenance of the line through which water will be conveyed to the Property as it is a privately-owned line.

3. **Property Owner's Costs.** The Property Owner shall purchase from the City and pay for the installation of a new water meter, if required, which said meter shall be installed in accordance with the City of Cumberland Water Department rules and regulations. The Property Owner further agrees to pay all applicable tappage and impact fees and other charges in accordance with the rates then in effect according to City of Cumberland Water Department rules and regulations and applicable City Ordinances.

4. **Payment for Water Services.** The Property Owners shall pay for water service at such rates as may be from time to time established by the City. In the event said service is provided at the Property by the City prior to annexation, the Property Owners shall pay for said service at such rates as may from time to time be established by the City for properties that are not located within the City. Upon annexation, the Property Owners shall pay the same rates that are paid by owners of properties which are located within the City. It is the intention of the parties that the City's water service be extended to the Property prior to annexation.

5. **Consent to Annexation.** The Property Owners agree that they will, if annexation shall be initiated by City, agree to submit to such annexation with respect to the Property. In that regard, the Property Owners irrevocably consent to the annexation of the Property into the corporate boundaries of the City.

It is distinctly understood and agreed that, if the Property Owners fail or refuse to consent to the annexation of the Property, the City shall be entitled to terminate water service to the Property.

6. **Rights of Ingress, Egress and Regress.** The Property Owners irrevocably grant the City, its agents, employees, contractors and subcontractors the rights of ingress, egress and regress over and across the Property in furtherance of the purposes of this Agreement.

7. **Applicability of City Charter, Ordinances, Etc.** It is further understood and agreed that, should the Property be annexed and the water service continue to be extended to the Properties, the Property Owner and the Properties shall be subject to the City

Charter and all of the ordinances, rules and regulations of the City, either now in effect or which may be placed in effect at any future date, including, but not limited to, those which relate to water service. Regardless of whether the Property is annexed, it is understood and agreed that the Property and the Property Owners shall be subject to the City Charter and Code provisions applicable to water service as well as City of Cumberland Water Department rules and regulations.

**8. Gender/Tense/Conjugation.** The use of any gender, tense, or conjugation herein shall be applicable to all genders, tenses and conjugations. The use of the singular shall include the plural and the plural shall include the singular.

**9. Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the state of Maryland without regard to principles of conflict of laws. It shall be enforceable with an action commenced in the Circuit Court for Allegany County, Maryland or the District Court of Maryland for Allegany County and the parties hereto agree to be subject to the jurisdiction of such courts and further waive any claim that any action or proceeding arising out of or relating to this Agreement and commenced in such courts is commenced in an inconvenient forum or one which lacks proper venue.

**10. Severability.** Should any provision of this Agreement be found, held or deemed to be unenforceable, voidable or void, as contrary to law or public policy under the laws of Maryland or any other state of the United States, the parties intend that the remaining provisions of this Agreement shall nevertheless continue in full force and be binding upon the parties, their heirs, personal representatives, executors, successors and assigns.

**11. Binding Effect.** This Agreement shall be valid and binding upon the heirs, personal representatives, successors in title to the Property, and successors and assigns of the parties hereto, and shall be considered to be a covenant running with the land of the Property Owners (i.e., the Property). In that regard, this Agreement shall be recorded by the City among the Land Records of Allegany County, Maryland at the expense of the Property Owner.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals to this Agreement, the day and year first above written.

**WITNESS/ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
James P. Morgan (SEAL)

\_\_\_\_\_

\_\_\_\_\_  
Mitzi A. Morgan (SEAL)

**MAYOR AND CITY COUNCIL  
OF CUMBERLAND**

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

By: \_\_\_\_\_ (SEAL)  
Brian K. Grim, Mayor

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

**I HEREBY CERTIFY**, that on this \_\_\_\_ day of \_\_\_\_\_, 2017, before me the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of the Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment.

**WITNESS** my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

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

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

**I HEREBY CERTIFY**, that on this \_\_\_\_ day of \_\_\_\_\_, 2017, before me the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared **James P. Morgan**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, and did acknowledge that he executed the same for the purposes therein contained

**WITNESS** my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

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

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

**I HEREBY CERTIFY**, that on this \_\_\_\_ day of \_\_\_\_\_, 2017, before me the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared **Mitzi A. Morgan**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, and did acknowledge that he executed the same for the purposes therein contained

**WITNESS** my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

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

**ATTORNEY CERTIFICATION**

The foregoing instrument was prepared by or under the supervision of the undersigned Maryland licensed attorney.

---

Michael Scott Cohen

**EXHIBIT A**



Regular Council Agenda  
January 17, 2017

---

**Description**

Order authorizing the execution of a Second Amendment to the IAFF Local #1715 Collective Bargaining Agreement dated July 1, 2014 through June 30, 2017

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**SECOND AMENDMENT TO IAFF LOCAL #1715 COLLECTIVE  
BARGAINING AGREEMENT WITH THE MAYOR AND CITY COUNCIL  
OF CUMBERLAND, MD JULY 1, 2014 THROUGH JUNE 30, 2017**

This Second Amendment to IAFF Local #1715 Collective Bargaining Agreement with the Mayor and City Council of Cumberland, MD July 1, 2014 through June 30, 2017 (“Second Amendment”) is made and effective this \_\_\_\_ day of January, 2017, by and between the Mayor and City Council of Cumberland (the “Employer”) and International Association of Firefighters, AFL-CIO, Local #1715 (the “Union”).

**WITNESSETH**

**NOW THEREFORE**, in consideration of the premises and the stipulations hereinafter set forth and pursuant to the reopener negotiations which were conducted as required by Article 31, Section 2 of the IAFF Local #1715 Collective Bargaining Agreement with the Mayor and City Council of Cumberland, MD July 1, 2014 through June 30, 2017 (the “Agreement”), the parties hereto covenant and agree as follows:

**1. Amendment of Article 7, Sections 3(a), (b) & (e) of Agreement.** Effective retroactive to January 1, 2017, Article 7, Sections 3(a), (b) and (e) of the Agreement are amended in the manner set forth in the Exhibit A attached hereto and made a part hereof. **NOTE:** The language which is stricken out in Exhibit 1 is deleted from the text of the Agreement.

**2. Amendment of Article 7, Section 5 of Agreement.** Effective retroactive to January 1, 2017, Article 7, Section 5 of the Agreement is amended as follows:

**Section 5: Captains and Junior Captains.** William Davis, Christopher Ratliff and Samuel Wilson shall have the option of becoming Captains (management) or Junior Captains (members of the collective bargaining unit). Those individuals who elect to become Junior Captains shall retain their current pay classification and longevity increases as well as their seniority. References to Captains as contained in this Agreement shall not include Junior Captains as Junior Captains are below the rank of Captain and Junior Captains are part of the collective bargaining unit and Captains are not. Any Employee promoted to management will receive 1 (one) longevity step increase, at the next scheduled step. **Effective the date of this Second Amendment, the rank of Junior Captain is eliminated, except that those currently holding that rank shall continue to do so until they retire, leave their employment in the City Fire Department or get promoted.**

**NOTE:** The highlighted language shows additions to the existing language of the Agreement.

**3. Amendment of Article 24, Section 1 of Agreement.** Effective retroactive to January 1, 2017, Article 24, Section 1 of the Agreement is amended as follows: Effective retroactive to January 1, 2017, the Appendix A attached hereto shall supercede and take the place of the Appendix A attached to the Agreement.

**4. Amendment of Article 24, Section 3 of Agreement.** Effective July 1, 2017, Article 24, Section 3 of the Agreement is amended in the following manner.

**SECTION 3:** Pursuant to Section 1 of Article 24 of this Agreement, Employees are salaried employees of the Employer and therefore do not have an hourly rate of pay. For the limited purpose of this Article, Employees who accept temporary assignments to positions with higher pay grades than the pay grades of their regularly assigned positions shall be paid for each hour worked or fraction of an hour worked in the higher pay grades. Such additional pay shall be known as "acting pay." The acting pay differentials associated with the higher pay grades which shall be paid according to the per hour increases as follow:

<b>ACTING POSITION</b>	<b>DIFFERENTIAL</b>
<b>EQUIPMENT OPERATOR</b>	<b>\$.65</b>
<b>LIEUTENANT</b>	<b>\$.75</b>
<del><b>JUNIOR CAPTAIN</b></del>	<del><b>\$.80</b></del>
<b>CAPTAIN</b>	<b>\$.85</b>

~~The rates set forth in the table above shall become effective upon the effective date of the change in the Employer's health insurance provider from the current provider to Cigna.~~

When an acting officer is needed as the officer on the Ladder Truck, he will receive acting captain pay.

**NOTE:** The language which is stricken out is deleted from the text of the Agreement.

**5. Effective Date.** The changes to the Agreement effected by the preceding sections of this Second Amendment are made effective retroactive to January 1, 2017.

**6. Limited Modification.** Except as specifically modified by this Second Amendment, all terms and conditions of the Agreement remain unchanged, in full force and effect, and are hereby ratified and confirmed by the parties hereto in all respects.

**7. Miscellaneous Provisions.**

**7.1. Invalidity.** Should any Article, Section, or portion thereof, of this Second Amendment be held unlawful and unenforceable by any Court of competent jurisdiction, such decision of the Court shall apply only to the specific Article, Section, or portion thereof, directly specified in the decision; provided, however, that upon such a decision, the parties agree, as soon as practical, to negotiate a substitute for the invalidated Article, Section, or portion thereof.

**7.2. Binding Effect.** This Second Amendment shall inure to the benefit of the parties hereto and it shall be binding upon them and their respective successors and assigns.

**7.3. Captions.** The captions and various sections and paragraphs of this Second Amendment have been inserted only for the purposes of convenience. Such captions are not a part of this

Second Amendment and shall not be deemed in any manner to modify, explain, enlarge or restrict any of the provisions of this Second Amendment.

**7.4. Construction of Second Amendment.** This Second Amendment, having been executed in the State of Maryland, shall be construed, interpreted and enforced under the laws of the State of Maryland.

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

**IN WITNESS WHEREOF**, the parties acknowledge that this Second Amendment is their act and that they have executed it on the day and year first above written:

**MAYOR AND CITY COUNCIL OF CUMBERLAND**

\_\_\_\_\_  
BRIAN K. GRIMM  
Mayor

\_\_\_\_\_  
DAVID CAPORALE  
Councilman

\_\_\_\_\_  
SETH D. BERNARD  
Councilman

\_\_\_\_\_  
RICHARD J. CIONI  
Councilwoman

\_\_\_\_\_  
EUGENE T. FRAZIER  
Councilman

**ATTEST:**

\_\_\_\_\_  
MARJORIE A. WOODRING  
City Clerk

**INTERNATIONAL ASSOCIATION OF  
FIREFIGHTERS  
AFL-CIO, LOCAL #1715**

\_\_\_\_\_  
KENNETH MCKENZIE  
President

**ATTEST:**

\_\_\_\_\_  
JEFF WAGONER  
Secretary

# EXHIBIT A

## SECTION 3:

### (a) Promotion to Lieutenant ~~and Junior Captain~~:

Appointments to permanent rank of Lieutenant ~~and Junior Captain~~ will be made to the person otherwise eligible for appointment whom shall have placed in any of the first five (5) positions of the promotional list as calculated by the use of the formula herein provided. When two (2) appointments are made from said list, the sixth and seventh individuals shall be added to the list so as to provide five (5) names for consideration. In the event an individual on the list leaves employment of the Employer, the next person on the list will move up.

### (b) Promotional Testing for Lieutenant ~~and Junior Captain~~:

#### ▪ PHASE I:

1) Written exam: For promotions to Lieutenant ~~or Junior Captain~~, a written examination will be conducted for all eligible personnel, per job descriptions, who apply for said examination. Tests will be administered by the Human Resources Office. For ~~Fire~~ Lieutenant ~~and Junior Captain~~, the written test will consist of operational and management questions, operational questions will be from the material used by the University of Maryland Fire and Rescue Institute Fire Officer Programs, reading material for management questions will be at the discretion of the Employer. For ~~both Fire~~ Lieutenant ~~and Junior Captain~~, a passing grade of 70% is required. All Employees who pass with a 70% or higher will proceed to Phase II and be given an oral interview.

#### 2) Test Date

Tests for Lieutenant ~~and Junior Captain~~ will be given during March of every odd-numbered year, unless the promotional list is exhausted. If the list is exhausted, a test will be given as soon as possible after the last promotion from the list. If less than eight (8) months remain before a regular test date, no test shall be required before the regular test date.

### 3) Eligibility

To sit for the Lieutenant exam, a candidate must have the following:

- a.) Five (5) years with the Cumberland Fire Department on the last day of the month in which the test is given.
- b.) Successful completion of MIFRI Fire Officer I course or meet the qualifications of the National Board on Fire Service Qualifications to be certified as Fire Officer I.
- c.) Successful completion of Pumps class prior to the application due date.

~~To sit for the Junior Captain Exam, a candidate must have the following:~~

- ~~a.) Candidate must meet all requirements for the Lieutenant exam.~~
- ~~b.) Candidate must have completed the Lieutenant probationary period by the end of the month in which the test is given.~~
- ~~c.) Successful completion of MIFRI Fire Officer 2 course or meet the qualifications of the National Board on Fire Service Qualifications to be certified as a Fire Officer 2.~~

#### ▪ PHASE II:

1) An oral interview process involving independent evaluators will be conducted. The interview will consist of two parts and will make up 50% of the final grade. The interviewers shall be instructed to develop and ask a total of eight questions. Four questions shall relate to emergency scene tactics and response analysis. Four questions will relate to management and personnel issues. Each candidate shall be asked the same questions and be given the same amount of time to answer. Each question shall be weighted equally.

2) The final score of candidates shall be calculated by averaging the written test score and the oral interview score. No passing grade shall be required for the oral interview. The interview panel shall add the score of the written test to the interview score to get a composite and determine list/ranking

of candidates - promotion list will combine 50% of written test result and 50% of oral interview to form a Promotion List with the person with the overall highest composite score finishing highest as first on the list.

3) If a tie develops on the rankings, five (5) of the written test questions will have been predetermined and pre-disclosed as tie breakers. Tied candidates who have answered the highest number of these questions correctly achieve the higher ranking for tie breaking purposes. If a tie still exists, seniority by date of hire will be the final tie breaker.

4) The eligibility list shall remain in effect for a period of two (2) years.

....

(e) The above revised promotion system will become effective for Lieutenant ~~and Junior Captain~~ Promotions that take place after the current list's expiration. The process outlined above will commence at least 45 days prior to the current list's expiration dates so as to cause no lapse in time when the Promotion Lists for Lieutenant ~~and Junior Captain~~ will exist. Said new Promotion Lists shall not become effective until the above expiration dates have occurred.

**APPENDIX A**

Fire Longevity / Pay Scale  
 FY 2017 – Effective January 1, 2017

## Annual Salary Schedule

<b>Rank</b>	Start of Year #							
	<u>Step</u>							
	<u>1</u>	<u>3</u>	<u>5</u>	<u>7</u>	<u>10</u>	<u>15</u>	<u>20</u>	<u>25</u>
Junior Captain EMT-P	54,040	55,391	56,776	58,196	59,652	62,633	65,765	69,053
Junior Captain CRT-I	50,722	51,989	53,290	54,623	55,989	58,788	61,726	64,813
Junior Captain	47,403	48,589	49,804	51,049	52,326	54,941	57,688	60,573
LT/EMT-P	49,897	51,160	52,424	53,751	55,079	57,833	60,725	63,762
LT/EMT-I	49,461	50,697	51,964	53,264	54,596	57,326	60,192	63,201
LT/EMT	43,770	44,865	45,986	47,136	48,314	50,731	53,268	55,931
EO/EMT-P	42,542	43,619	44,695	45,828	46,959	49,309	51,774	54,362
EO/EMT-I	42,169	43,224	44,304	45,411	46,548	48,876	51,319	53,886
EO/EMT	37,318	38,251	39,207	40,187	41,193	43,253	45,416	47,686
FF/EMT-P	39,282	40,277	41,271	42,317	43,362	45,531	47,805	50,197
FF/EMT-I	38,937	39,912	40,909	41,932	42,981	45,131	47,386	49,756
FF/EMT	34,459	35,320	36,203	37,109	38,037	39,939	41,935	44,032

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

ORDER NO. \_\_\_\_\_

DATE: January 17, 2017**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

THAT, the Mayor and City Council be and are hereby authorized to execute a Second Amendment to the IAFF Local #1715 Collective Bargaining Agreement with the Mayor and City Council of Cumberland and dated July 1, 2014 through June 30, 2017.

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**Mayor Brian K. Grim**



Regular Council Agenda  
January 17, 2017

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**Description**

Letter from Race Director Megan Mertz asking permission to hold the 2nd Annual Mental Health Matters 5-Mile Run and 1.5-Mile Walk on May 13, 2017 at 8:00 a.m. in Cumberland

**Approval, Acceptance / Recommendation**

Captain Greg Leake of the Cumberland PD had approved this event.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



January 6, 2017

Mayor and City Council  
 Attn: Jeff Rhodes  
 75 N Liberty Street  
 Cumberland, MD 21502

Dear Mr. Rhodes:

This letter is to request permission to hold the Second Annual Mental Health Matters 5-Mile Run and 1.5 Mile Walk on May 13, 2017 at 8:00 AM in Cumberland.

This run is to benefit the Mental Health System's Office of the Allegany County Health Department. Please see attached letter.

The run/walk will start at Station Plaza of Canal Place and continue across Baltimore Street to the Allegheny Passage. Walk will turn around after crossing under Valley Street and run will turn around after the Western MD Steel Truss Bridge. Finish will be back at Station Plaza.

I have submitted my application for the use of the Allegheny Passage. I also have been in contact with Captain Leake of the Cumberland Police Department, and they are working with us fully.

We appreciate your consideration in this, which we expect to be a prosperous event once again.

If you need anything else, please contact me. I can be reached at (301) 707-1188 or [meganmertz9@yahoo.com](mailto:meganmertz9@yahoo.com).

Sincerely,

Megan Mertz, Race Director

RCVD

CLERK'S OFFICE

2017 JAN 9 PM 9:25

Item # 13



Sherri Nicol &lt;sherri.nicol@cumberlandmd.gov&gt;

**Re: Fwd: Mental Health Matters Run/Walk Permission Letter**

1 message

**Greg Leake** <gm.leake@cumberlandmd.gov>  
To: Sherri Nicol <sherri.nicol@cumberlandmd.gov>  
Cc: Charles Hinnant <charles.hinnant@cumberlandmd.gov>

Wed, Jan 11, 2017 at 11:16 AM

Sherri,

There are no issues with this event. Please proceed as you need to for approval.

Thanks,  
Greg

On Jan 11, 2017 10:52 AM, "Sherri Nicol" &lt;sherri.nicol@cumberlandmd.gov&gt; wrote:

Chief, Greg,

Attached is a letter from Megan Mertz, Race Director, asking permission to hold the 2nd Annual Mental Health Matters 5-Mile Run and 1.5-Mile Walk on May 13, 2017 (see correction on letter). Ms. Mertz has already submitted her application to use the Allegheny Passage, and has been in contact with the PD. Upon your approval, we will add this to the Agenda for 1/17/17.

Thanks!

*Sherri Nicol*  
Assistant to the City Clerk  
City Hall, Cumberland, MD  
301-759-6449  
[sherri.nicol@cumberlandmd.gov](mailto:sherri.nicol@cumberlandmd.gov)

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

From: <copier@cumberlandmd.gov>  
Date: 2017-01-11 11:41 GMT-05:00  
Subject: Attached Image  
To: SHERRI <sherri.nicol@cumberlandmd.gov>