



**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

## MINUTES

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

DATE 10/17/2017

### **\*Pledge of Allegiance**

### **I. ROLL CALL**

PRESENT: Brian K. Grim, President; Council Members David Caporale, Richard Cioni, and Eugene Frazier

ABSENT: Councilman Seth Bernard

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael Scott Cohen, City Solicitor; Sherri L. Nicol, Assistant to the City Clerk

### **II. DIRECTOR'S REPORT**

#### **(A) Police**

1. Police Department monthly report for September, 2017

**Item Action:** Approved

Motion to approve the report was made by Councilman Caporale, seconded by Councilman Cioni and passed on a vote of 4-0

#### **(B) Fire**

1. Fire Department monthly report for September, 2017

**Item Action:** Approved

Motion to approve the report was made by Councilman Caporale, seconded by Councilman Cioni and passed on a vote of 4-0

#### **(C) Administrative Services**

1. Administrative Services monthly report for August, 2017.

**Item Action:** Approved

Motion to approve the report was made by Councilman Caporale, seconded by Councilman Cionia nd passed on a vote of 4-0

(D) Public Works

1. Utilities Division monthly report for September, 2017

**Item Action:** Approved

Motion to approve the report was made by Councilman Caporale, seconded by Councilman Cionia nd passed on a vote of 4-0

**III. APPROVAL OF MINUTES**

(A) Routine

1. Approval of the Regular Session Minutes of September 5 and 19, 2017 and the Work Session Minutes of September 19, 2017

**Item Action:** Approved

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

(B) Administrative / Executive

1. Approval of the Closed Session Minutes of September 5 and 19, 2017

**Item Action:** Approved

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

**IV. NEW BUSINESS**

(A) Orders (Consent Agenda)

**Item Action:**

Mr. Rhodes reviewed each item on the Consent Agenda, and Mayor Grim entertained questions or comments. Motion to approve Consent Agenda Items 1 - 8 was made by Councilman Caporale, seconded by Cioni and passed on a vote of 4-0

1. Order authorizing the Chief of Police to enter into a Memorandum of Understanding with the Allegany County Health Department to conduct six drug interdiction events between now and June 1, 2018 in an attempt to reduce the illicit supply of opioids in Cumberland; \$10,000 in police overtime money has been appropriated by the Allegany County Health Department for this initiative

Before voting to approve the Agenda, the following conversation took place:

Mr. Jim Malone inquired if there was other information available for the police grant, and questioned if money was in the City's budget for the drug interdiction work, or if the taxpayers were paying for it.

Mr. Rhodes touched on the specifics and told Mr. Malone that he could certainly be provided with more details. Mr. Rhodes also stated that the money for the police grant was given to the City from Allegany County for this particular program, and that the State is providing money to Allegany County for this. Mr. Malone had further questions, which Mr. Rhodes deferred to Lt. Chuck Ternent who was present at the meeting. Lt. Ternent explained that the money was used for police overtime, to allow the Police Department to work on specific problems in the neighborhoods related to the opioid epidemic.

Greg Larry, Cumberland Times-News, inquired what exactly a "drug interdiction" was. Lt. Ternent explained that as the Police Department receives intelligence that there may be drug activity in a particular neighborhood, they try to stop it by overt, or covert controls.

ORDER NO. 26,199

2. Order approving the sole source joint proposal from the WVU Land Use & Sustainable Development Law Clinic and Downstream Strategies to develop a Blight Action Plan for the City for the amount not to exceed \$31,214

Before voting to approve the Agenda, the following conversation took place:

Mr. Paul Natoriani inquired if the WVU Blight Action Plan had anything to do with the Rolling Mill properties or anything owned by the CEDC. Mr. Rhodes explained if there's a property standing there when surveying is done, they may include it in the survey, but it is not by any means specifically to address Rolling Mill.

ORDER NO. 26,200

3. Order authorizing the execution of Change Order No. 1 to the existing contract with Leonard S. Fiore, Inc. for the CSO Storage Project at the WWTP - Phase 1, to add 42 days to the contract.

ORDER NO. 26,201

4. Order authorizing the execution of Change Order No. 2 to the current contract with Leonard S. Fiore on the CSO Storage Phase I at the WWTP (Project No. 01-10-WWTP) for the increased amount of \$16,582.53, bringing the total contract price to \$26,432,922.53. This Change Order is contingent upon approval from MDE.

ORDER NO. 26,202

5. Order appointing Kathleen Breighner and Terri Layton to the Human Resources Commission effective 10/1/17 - 10/1/20; Ben Wolters to the Planning & Zoning Commission effective 10/1/17 - 10/1/22; Dennis Bittinger to the Shade Tree Commission effective 10/1/17 - 10/1/21; and Charles Taylor, Jr. to the Zoning Board of Appeals effective 10/1/17 - 10/1/20

ORDER NO. 26,203

6. Order declaring certain computer equipment to be surplus and authorized for disposal

ORDER NO. 26,204

7. Order authorizing the sole-source purchase of root control services for the Sewer Department from Duke's Root Control, Inc. in the amount of \$49,951.23

ORDER NO. 26,205

8. Order appointing J. Matthew Gilmore, Raymond Morriss, Mary Beth Pirolozzi, Dale Sams, and John R. Smyth, Jr. to the Citizen Advisory Commission on Salaries and Benefits effective October 17, 2017

ORDER NO. 26,206

(B) Letters, Petitions

1. Letter from Police Chief Charles Hinnant advising that a public information session will be held Wednesday, November 1, 2017 at 5:30 p.m. at the Cumberland City Hall Council Room, 57 N. Liberty Street, Cumberland, MD 21502, as part of the on-site assessment requirements for the Cumberland Police Department's program to obtain CALEA Accreditation Status. During this meeting, individuals wishing to comment on the CPD's ability to comply with CALEA standards will be provided an opportunity to speak.

Mayor Grim acknowledged the letter and entered it into public record.

**V. PUBLIC COMMENTS**

All public comments are limited to 5 minutes per person

Paul Natoriani, 819 Fayette Street, asked why there was a sign on the City Hall doors that said the Attorney General would not be speaking at City Hall that night. Mr. Rhodes explained to Mr. Natoriani that the City allows a space once a month for a representative from the Attorney General's office, or the Better Business Bureau, to talk with residents who have problems pertaining to the Attorney General office's area of expertise.

**VI. ADJOURNMENT**

With no further business at hand, the meeting adjourned at 6:28 p.m.

Minutes approved on November 7, 2017

Brian K. Grim, Mayor

ATTEST: Sherri L. Nicol, Assistant to the City Clerk



Regular Council Agenda  
October 17, 2017

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**Description**

Police Department monthly report for September, 2017

**Approval, Acceptance / Recommendation**

Budgeted

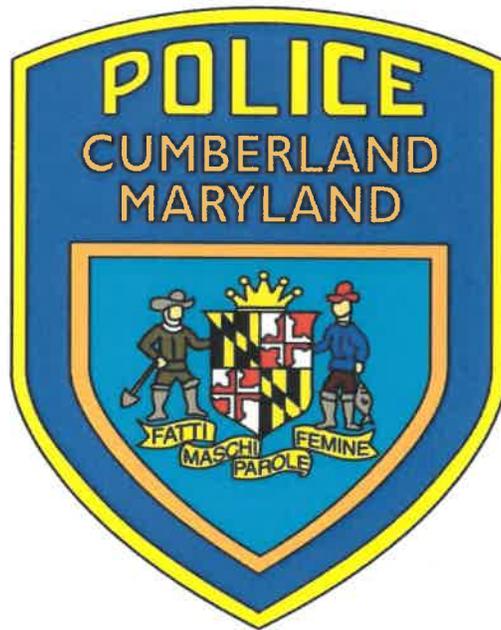
1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



# **City of Cumberland Department of Police**

**Monthly Report**  
**September 2017**



# CUMBERLAND POLICE DEPARTMENT

## MONTHLY REPORT

SEPTEMBER 2017

### SWORN PERSONNEL: 49 SWORN OFFICERS

Administration	6 officers
Squad 1A	8 officers
Squad 1B	8 officers
Squad 2A	8 officers
Squad 2B	9 officers
C3I/C3IN	5 officers
School Resource	2 officers
Light Duty Administration	1 officer
Academy	3 officers

### 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: 1168 HOURS

YEAR TO DATE (beginning 7/1/17): 2920 HOURS

COMP TIME USED: 127 HOURS

YEAR TO DATE (beginning 7/1/17): 599 HOURS

SICK TIME USED: 231 HOURS

YEAR TO DATE (beginning 7/1/17): 482 HOURS

### OVERTIME REPORT

OVERTIME WORKED: 427 HOURS

YEAR TO DATE (beginning 7/1/17): 1161 HOURS

HOSPITAL SECURITY: 176 HOURS

YEAR TO DATE (beginning 7/1/17): 481 HOURS

COURT TIME WORKED: 66 HOURS

YEAR TO DATE (beginning 7/1/17): 341 HOURS

### TRAINING REPORT

59 OFFICERS ATTENDED 19 TRAINING SESSIONS

YEAR TO DATE (beginning 7/1/17) 362 HOURS



Regular Council Agenda  
October 17, 2017

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**Description**

Fire Department monthly report for September, 2017

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

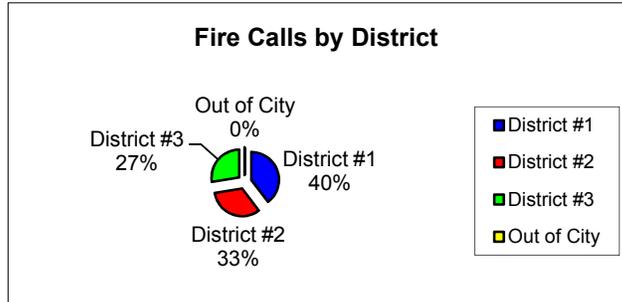
**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**REPORT OF THE FIRE CHIEF FOR THE MONTH OF SEPTEMBER 2017**  
**Prepared for the Honorable Mayor and City Council and City Administrator**

**Cumberland Fire Department Responded to 116 Fire Alarms:**

Responses by District:	
District #1	46
District #2	38
District #3	32
Out of City	0
	<hr/> 116



Number of Alarms:	
First Alarms Answered	111
Working Alarms Answered	4
Second Alarms Answered	1
	<hr/> 116

Calls Listed Below:	
Property Use:	
Public Assembly	8
Educational	2
Institutional	2
Residential	61
Stores and Offices	7
Basic Industry, Utility	2
Manufacturing	1
Storage	3
Special Properties	29
None	1
	<hr/> 116

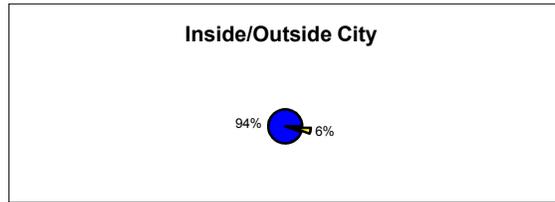
Type of Situation:	
Fire or Explosion	11
Overpressure, Rupture	1
Rescue Calls	61
Hazardous Conditions	4
Service Calls	8
Good Intent Calls	12
False Calls	19
	<hr/> 116

Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid in September:	\$6,590.00
Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid Fiscal Year to Date:	\$9,500.00
Total Fire Service Fees for Fire Calls Paid in September:	\$590.00
FY2018 Fire Service Fees Paid in FY2018:	\$430.00
Total Fire Services Fees Paid in FY2018:	\$1,910.00

Total Service Fees for Inspections and Permits Billed in September:	\$50.00
Total Service Fees for Inspections and Permits Paid in September:	\$100.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$250.00

**Cumberland Fire Department Responded to 410 Emergency Medical Calls:**

In City Calls	387
Out of City Calls	<u>23</u>
Total	410



Total Ambulance Fees Billed by Medical Claim-Aid for September, 2017:	\$123,578.00
Ambulance Fees Billed Fiscal Year to Date:	\$324,411.50

Ambulance Fees Paid:	
Revenue Received in September:	\$76,808.43
FY2018 Fees Paid in FY2018:	\$128,121.70
Total Fees Paid in FY2018:	\$270,952.49

(Includes all ambulance fees, previous and current fiscal years, paid in FY2018.)

Cumberland Fire Department provided 9 Paramedic Assist calls:

6 Paramedic Assist Calls within Allegany County	
<u>3 Paramedic Assist Calls outside of Allegany County</u>	
9	

Cresaptown VFD	5
Mount Savage VFD	<u>1</u>
	6

Fort Ashby, WV VFD	1
Ridgeley, WV VFD	1
Short Gap, WV VFD	<u>1</u>
	9

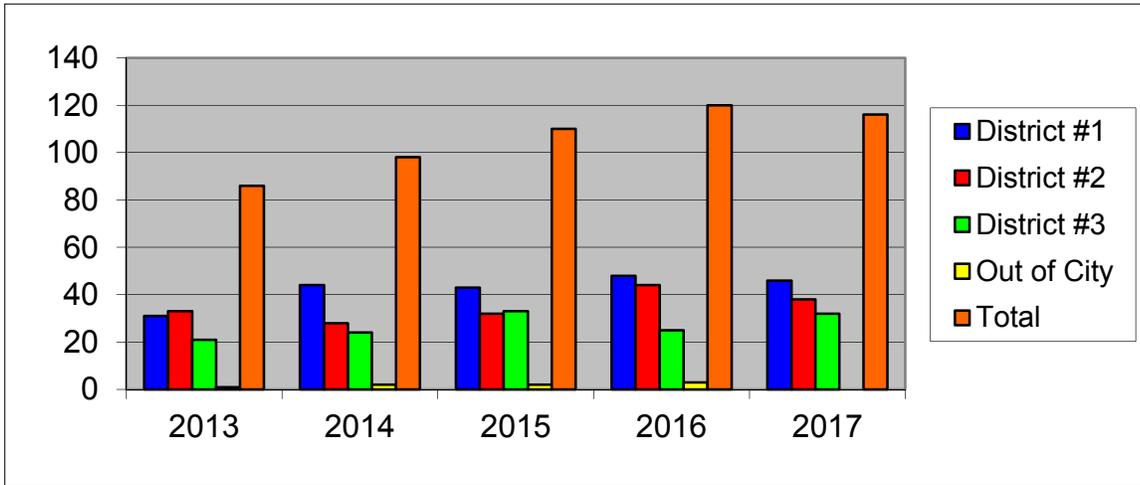
Cumberland Fire Department provided 14 Mutual Aid Calls:

14 Mutual Aid Calls within Allegany County	
<u>0 Mutual Aid Calls outside of Allegany County</u>	
14	

Bowman's Addition VFD	3
Cresaptown VFD	10
Flintstone VFD	<u>1</u>
	14

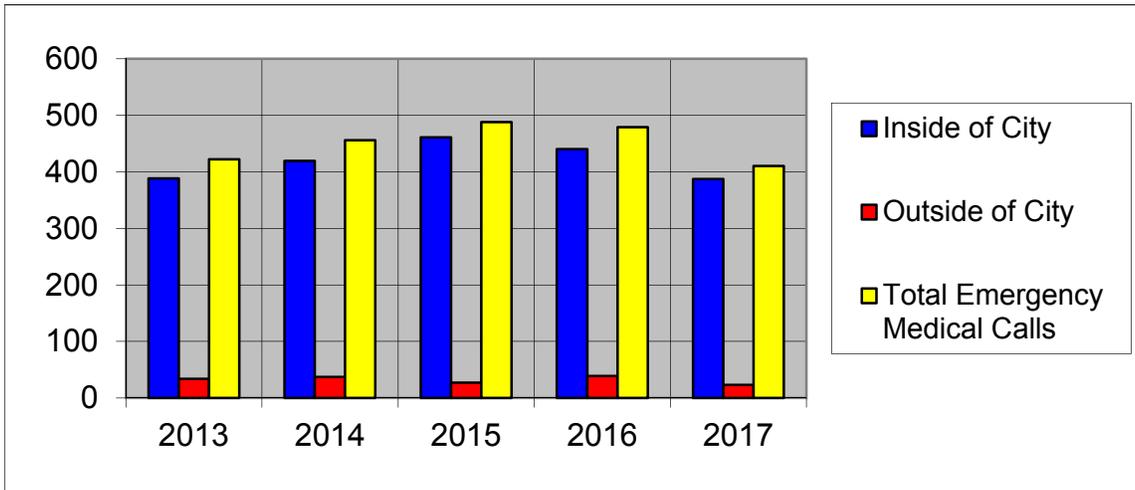
**Fire Calls in the Month of September for a Five-Year Period**

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
District #1	31	44	43	48	46
District #2	33	28	32	44	38
District #3	21	24	33	25	32
Out of City	<u>1</u>	<u>2</u>	<u>2</u>	<u>3</u>	<u>0</u>
Total	86	98	110	120	116



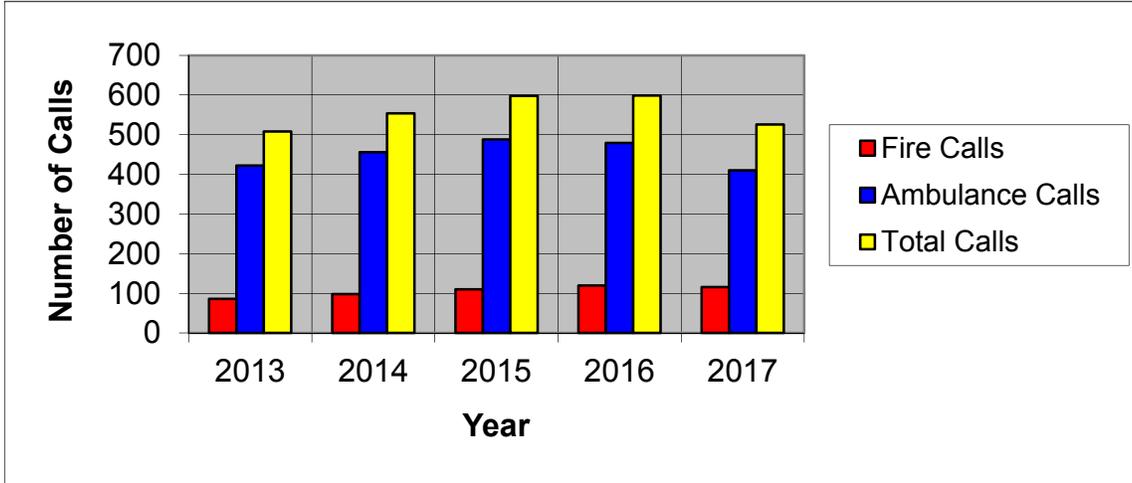
**Ambulance Calls in the Month of September for a Five-Year Period**

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Inside of City	388	419	461	440	387
Outside of City	<u>34</u>	<u>37</u>	<u>27</u>	<u>39</u>	<u>23</u>
Total Emergency Medical Calls	422	456	488	479	410



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

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Fire Calls	86	98	110	120	116
Ambulance Calls	422	456	488	479	410
Total Calls	508	554	598	599	526



**Training**

Training Man Hours:	284.25
Administrative Policy & Procedures	16.25
Apparatus Check Procedures	33.00
Apparatus Inventory	12.50
SCBA Longevity	22.00
Inservice Inspections	23.50
Drug Box Refresher	2.00
EMT Recertification	10.00
Ambulance Inventory	36.00
Strategic & Tactical Operations	17.75
General Fire Prevention	2.50
Post Incident Review	11.00
Street Location	24.00
Physical Fitness	8.00
NIMS 300	52.00
High Angle Rescue	13.75
	<hr/>
	284.25

**Fire Prevention Bureau**

Complaints Received	0
Conferences Held	66
Correspondence	12
Inspections Performed	6
Investigations Conducted	6
Plan Reviews	8

**Personnel**

Nothing to report.

Statistics Compiled by Julie A Davis, Fire Administrative Officer



Regular Council Agenda  
October 17, 2017

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**Description**

Administrative Services monthly report for August, 2017.

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

## **Administrative Services Monthly Report for August, 2017**

October 17, 2017

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, 2017:

### **Management Information Systems**

Management Information Systems reports the following activities for the month of August, 2017:

#### **Statistics**

80 completed help desk requests  
277 open help desk requests

#### **Activities**

Major department initiatives in the past month include:

- Continued working with HR on job applicant tracking program
- Begin working with Novus-Agenda to upgrade electronic agenda system
- Release RFP for Utility Management System
- Assist CPD with security audits
- Add features to Fleet Management system

### **Parks and Recreation**

**Movies under the Stars** – Saturday August 26, at the Constitution Park Pool – “Back to the Future” attendance: 100

Free swim 6:30 – 8:00 p.m. Prior to the showing of the movie beginning at 8:30 p.m.

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 – Ricky Howser, Shades of Blues (Blues Brothers Tribute), Shanty Irish, and Not really Dan (Steely Dan Tribute) performed.

Funding for this program is provided by the City of Cumberland, Parks & Recreation.

**Pavilion Reservations** and usage for the month of August: 36 reservations utilized pavilions, 12 new reservation were made in August

1 rental of the Activities Building

**Baseball/ Softball League** play and practices for August:

The City of Cumberland provides fields for the following leagues:

Pee Wee Football team – Cardinals – practices, & scrimmage

Girls Softball League – Fall Ball

Braddock Warriors – practices at Jaycee

Church League Softball

Industrial League

Co-ed League

\*One Softball tournament was held - August 19 at Flynn, & Northcraft

\*\*Football and Soccer practices began in August at the Mason Complex, & Jaycee fields.

\*\*

**Mason Cup – Marble Tournament** – Held at Constitution Park Marble Rings August 26 & 27

### **Constitution Park Pool**

**The Park pool was closed August 28-September 1 – (Public School opened for the school year.) The Pool will be reopening for Labor Day Weekend, September 2 - 4**

27 Days of Operation – Regular gate Attendance: 1,367

Total income for the Month of August \$ 3,014

YMCA members 660, Y Day Camp participants 278

Other group usage – 224, Attendance from pool passes - 93

2 Pool Parties – Attendance - 86

Swimming lessons are held in conjunction with day camp swimming lessons, Monday – Friday 11-11:45 a.m. 9 Lessons (39 – public participants, 258 - Day Camp participants)

### **Constitution Park Day Camp**

9 Days of Day Camp – Attendance: 582

Daily activities include: Swimming Lesson, Tennis Lessons, Arts & Crafts, Sports, Reading & computers, Dance, Breakfast, Lunch, snack, afternoon swimming, “Fun Friday” Special event day, and Bus transportation (funded by *Department of Social Services*)

*Cooperative Extension service* provided activities related to nutrition and farming, every Monday - Thursday. Hands on activities – movement and exercise, gardening, games, music and more, directed by Sarah Bernard, from the Extension Office. Age groups 9&10 – 11&12 traveled to the Reinhard Farm in Flintstone MD with Sara & Rachel.

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

**August meals served** – Lunches: 1,035, Snacks: 1,191

**Summer Lunch Program 2016 season totals:**

**Lunches: 5,907, Snacks: 6,382 served**

**Breakfast at Day Camp** – “Summer Lunch Box” provided Breakfast for the 9 week day camp participants arriving at camp without eating breakfast. **Breakfast served: 940**

**Seasonal Services:** Amusement Park ticket sale, Park pool passes registration and fees for the summer day camp, picnic kits, sport supplies, facilities use requests.

**Meetings attended:**

Summer Food Service – State review and wrap up – (Friday, August 18 – Meeting)

Field for Kids – Pittsburgh Pirates Charity Grant project – Al Abrams Baseball Field

Soccer Fields – Mason complex field usage

UMD Extension Service – Wrap up of Summer Nutrition Program

Staff Meetings

**Upcoming:**

Wrap up of summer programs – meetings & clean up

Resume Recreation Advisory Board Meeting – September 11

Planning for fall event.

## Community Development

The Community Development Department reports the following activities for the month of August, 2017:

### CODE COMPLIANCE

#### **Code Enforcement:**

Nuisance & Junk	Property Maintenance	Building Code
Vehicle Complaints	Complaints	Complaints
Received: 22+	Received: 00	Received: 00
Corrected: 00	Corrected: 00	Corrected: 00
Housing Code		
Complaints	Zoning Complaints	
Received: 00	Received: 00	
Corrected: 00	Corrected: 00	

#### **Permits, Applications, and Licenses**

<u>Building Permits</u>	<u>Residential Rental License</u>	<u>Plan Reviews</u>
Received 01	Received: 1209	Received: 02
Issued: 02	Issued: 1209	Issued: 01

Occupancy Permit

Received: 12  
Issued: 04

**Housing Inspections**

Conducted: 47  
Passed: 47

Revenue

Building Permits:.....	\$774.00
Miscellaneous Permits:.....	291.00
Occupancy Permits: .....	300.00
Utility Permits: .....	2125.00
Reviews, Amendments, and Appeals: .....	325.00
Rental Licenses: .....	30,225.00
Paid Inspections: .....	00.00
<u>Municipal Infractions: .....</u>	<u>00.00</u>
<b>TOTAL .....</b>	<b>\$34,040.00</b>

**Community Services Activity:**

- All 505 City owned properties spreadsheet complete. Now working to separate those with structures from land only as hard copies with map. Working with staff to map them electronically.
- National Night Out – Cumberland was held 8/1/17
  - NNO Report and Project 365 are due Sept. 14 to NATW
  - Planning Committee wrap up meeting was held 8/9
- The Neighborhood Advisory Commission will not meet until further direction from M&CC.
  - Chair resignation 8/22/2017 (term expired 9/2016)
  - Staff plans to present the Clean Up & Green Up Program to the public at the Sept. 5 M&CC meeting. Funds for 2 neighborhood campaigns are available at \$2500 each..
  - SCBCA is scheduled to meet Sept. 19 w/newsletter scheduled to go out to 350+ members.
    - Planning has begun for the 68th annual SCBCA’s “Marsha L. Thomas Memorial” Halloween Parade, scheduled for 10/25/17.
- Collected older EDC minutes for new CEDC President
- Shared Fair Housing event re: landlord/Tenant relations, scheduled for Aug. 4, to rental owners/agents list
- Updated staff on New County Permits Dashboard map with search upgrades  
<http://alleganygis.allconet.org/permitsdash2/index.html> (not yet available to the public)

- Took 22 complaints calls for nuisance and resolved 8 of them while forwarding info on 14 to staff for further process.

## **COMMUNITY DEVELOPMENT PROGRAMS**

Attached please find the monthly CDBG report spreadsheet. Notable activity this month includes City receipt of Release of Funds from HUD for work to begin at 16-18 Arch Street which is HRDC's 2016 Transitional Shelter rehabilitation project and the Mayor executed the formal CDBG Funding Approval/Agreement, (HUD-7082), between the City and the Department of Housing and Urban Development (HUD) for the 2017 Annual Action Plan funds of \$709,295 approved by Mayor and City Council this spring for twenty 2017-2018 CDBG projects.

<b>Community Development Block Grant (CDBG) Monthly Activity : August 2017</b>							
<i>Activity</i>	<i>Year</i>	<i>Initial Funding</i>	<i>Env Rev</i>	<i>Contract</i>	<i>Spent</i>	<i>Remain</i>	<i>Comp</i>
Balt/Amtrk	2013	\$144,151.06	x	x	\$138,513.00	\$5,638.06	96%
CB cleanup	2013	\$3,500.00	x	na	\$2,395.79	\$1,104.21	68%
Balt/Amtrk	2014	\$181,820.00	x		\$48,300.00	\$133,520.00	27%
CB cleanup	2014	\$3,000.00	x	na	\$1,937.30	\$1,062.70	65%
PIP	2015	\$150,000.00	x	re-alloc	\$130,807.77	\$0.00	87%
YMCA rehab	2015	\$80,671.00	x	x	\$80,671.00	\$0.00	100%
CNHS	2016	\$32,000.00	x		\$11,212.35	\$20,787.65	35%
ADA downtown	2015	\$50,000.00	x	x	\$4,678.98	\$45,321.02	9%
YMCA rehab 2	2016	\$67,981.00	underwy		\$0.00	\$67,981.00	0%
HRDC rental (3)	2016	\$24,200.00	x	x	\$0.00	\$24,200.00	0%
Goeth Str ALU	2016	\$138,040.02	underwy		\$0.00	\$138,040.02	0%
Amtrk ph 2 Mech	2016	\$97,811.00	x		\$0.00	\$97,811.00	0%
Trans Shelt rehab	2016	\$21,500.00	x	x	\$0.00	\$21,500.00	0%
Cavan Imps	2016	\$73,879.00	x	x	\$68,879.00	\$5,000.00	93%
Denture clinic	2016	\$7,009.89	x	x	\$3,950.00	\$3,059.98	56%
YMCA 3	2017	\$60,489.21	begun		\$0.00		0%
FAI Resid Rehab	2017	\$49,882.21	X	x	\$0.00		0%
FAI LEC 3	2017	\$70,489.21	underwy		\$0.00		0%
George St ADA	2017	\$50,489.21	tiered		\$0.00		0%
CB sidewalks	2017	\$101,489.22	tiered		\$0.00		0%
Homestd Acqu	2017	\$53,813.29	underwy		\$0.00		0%
FCRC Shelter	2017	\$10,489.21	x		\$0.00		0%

HACC JFV ph 2	2017	\$30,489.21	underwy		\$0.00		0%
WRAP Archway	2017	\$3,096.21	x		\$0.00		0%
Short Term	2017	\$7,489.21	x		\$0.00		0%
Long Term	2017	\$15,489.21	x		\$0.00		0%
Parenting	2017	\$15,489.21	x		\$0.00		0%
Cavan Imps-2	2017	\$55,489.21	underwy		\$0.00		0%
Transp FAI	2017	\$9,489.21	x		\$0.00		0%
HRDC Emerg	2017	\$20,489.21	x		\$0.00		0%
Denture clinic	2017	\$6,489.21	x		\$0.00		0%
Dental Access	2017	\$10,489.21	x		\$0.00		0%
Amtrk ph 4	2017	\$50,489.21	underwy		\$0.00		0%
Aug-17							

### Comptroller's Office

The Comptroller's office reports the following information for the month of August, 2017.

#### **Cash Flow:**

Attached for your review is a Cash Flow Summary for the month of August 2017.

On August 1, 2017 the City had a cash balance of \$6,324,708. Receipts exceeded disbursements by \$1,568,205 in August leaving the City with a cash balance of \$7,892,913 at August 31, 2017.

As of August 31, 2017, the significant balances were:

Taxes receivable (General Fund) \$ 8,220,899

	Beg Balance	New Billing	Collections	Bad Debt	Ending Balance
FY 2018	\$ 8,915,640	\$ -	\$ 1,965,294	\$ -	\$ 6,950,346
FY 2017	721,066	-	50,335	-	670,731
FY 2016	326,615	-	12,406	-	314,209
FY 2015	52,648	-	1,823	-	50,825
FY 2014	30,947	778	2,226	-	29,499
FY 2013	27,082	-	669	-	26,413
FY 2012	30,947	-	787	-	30,160
FY 2011	47,268	-	101	-	47,167
Prior FY's	101,642	-	-	-	101,549
	<u>\$ 1,446,250</u>	<u>\$ 778</u>	<u>\$ 2,033,641</u>	<u>\$ -</u>	<u>\$ 8,220,899</u>

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

Real property (non-owner occupied)	\$ 3,488,996
Non-Corp Personal Property	25,051
Corporate Personal Property	192,904
Real Property (semiannual payments)	3,243,395
Real Property (Half Year)	-
	<u>\$ 6,950,346</u>

September is a 2-pay month so the cash required to meet payroll is an estimated \$1,100,000.

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

**Cash and Investment Summary**  
**August 31, 2017**

	Cash	Investments	
Beginning Balance	\$ 6,324,708	\$ 6,991,325	
Add:			
Cash Receipts	4,765,616	-	
Investment Transfer	-	-	
Less:			
Disbursements	3,197,411	74	
Investment Transfer	-	-	
Ending Balance	\$ 7,892,913	\$ 6,991,251	
Restricted	\$ 573,646	\$ 1,097,898	

---

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

**Restricted Cash**

	8/1/2017	Increase	Utilization	8/31/2017
Police Seizures	\$ 273,325	\$-	\$-	\$ 273,325
Bowers Trust	83,566	-	-	83,566
Restricted Lenders	106,341	-	-	106,341
Sewer Projects	11,784	-	-	11,784
Street Projects	82,000	-	-	82,000
Other	15,600	1,030	-	16,630
	\$ 572,616	\$ 1,030	\$-	\$ 573,646

**Restricted Investments**

	8/1/2017	Increase	Utilization	8/31/2017
DDC	\$ 6,638	\$-	\$-	\$ 6,638
GOB 2013	1,091,260	-	-	1,091,260
BAN 2016	75	-	75	-
	\$ 1,097,973	\$-	\$ 75	\$ 1,097,898

---

Three separate restricted cash accounts were established in June to accept donations for the Al Abrams Field, a Joe Maphis statute and for a P&R Sound Garden at Constitution Park. These three accounts are included in the other restricted cash category and had a combined balance of \$5,630 at August 31, 2017.

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

The GOB 2013 bond proceed investments were originally intended for the demolition of Memorial Hospital, with any remaining proceeds earmarked for street repairs and projects. The last draw occurred in February for costs associated with the Washington Street Lighting project.

The Bond Anticipation Note (BAN 2016) for the Maryland Avenue Redevelopment Project was issued in June 2016. The balance of the bond proceeds of \$75 were transferred to the CEDC August 2017.

**Capital Projects and Associated Debt:**

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

**Available Bond Proceeds**

	<b>8/1/2017</b>	<b>Increase</b>	<b>Utilization</b>	<b>8/31/2017</b>
CDA 2014	\$ 870,922	\$ -	\$ -	\$ 870,922
CDA 2015	2,314,041	-	-	2,314,041
CDA 2017	1,200,000	-	-	1,200,000
	<b>\$ 4,384,963</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,384,963</b>

**CSO Projects (current phase)**

	<b>8/1/2017</b>	<b>Increase</b>	<b>8/31/2017</b>
Evitts Creek Debt	\$ 123,200	\$ -	\$ 123,200
Evitts Creek Grant	-	-	-
WWTP Debt	110,118	-	110,118
WWTP Grant	342,784	145,262	488,046
	<b>\$ 576,102</b>	<b>\$ 145,262</b>	<b>\$ 721,364</b>

CDA 2014 and 2015 bond proceeds are intended for a variety of General Fund (\$1.66 million), Water Fund (\$208,000) and Sewer Fund (\$1.31 million) projects and are available

to be drawn as required. The City closed on new CDA 2017 debt of 1.2 million in early August. There were no CDA draws in August.

The Evitts Creek and Wastewater Treatment Plant (WWTP) CSO projects are underway. During July we received \$145,000 in BRF grants on the WWTP project.

Respectfully submitted,

Jeff Rhodes  
City Administrator



Regular Council Agenda  
October 17, 2017

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**Description**

Utilities Division monthly report for September, 2017

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**CITY OF CUMBERLAND**

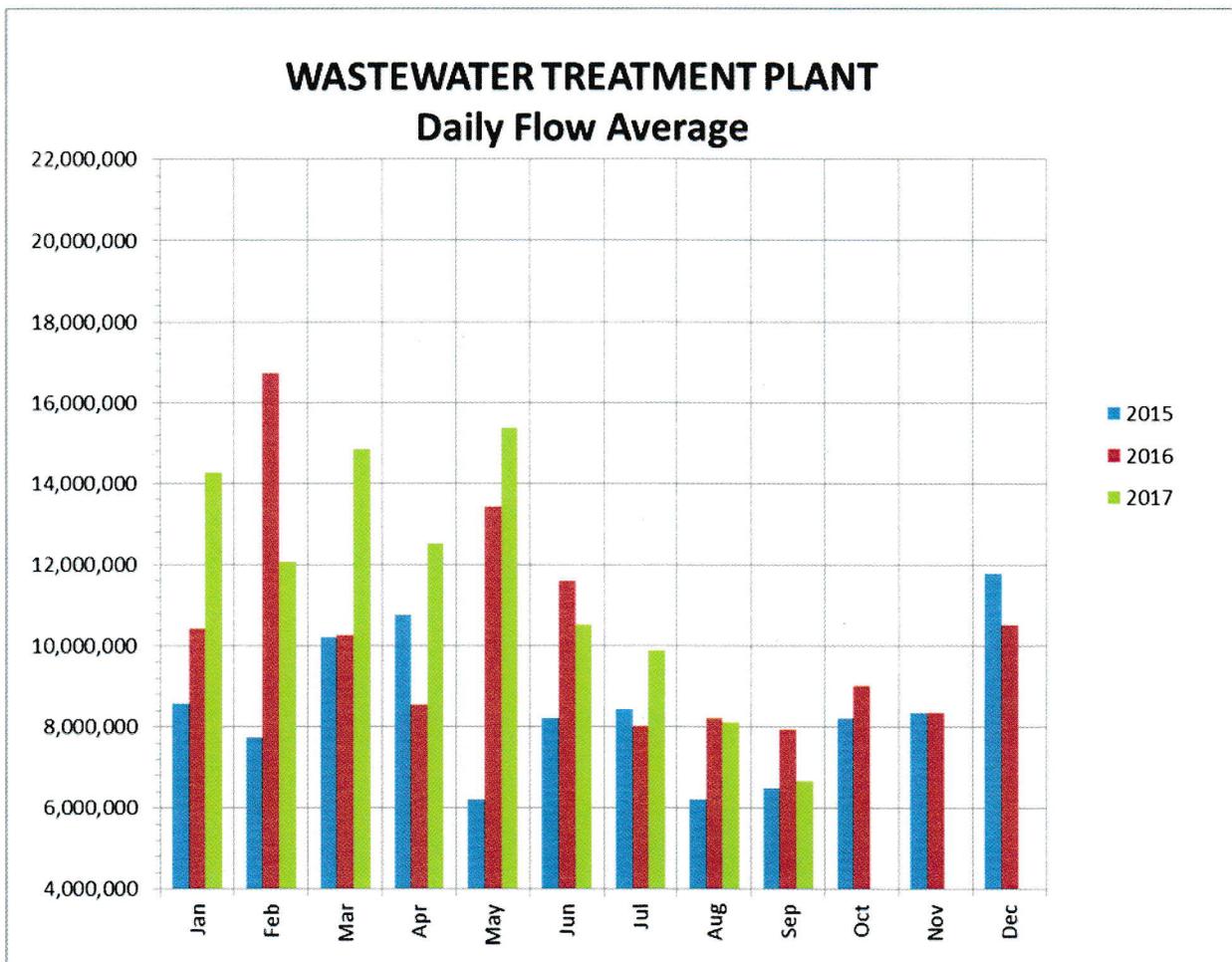
**UTILITY DIVISION  
MONTHLY REPORTS**

**September 2017**

# Wastewater Treatment Plant – SEPTEMBER 2017

## OPERATIONS:

Treated 199,612,000 gallons @ an average of 6.654 million gallons per day. Removed 193,716 pounds of total suspended solids, 193,120 pounds of BOD, 33,446 pounds of total nitrogen, and 5,161 pounds of total phosphorous. Processed 860,987 gallons of sludge producing 86.60 Dry tons of Class “A” bio-solids. All Federal and State reporting requirements were in compliance. Monthly Flow Comparison Chart is attached.



## Sewer & Flood Monthly Report - September 2017

### Sewer

4,012	Ft. Sewer Mains Flushed
1	Sewer Line repaired: - 138 W. Third Street
2	Sewer Mains Repaired: 404 Decatur Street, 1826 Frederick Street (Storm pipe installed)
3	Catch basins cleaned: (Vac was being repaired this month)
2	Catch basins repaired: 696 Fayette Street, 1825 Frederick Street)
138	Feet of Sewer Mains televised
207	Feet of Sewer Lines televised (Laterals)
4	Overflows checked - Assisted Water Department at four (4) work site for Hydro excavating

### Flood

Test run station pumps
Checked holes
Started seepage control boxes and televised at Valley St. with small camera
Checked on sewage leak in flood channel
Assisted Corps in viewing the Pump stations, and bull pen
Assisted Sewer Department with flushing/camera sewer line Furlow's Garage
Mowed thirty (30) acres





Regular Council Agenda  
October 17, 2017

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**Description**

Approval of the Regular Session Minutes of September 5 and 19, 2017 and the Work Session Minutes of September 19, 2017

**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**  
Seth D. Bernard  
David J. Caporale  
Richard J. Cioni, Jr.  
Eugene T. Frazier

**CITY CLERK**  
Marjorie A. Woodring

## MINUTES

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

DATE: 9/5/17

### **\*Pledge of Allegiance**

#### **I. ROLL CALL**

PRESENT: Brian K. Grim, President; Council Members Seth Bernard, David Caporale, Richard Cioni, and Eugene Frazier

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

#### **II. PROCLAMATIONS**

- (A) Proclaiming the month of September, 2017 as Pain Awareness Month

Mayor Grim read the proclamation and it was thereby entered into public record.

- (B) Proclaiming the month of September 2017 to be General Aviation Appreciation Month

Mayor Grim read the proclamation and it was thereby entered into the public record.

- (C) Proclaiming the month of September 2017 as Childhood Cancer Awareness Month

Mayor Grim read the proclamation and it was thereby entered into the public record. Representatives of the childhood cancer awareness group, Holding Hands for Haley, accepted the proclamation.

#### **III. CERTIFICATES, AWARDS AND PRESENTATIONS**

- (A) Presentation from Terri Hast, Neighborhood Advisory Commission representative, announcing the "Team Up to Clean Up & Green Up" grant funds that will be awarded to two community groups that are interested in cleaning up litter and implementing beautification initiatives in their neighborhoods

Terri Hast, Neighborhood Advisory Commission representative, presented details of the

Keep Maryland Beautiful Grant Program designed to eliminate litter and implement beautification efforts in the city. Two cleanup campaigns would be awarded \$2,500 each to promote cleanliness and beautification by removing visible litter. The deadline to apply was September 21, 2017 and projects must be held before December 14, 2017.

#### **IV. DIRECTOR'S REPORT**

##### **(A) Police**

1. Police Department monthly report for July, 2017

**Item Action: Approved**

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

#### **V. APPROVAL OF MINUTES**

##### **(A) Routine**

1. Approval of the Work Session Minutes of May 9, 2017 and the Public Meeting Minutes of July 11, July 18, and August 1, 2017

**Item Action: Approved**

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

##### **(B) Administrative / Executive**

1. Summary Statement of the Closed Meeting held September 5, 2017

Mayor Grim announced that a Closed Session had been held on September 5, 2017 at 5:08 p.m. and read into the record a summary of that session, which is attached hereto and made a part of these minutes as required under Section 3-306(c)(2) of the General Provisions Article of the Annotated Code of Maryland.

#### **VI. NEW BUSINESS**

##### **(A) Orders (Consent Agenda)**

**Item Action: Approved**

Mr. Rhodes reviewed each item on the Consent Agenda and Mayor Grim entertained questions or comments. Motion to approved Consent Agenda items 1-12 was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

1. Order authorizing the Chief of Police to enter into a Memorandum of Understanding with the Allegany County Health Department to accept an "Opiate Misuse Prevention" grant in an amount not-to-exceed \$1,500 for police overtime to provide medication pickup services to home-bound individuals and to conduct mini take-back events within the community

ORDER NO. 26,174

2. Order authorizing the execution of a Water Tap Agreement with Brandi L. and Daniel A. Krampf for the provision of City water service to their property at 13010 Millpoint Drive, Cumberland by tapping onto an existing privately-owned water line; property owners shall be responsible for installation costs and all future repair and maintenance costs; water service shall be charges at rates

for outside city users; easements also granted by Richard & Carolyn Wilson and Glenn Brooks

ORDER NO. 26,175

3. Order adopting the Administration of Disciplinary Guidelines (2017) to replace the Disciplinary Guidelines adopted July 25, 2006 by Order No. 24,403

ORDER NO. 26,176

4. Order amending Order No. 26,170 to reinstate the 2017-2018 taxes for City-owned property at the Seneca Avenue (Tax Acct. No. 06-046908) in the amount of \$1,589, as Verizon Wireless has assumed responsibility for the taxes resulting from cell tower improvements at that site

ORDER NO. 26,177

5. Order authorizing the reappointment to the Board for the Housing Authority of the City of Cumberland of J. Eric Delaney for the term November 1, 2017 - October 31, 2022 and the appointment of Robert A. Godfrey for the term September 5, 2017 - October 31, 2019 to fill the unexpired term of Frederick Cook

ORDER NO. 26,178

6. Order accepting the sole source proposal from J&J Truck Equipment for the conversion from electric to hydraulic of two (2) existing spreader/auger units for the amount of \$25,950

ORDER NO. 26,179

7. Order authorizing the approval of a Cost-Share Agreement with the Maryland Department of the Environment for the "Willowbrook Road 12" Water Line Replacement Project" providing that MDE will pay up to 25% of the total project cost, not to exceed \$188,000

ORDER NO. 26,180

8. Order accepting the sole source proposal from Bennett, Brewer & Associates to provide preliminary design and engineering support required to produce an RFP for the "Willowbrook Road 12-inch Waterline Replacement Project" in the estimated amount of \$27,640

ORDER NO. 26,181

9. Order authorizing the execution of Change Order No. 3 with Braddock Construction to the current contract with Braddock Construction, LLC for the Baltimore Avenue Improvements Project (02-12-M) in the increased amount of \$21,470.40, bringing the total contract amount to an estimated \$1,723,149.20

ORDER NO. 26,182

10. Order authorizing the execution of a Certificate of Satisfaction acknowledging that the debt has been paid on a Deed of Trust made by Howard M. and Mary Kathleen Bohn, dated June 18, 2009, pertaining to 6 Virginia Avenue and releasing the associated lien

ORDER NO. 26,183

11. Order approving the award of \$2,653.54 in Central Business District Facade Improvement Program funding to 101 S. Centre Street, owned by Julianne Hagan

ORDER NO. 26,184

12. Order rescinding Order No. 26,148 dated June 20, 2017 and granting Hampstead Cumberland Arms

Partners, L.P. a one-time Historic District Property Tax Credit for 2016-2017; it has been determined that a prior agreement with Hampstead for a Payment in Lieu of Taxes that was approved in November, 2013 makes the Historic District Tax Credit inapplicable

ORDER NO. 26,185

(B) Letters, Petitions

1. Letter from Lt. Chuck Ternent, CPD, advising that the Cumberland Police Department and the Allegany County Sheriff's Office have been jointly awarded a grant in the amount of \$12,760 through the Edward Byrne Memorial Justice Assistance Grant Formula Program for the purchase of less lethal equipment such as tasers or conducted electrical equipment, and inviting the Mayor and Council and the public to provide input on the program

Mayor Grim acknowledged the letter and entered it into the public record.

**VII. PUBLIC COMMENTS**

All public comments are limited to 5 minutes per person

Carey Walker, Massachusetts Avenue, thanked Council for their response to the questions he had submitted several weeks ago. He discussed concerns regarding the City's pavement management system, questioning the manner in which the streets were prioritized. Mr Rhodes discussed how the company that was hired for the project had rated the streets and the other factors that were involved in the prioritization. Rhodes noted that the brick streets had not been included, but had not been forgotten and he would revisit that issue. Mr. Walker suggested that the City seek funding to restore the brick streets to their original condition. Mr. Walker also encouraged the Mayor and Council to eliminate the 5-minute rule for speakers.

**VIII. ADJOURNMENT**

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

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

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

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

**Mayor and City Council of Cumberland**

**Closed Session Summary**

Tuesday, September 5, 2017 at 5:00 p.m.

Second Floor Conference Room, City Hall

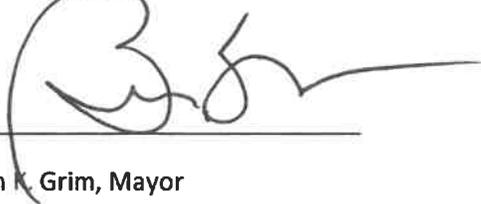
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On Tuesday, September 5, 2017, the Mayor and City Council met in closed session at 5:08 p.m. in the second floor conference room of City Hall to discuss amendments to the City Administrator's contract, board and commission appointments, and to confer with the City Solicitor regarding disciplinary guidelines and matters relative to CSX vehicular bridges.

Persons in attendance included Mayor Brian Grim; Council Members Seth Bernard, David Caporale, Richard J. Cioni, Jr., and Eugene Frazier; City Administrator Jeff Rhodes, City Solicitor Mike Cohen, and City Clerk Marjorie Woodring.

On a motion made by Councilman Cioni and seconded by Councilman Bernard, Council voted 5-0 to close the session. No actions were voted upon and the meeting was adjourned at 6:25 p.m.

Authority to close the session was provided by the General Provisions Article of the Annotated Code of Maryland, Section 3-305 (b) (1) and (7).



---

Brian K. Grim, Mayor

Entered into the public record on September 5, 2017



**MAYOR**  
Brian K. Grim

**CITY ADMINISTRATOR**  
Jeffrey D. Rhodes

**CITY SOLICITOR**  
Michael Scott Cohen

**COUNCIL**  
Seth D. Bernard  
David J. Caporale  
Richard J. Cioni, Jr.  
Eugene T. Frazier

**CITY CLERK**  
Marjorie A. Woodring

## MINUTES

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

DATE: 9/19/17

### **\*Pledge of Allegiance**

### **I. ROLL CALL**

The meeting convened at 6:25 p.m.

**PRESENT:** Brian K. Grim, President; Council Members Seth Bernard, David Caporale, Richard Cioni, Eugene Frazier

**ALSO PRESENT:** Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Donald Dunn, Fire Chief; Lt. Brian Lepley, CPD; Marjorie Woodring, City Clerk

### **II. CERTIFICATES, AWARDS AND PRESENTATIONS**

- (A) Update on the Forest Management Plan for Evitts Creek Water Company lands provided by Paul Eriksson, City of Cumberland Natural Resources Specialist, Donnelle Keech, The Nature Conservancy, and Mike Wolf, Appalachian Forestry Consultants

Mr. Eriksson advised that the Forest Management Plan has now been completed and introduced Ms. Keech and Mr. Wolf as contributing partners in the development of the Plan. Also in attendance in support of the Plan were two members of the Evitts Creek Steering Committee, Bedford County Commissioner Paul Crooks and Steve Resh of Allegany College.

Mr. Eriksson advised that the completed Plan would be sent to cooperating agencies and stakeholder groups for comments and suggestions. Two public meetings would also be held with one in Cumberland and the other in Centerville, PA. Following public comment, the Plan would be given brought before the Mayor and Council for final approval.

Highlights of the Plan were reviewed, including the Key Ecological Attributes Report, the use of maps and tables to categorize and manage the data, identification of sensitive areas and those most critical for attention, and the effort to lay a foundation for certification of the property by the Forest Stewardship Council and Tree Farm Program.

### **III. DIRECTOR'S REPORT**

#### **(A) Police**

1. Police Department monthly report for August, 2017

**Item Action:** Approved

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

#### **(B) Fire**

1. Fire Department monthly report for August, 2017

**Item Action:** Approved

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

#### **(C) Public Works**

1. Maintenance Division monthly report for August, 2017

**Item Action:** Approved

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

2. Utilities Division monthly report for August, 2017

**Item Action:** Approved

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

### **IV. APPROVAL OF MINUTES**

#### **(A) Administrative / Executive**

1. Statement to be read announcing the closed meeting scheduled for September 19, 2017

Mayor Grim announced that a Closed Session had been held on September 19, 2017 at 6:15 p.m. and read into the record a summary of that session, which is attached hereto and made a part of these minutes as required under Section 3-306(c)(2) of the General Provisions Article of the Annotated Code of Maryland.

### **V. NEW BUSINESS**

#### **(A) Orders (Consent Agenda)**

**Item Action:** Approved

Mr. Rhodes reviewed each item on the Consent Agenda and Mayor Grim entertained question or comments. Motion to approve Consent Agenda Items 1-8 was made by Caporale, seconded by Cioni, and was passed on a vote of 5-0.

1. Order authorizing the execution of a Salt and Aggregate Utilization Agreement with the State Highway Administration for distribution of salt and/or aggregate for winter storm events for a period

of 3 years.

ORDER NO. 26,186

2. Order authorizing a Special Taxing District Residential Exemption for the 2017-2018 tax year for 55 N. Centre St. in the amount of \$920.19.

ORDER NO. 26,187

3. Order reappointing Betsey Hurwitz Schwab to the Administrative Appeals Board for a three (3) year term effective September 19, 2017 through September 30, 2020

ORDER NO. 26,188

4. Order adopting a revised set of Rules and Regulations for the Government of the Mayor and City Council in place of the prior version adopted by Order 24,617 and amended by Ordinance No. 3735

ORDER NO. 26,189

5. Order accepting the proposal from The EADS Group, Inc. for the engineering design of the New Baltimore Street Town Center Project (12-16-M) in the estimated contract price of \$301,678.53

ORDER NO. 26,190

6. Order accepting the proposal of PMA Insurance Companies to provide Workers Compensation Insurance for the period July 1, 2017 through July 1, 2018 for the estimated amount of \$1,102,102 to include costs for Premium, Cash Collateral Fund, and Claims Service Fund, and authorizing the City Administrator to executed a Prefunded Deductible Reimbursement and Security Agreement relative to that coverage

ORDER NO. 26,191

7. Order accepting the bid of Muni-Link for the Utility Billing System Software Package Proposal in the amount not to exceed \$49,680 and rejecting all other bids

ORDER NO. 26,192

8. Order authorizing the execution of a Police Candidate Agreement and a Police Academy Assistance Agreement pertaining to the Academy commencing on or about October 2, 2017 and continuing until approximately June 8, 2018

ORDER NO. 26,193

## **VI. PUBLIC COMMENTS**

All public comments are limited to 5 minutes per person

Marc Nelson, 113 Decatur Street, stated that a recent meeting announcement of the Cumberland Economic Development Corporation stated that audio and video recordings would not be permitted and questioned whether the Mayor and Council were going to let that stand. He discussed with Council that it would be in the best interests of public transparency to allow the meeting to be recorded.

Paul Notarianni, 819 Fayette Street, stated it was his understanding that it was a felony if someone recorded someone without their consent and questioned whether the Mayor and Council would follow up on that if recording of the CEDC took place. He further questioned whether the Mayor and Council would use eminent domain to take the home of the remaining holdouts in the "Rolling Mills" area. Mayor Grim stated that past history shows that the City has not yet used or threatened eminent

domain. Councilman Frazier stated that he would never for for eminent domain.

**VII. ADJOURNMENT**

With no further business at hand, the meeting adjourned at 6:41 p.m.

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

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

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

**Mayor and City Council of Cumberland**

**Closed Session Summary**

Tuesday, September 19, 2017 at 6:15 p.m.

Second Floor Conference Room, City Hall

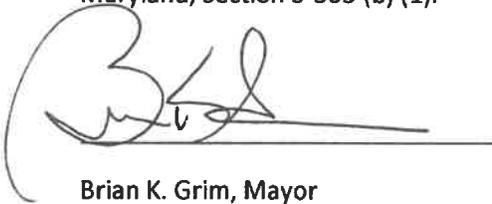
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On Tuesday, September 19, 2017, the Mayor and City Council met in closed session at 6:15 p.m. in the second floor conference room of City Hall to discuss board and commission appointments.

Persons in attendance included Mayor Brian Grim; Council Members Seth Bernard, David Caporale, Richard J. Cioni, Jr., and Eugene Frazier; City Administrator Jeff Rhodes, City Solicitor Mike Cohen, and City Clerk Marjorie Woodring.

On a motion made by Councilman Caporale and seconded by Councilman Bernard, 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 General Provisions Article of the Annotated Code of Maryland, Section 3-305 (b) (1).



A handwritten signature in black ink, appearing to read 'B. Grim', is written over a horizontal line.

Brian K. Grim, Mayor

Entered into the public record on \_\_\_\_\_

# Mayor and City Council of Cumberland

## WORK SESSION

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

Tuesday, September 19, 2017  
5:00 p.m.

**PRESENT:** Brian K. Grim, President; Council Members Seth Bernard, David Caporale, Richard Cioni, Eugene Frazier

**ALSO PRESENT:** Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk / Asst. City Administrator; Kathy McKenzie, Community Development Programs Manager; David Cox, Code Compliance Manager

Mr. Rhodes advised that staff had been taking a more comprehensive look at the City's code enforcement efforts. He advised that Ms. Woodring and Ms. McKenney had visited the West Virginia University Land Use and Sustainable Development Law Clinic the week before to find out more about the toolkit the law clinic had developed to help communities address neglected, vacant and blighted properties. The City had many tools already in place and had initiated many code enforcement programs, but the toolkit assists with the development of an umbrella approach to identifying and repurposing blighted properties.

Ms. Woodring presented a Power Point presentation and discussed:

- The need for a long-term and focused plan to target blighted, neglected and vacant properties
- The City's receipt of a \$25,000 MD Technical Assistance Grant to support the development of a Blight Action Plan
- Goals of the grant include:
  - Development of a comprehensive approach to reporting, identifying, prioritizing, and enforcing blighted and vacant properties
  - Creation of a single database to catalogue a complete list of structures
  - Use of the database to develop intervention plans
  - Recommendations for funding, streamlining code enforcement, and assembling sites for redevelopment
  - Development of a process that is scalable, repeatable, and updateable

Ms. Woodring advised that the WVU Law Clinic had worked with local governments in West Virginia on long-term land planning and had heard the same challenges voiced from community to community presented by abandoned and neglected properties. The clinic had been funded in 2014

to develop legal resources to help towns address these problems and with the help of citizen input, attorneys, mayors, code enforcement, land use planners, and community leaders, had developed a toolkit to help address the main barriers.

Although Cumberland has several layers of legislation already in place and has undertaken many initiatives noted in the toolkit, a comprehensive, long-term plan was needed to organize and sustain code enforcement efforts.

Ms. Woodring discussed new ideas to consider that were recommended in the toolkit, including on-site citations, vacant property registration, use of a landbank, attaching driver's licenses, uninhabitable property registration, and the involvement of community partners. The first step being recommended by staff was the creation of a "windshield survey" to identify, categorize, and rank each property in the city and develop mapping overlays to identify and prioritize targeted areas. Additionally, staff was recommending that the Blighted Property Committee be reconfigured to bring in citizens, developers, housing authority, banks, and other community partners. Ms. Woodring discussed areas the WVU Law Clinic would be able to help with, including undertaking the scope of the windshield survey, collaborating with the City's attorney to explore what tools are available, what statutory regulations may already be in place, what new legislation may be needed, and recommending sources of funding and collaboration.

Basic principles of the toolkit approach were to create a pro-active process rather than a complaint-based system for code enforcement, promote collaboration, partnerships and communication, employ regionalism to combine forces with other governments, and develop a community-based approach.

Council discussed the following:

- Problems associated with having legislation passed at the state level to allow drivers licenses to be attached as a penalty
- Benefits in having the banking community involved as stakeholders
- The challenges in pursuing new initiatives for code enforcement due to limited resources in funding and personnel
- The need for a public awareness campaign to remind the public what their responsibilities are with regard to keeping their properties up
- Absentee landlords only contributed to about 95% of the problem, and out of town investors were beginning to reinvest in the area

Mayor Grim distributed a document with photos and information he had personally collected on over 550 properties stressing that if Council wanted to get the blighted and neglected properties under control, they would have to budget more resources to the problem.

**XII. ADJOURNMENT**

With no further business at hand, the meeting adjourned at 6:13 p.m.

Respectfully submitted,

Marjorie A. Woodring  
City Clerk

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



Regular Council Agenda  
October 17, 2017

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**Description**

Approval of the Closed Session Minutes of September 5 and 19, 2017

**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 Minutes

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

Second Floor Conference Room

Tuesday, September 5, 2017

5:00 p.m.

**PRESENT:** Brian K. Grim, President; Council Members Seth Bernard, David Caporale, Richard Cioni, and Eugene T. Frazier

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

**MOTION:** 5:08 p.m. - Motion to enter into closed session to discuss amendments to the City Administrator's contract, board and commission appointments, and to confer with the City Solicitor regarding disciplinary guidelines and matters relative to CSX vehicular bridges was made by Councilman Cioni, seconded by Councilman Bernard, and was passed on a vote of 5-0.

### *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;
- Section 10-508 (a) (7): to consult with counsel to obtain legal advice on a legal matter

Minutes approved: \_\_\_\_\_

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

# Mayor and City Council of Cumberland

## Closed Session Minutes

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

Second Floor Conference Room

Tuesday, September 19, 2017

6:15 p.m.

**PRESENT:** Brian K. Grim, President; Council Members Seth Bernard, David Caporale, Richard Cioni, and Eugene T. Frazier

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

**MOTION:** Motion to enter into closed session to discuss board and commission appointments was made by Councilman Caporale, seconded by Councilman Bernard, and was passed on a vote of 5-0.

### *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

Minutes approved: \_\_\_\_\_

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



Regular Council Agenda  
October 17, 2017

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**Description**

Order authorizing the Chief of Police to enter into a Memorandum of Understanding with the Allegany County Health Department to conduct six drug interdiction events between now and June 1, 2018 in an attempt to reduce the illicit supply of opioids in Cumberland; \$10,000 in police overtime money has been appropriated by the Allegany County Health Department for this initiative

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

\$10,000

**Source of Funding (if applicable)**

Grant Award No. F511N, FY18

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

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

DATE: October 17, 2017

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

**THAT**, the Chief of Police be and is hereby authorized to enter into a Memorandum of Understanding (M.O.U.) with the Allegany County Health Department on behalf of the City of Cumberland Police Department to receive grant monies from the Maryland Department of Health, Opioid Operational Command Center in the amount of Ten Thousand Dollars and No Cents (\$10,000.00), to conduct six (6) drug interdiction events by June 1, 2018, with the goal of reducing the illicit supply of opioids in Allegany County.

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**Brian K. Grim, Mayor**

Grant Award No. F511N, FY18

**MEMORANDUM OF UNDERSTANDING**

between

**ALLEGANY COUNTY HEALTH DEPARTMENT**

12501 Willowbrook Road SE  
Cumberland, MD 21502

and

**CUMBERLAND POLICE DEPARTMENT**

20 Bedford Street  
Cumberland, Maryland 21502

This agreement is funded through grant monies made available from the Maryland Department of Health, Opioid Operational Command Center, grant award number F511N, fiscal year 2018, award period July 1, 2017 to June 30, 2018. The Allegany County Health Department agrees to pay the **Cumberland Police Department** a total of **\$10,000.00** to conduct six drug interdiction events by June 1, 2018 with the goal of reducing the illicit supply of opioids in Allegany County. This is a cost-reimbursement contract.

**Cumberland Police Department** agrees to complete the following:

1. Conduct six drug interdiction events by June 1, 2018
2. Partner with the Allegany County Sheriff's Office and Maryland State Police on interdiction events, as appropriate
3. Use funding for officer overtime and interdiction supplies
4. Document the number of interdiction events completed, the number of opioid pills seized, and the amount of heroin seized

The **Cumberland Police Department** agrees to submit reports (attached) and invoices (including overtime vouchers, and receipts) for the above stated services on a quarterly basis. Invoices and reports should only reflect the services and expenses from this grant award, and should not be combined with any other Health Department grant funding (if applicable). Deadlines for quarterly reports and invoices are: January 10, 2018, April 10, 2018 and June 10, 2018.

**The activities of this agreement must be completed by June 1, 2018 and the final report must be completed by June 10, 2018.** The Allegany County Health Department will remit reimbursement only after the above services are purchased and/or rendered, and proper invoices with overtime vouchers are submitted.

\_\_\_\_\_  
Chief Charles H. Hinnant  
Cumberland Police Department

Date: \_\_\_\_\_

  
\_\_\_\_\_  
Jenelle Mayer  
Health Officer  
Allegany County Health Department

Date: 10/4/17

The Cumberland Police Department agrees to follow the policies of the Human Services Agreements Manual (HSAM) of the Maryland Department of Health that is available upon request.



Regular Council Agenda  
October 17, 2017

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**Description**

Order approving the sole source joint proposal from the WVU Land Use & Sustainable Development Law Clinic and Downstream Strategies to develop a Blight Action Plan for the City for the amount not to exceed \$31,214

**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: October 17, 2017

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

THAT, the sole source joint proposal from the WVU Land Use & Sustainable Development Law Clinic and Downstream Strategies to develop a Blight Action Plan for the City, be and is hereby approved in the amount not to exceed Thirty-one Thousand, Two Hundred Fourteen Dollars (\$31,214.00).

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**Brian K. Grim, Mayor**

Funding:  
\$25,000 – Maryland DHCD Technical Assistance Grant  
\$ 6,214 CDBG

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## Proposal to Develop a Blight Action Plan for the City of Cumberland, Maryland

**Date**

October 12, 2017

**Services Performed By:**

The Land Use and Sustainable  
Development Law Clinic at the West  
Virginia University College of Law  
1 Law Center Drive  
Morgantown, WV 26501  
(304)293-2757  
www.landuse.law.wvu.edu

**Services Performed For:**

City of Cumberland  
57 North Liberty Street  
Cumberland, MD 21502

and

Downstream Strategies  
911 Greenbag Road  
Morgantown, WV 26508  
304.292.2450  
www.downstreamstrategies.com

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The Land Use and Sustainable Development Law Clinic at the West Virginia University College of Law (“Land Use Clinic”) and Downstream Strategies (together, the “Vendor”) propose to develop a Blight Action Plan for the City of Cumberland, MD for \$32,000.00 for a period not to exceed six (6) months beginning November 1st, 2017.



The Land Use Clinic and Downstream Strategies are leading providers of planning services, Geographic Information Services and redevelopment planning in the region. Here, the firms would combine forces to provide a Blight Action Plan for the City of Cumberland.

## Firm Backgrounds

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### *The Land Use and Sustainable Development Law Clinic at the West Virginia University College of Law*

The Land Use Clinic is a principal provider of technical assistance to local governments and non-profits in West Virginia with regards to land use planning and helpin local governments to address dilapidated buildings. The Land Use Clinic is currently supporting over 35 local governments and multiple non-profits with over 70 projects. The Land Use Clinic is a law firm with five licensed attorneys and two AICP-certified planners. The Clinic has expertise in the following topics:

- Building Code and International Property Maintenance Code
- Stakeholder Engagement
- Vacant Property Registration & Uninhabitable Property Registration Programs
- Repair and Demolition Liens
- Tools to Locate a Property Owner
- Partnerships with Banks
- Redevelopment Plans

*The Land Use Clinic worked with the following local governments to address dilapidated buildings:*

- Town of Bradshaw, WV
- Town of Beverly, WV
- Town of Cowen, WV
- Town of Davis, WV
- Town of Gassaway, WV
- Town of Marlinton, WV
- City of Moundsville, WV
- City of Ravenswood, WV
- City of Richwood, WV
- City of Wellsburg, WV
- City of Weston, WV
- Town of Whitesville, WV
- City of White Sulphur Springs, WV

### *Downstream Strategies*

Downstream Strategies is an environmental and economic development consulting firm located in Morgantown and Alderson, West Virginia. We are considered *the* go-to source for objective, data-based analyses, plans, and actions that strengthen economies, sustain healthy environments, and build resilient communities. Skills include:

- Policy analyses
- Planning and visioning
- Climate change & disaster management

- Spatial analysis and mapping
- Visualization and modeling
- Expert testimony and litigation support
- Scientific research
- Project development and management

## Deliverables

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### *Inventory of Structures in the City of Cumberland*

Task 1 will begin with the hiring of up to 5 surveyors to conduct windshield surveys. The Vendor will train surveyors on the Collector App and methodology. The Vendor will work with the City to develop routes and a work plan to maximize efficiencies to trace map routes between surveyors. Surveyors will inventory all 11,000+ structures in the City of Cumberland.

### *Technology Development and Training*

The Vendor will develop a survey with the Collector App and test the technology with the mapping department. The Vendor will train surveyors on Collector App and methodology and beta test with surveyors and the Collector App in Morgantown before beginning the inventory. The Vendor will work with the mapping department to plot data points of the survey along with other factors for prioritization.

### *Facilitation of Meetings*

The Vendor will work with the City of Cumberland to key stakeholders and seek input on the Blight Action Plan, facilitate meetings to collect input and report on findings.

### *Streamlining the Code Enforcement Process*

The Vendor will identify strengths and opportunities of the current code enforcement process. The Vendor will interview the City Attorney's office and Code Enforcement personnel to understand current strategies and offer recommendations based on lessons learned from partners. The Vendor will work under supervision of the City Attorney as needed to verify that any recommendations are consistent with Maryland law.

### *Narrative Report and Findings*

The Vendor will draft a narrative explanation of methodology and findings that includes user friendly description of clustered sections of dilapidated properties. This narrative will include general partnerships to pursue, areas for commercial and residential redevelopment, general

redevelopment strategies, recommendations to streamline the code enforcement process as well as maps that identify clusters of redevelopment opportunity.

## Client Responsibilities

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The City of Cumberland will help schedule meetings with City staff and/or stakeholders for input and participation during development of the Blight Action Plan.

The City of Cumberland will coordinate with vendor on strategies to collect public input.

The City of Cumberland will provide street maps for use during the inventory.

The City of Cumberland GIS Department will provide GIS data as requested by the Blight Action Committee including but not limited to historic district overlays, floodplain overlays, and zoning designations.

## Assumptions

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**Indemnification** – The Vendor agrees to indemnify, defend and hold harmless the City of Cumberland and its authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this Contract from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by the City of Cumberland on account of any claim therefore, except where such indemnification is prohibited by law.

**Subcontracting** – The Vendor agrees not to enter into any subcontracting agreements for work contemplated under the Contract without first obtaining written approval from City of Cumberland. Any subcontractor shall be subject to the same provisions as Contractor. Contractor shall be fully responsible for performance of any subcontractor.

**Contract Compliance** – The Vendor agrees to comply with the provisions of Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, Title VII of the Civil Rights Act of 1964, and any other applicable federal, state, and county laws, regulations, and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted.

# References

## *Land Use Clinic References*

- Julia Spelsberg, Mayor of Weston, [jspelsberg@stonewallhospital.net](mailto:jspelsberg@stonewallhospital.net), 304-269-8167. The Land Use Clinic was retained to review ordinances related to dilapidated buildings and assist with formation of the City's Urban Renewal Authority.
- Sue Simonetti, Mayor of Wellsburg, 304-737-2104, [mayorsimonetti@comcast.net](mailto:mayorsimonetti@comcast.net). The Land Use Clinic was retained to develop the Redevelopment Plan for the City of Wellsburg Urban Renewal Authority.

## *Downstream Strategy References*

- Cheryl DeBerry, Natural Resources Business Specialist, Garrett County Economic Development, [cdeberry@garrettcountry.org](mailto:cdeberry@garrettcountry.org), 301-334-6968. Downstream Strategies facilitated the Mountain Maryland Energy Advisory Committee, which included representatives from Garrett and Allegany counties. Downstream Strategies also completed a local foods distribution study for Garrett County.
- Tim Ball, General Manager, Morgantown Utility Board, [tball@mub.org](mailto:tball@mub.org), (304) 292-8443. Downstream Strategies utilized the Collector App to conduct windshield surveys of aboveground storage tanks in Morgantown Utility Board's source water protection area.



<b>Total Cost for Task 1</b>			<b>\$ 7,400</b>			<b>\$ 1,700</b>				<b>\$ 9,100</b>
<b>TASK 2: Technology Development and Training</b>	<b>Surveyors</b>	<b>Rate</b>	<b>Total Sur</b>	<b>LUC</b>	<b>Rate</b>	<b>LUC Rate</b>	<b>DS</b>	<b>Rate</b>	<b>DS Cost</b>	<b>Totals</b>
Develop survey with Collector App, test with mapping department							4	\$ 82	\$ 328	\$ 328
Train surveyors on Collector App and methodology							10	\$ 82	\$ 820	\$ 820
Beta test with surveyors and the Collector App in Morgantown before hitting the field							10	\$ 82	\$ 820	\$ 820
Develop maps of City, work with mapping department and other departments such as fire department as needed to develop routes.							4	\$ 82	\$ 328	\$ 328
Develop a work plan to maximize efficiencies to trace map routes between surveyors							4	\$ 82	\$ 328	\$ 328
Work with mapping department to plot data points of survey along with other factors for prioritization							20	\$ 82	\$ 1,640	\$ 1,640
<b>Total Cost for Task 2</b>									<b>\$ 4,264</b>	<b>\$ 4,264</b>
<b>TASK 3: Meeting Facilitation</b>	<b>Surveyors</b>	<b>Rate</b>	<b>Total Sur</b>	<b>LUC</b>	<b>Rate</b>	<b>LUC Rate</b>	<b>DS</b>	<b>Rate</b>	<b>DS Cost</b>	<b>Totals</b>
Introduction to the Inventory and Prioritization Methodology with Blighted Property Committee and other stakeholders				5	\$ 100	\$ 500				\$ 500
Discussion on criterion to be included in survey/working with code enforcement and other stakeholders to define “dilapidated structure”				5	\$ 100	\$ 500				\$ 500

Facilitate discussion on factors to be considered in prioritization process (multiple meetings/but same day)					12	\$ 100	\$ 1,200				\$ 1,200
Present Findings and Recommendations					5	\$ 100	\$ 500				\$ 500
Follow-up Discussions during Implementation											
<b>Total Cost of Task 3</b>							<b>\$ 2,700</b>				<b>\$ 2,700</b>
<b>Task 4: Streamline the Code Enforcement</b>	<b>Surveyors</b>	<b>Rate</b>	<b>Total Sur</b>	<b>LUC</b>	<b>Rate</b>	<b>LUC Rate</b>	<b>DS</b>	<b>Rate</b>	<b>DS Cost</b>	<b>Totals</b>	
Interviewing City Attorney					3	\$ 100	\$ 300				\$ 300
Interviewing City Departments					5	\$ 100	\$ 500				\$ 500
Identify strengths and opportunities of current process					12	\$ 100	\$ 1,200				\$ 1,200
Mapping the Current Code Enforcement Process					10	\$ 100	\$ 1,000				\$ 1,000
<b>Total Cost for Task 4</b>							<b>\$ 3,000</b>				<b>\$ 3,000</b>
<b>TASK 5: Narrative Report Code Enforcement</b>	<b>Surveyors</b>	<b>Rate</b>	<b>Total Sur</b>	<b>LUC</b>	<b>Rate</b>	<b>LUC Rate</b>	<b>DS</b>	<b>Rate</b>	<b>DS Cost</b>	<b>Totals</b>	
Recommendations											
Recommendations to streamline the code enforcement process & Strategies for different types of properties					30	\$ 100	\$ 3,000				\$ 3,000
Generally, identify areas for commercial and residential redevelopment					15	\$ 100	\$ 1,500				\$ 1,500
General Redevelopment Strategies.					15	\$ 100	\$ 1,500				\$ 1,500
<b>Total Cost for Task 5</b>							<b>\$ 6,000</b>				<b>\$ 6,000</b>
<b>TASK 6: Narrative Report and Recommendations</b>	<b>Surveyors</b>	<b>Rate</b>	<b>Total Sur</b>	<b>LUC</b>	<b>Rate</b>	<b>LUC Rate</b>	<b>DS</b>	<b>Rate</b>	<b>DS Cost</b>	<b>Totals</b>	

Narrative explanation of methodology and findings that includes user friendly description of clustered sections of dilapidated properties								30	\$ 82	\$ 2,460	\$ 2,460
General Partnerships to pursue								15	\$ 82	\$ 1,230	\$ 1,230
Generally, identify areas for commercial and residential redevelopment								10	\$ 82	\$ 820	\$ 820
General Redevelopment Strategies.								10	\$ 82	\$ 820	\$ 820
Design								10	\$ 82	\$ 820	\$ 820
<b>Total Cost for Task 6</b>										<b>\$ 6,150</b>	<b>\$ 6,150</b>
<b>Total Project Cost</b>											<b>\$ 31,214</b>
										Total Land Use Clinic Cost	\$ 20,800
										Total Downstream Strategies Cost	\$ 10,414



Regular Council Agenda  
October 17, 2017

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**Description**

Order authorizing the execution of Change Order No. 1 to the existing contract with Leonard S. Fiore, Inc. for the CSO Storage Project at the WWTP - Phase 1, to add 42 days to the contract.

**Approval, Acceptance / Recommendation**

It is the Engineering Department's recommendation to execute Change Order No. 1 with Leonard S. Fiore, Inc. on the current City Project 1-10-WWTP. This Change Order is to add 42 days to the current contract. This time is being added to the contract after a claim was made for damages on June 6, 2017 from Michael L Fiore.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

\$0.00

**Source of Funding (if applicable)**

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

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

DATE: October 17, 2017

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

THAT the City Administrator be and is hereby authorized to execute Change Order No. 1 to the existing contract with Leonard S. Fiore, Inc., 5506 Sixth Avenue Rear, Altoona, PA, 16602, for City Project "Phase 1 CSO Storage Facility at WWTP" (01-10-WWTP) for an increase of forty-two (42) working days added to the original contract.

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**Brian K. Grim, Mayor**

# Change Order

## No. 1

Date of Issuance: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Project:	Owner: Mayor and City Council of Cumberland	Owner's Contract No.: 01-10-WWTP
Contract: Phase 1 CSO Storage Facility at the Wastewater Treatment Plant		Date of Contract:
Contractor: Leonard S. Flore, Inc.		Engineer's Project No.:

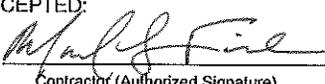
**The Contract Documents are modified as follows upon execution of this Change Order:**

Description: Section 4.02.A is amended to provide that the work will be substantially completed within 802 days after the date when the Contract Times commence to run as provided in Paragraph 2.03 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions within 862 days after the date when the Contract Times commence to run.

**Additional Term:** (see Attachment A)

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price:  \$ _____	Original Contract Times: <input type="checkbox"/> Working days <input type="checkbox"/> Calendar days Substantial completion ( <u>days</u> or <u>date</u> ): _____ Ready for final payment ( <u>days</u> or <u>date</u> ): _____
[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>1</u> :  \$0.00 _____	[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>1</u> : Substantial completion (days): <u>0</u> _____ Ready for final payment (days): <u>0</u> _____
Contract Price prior to this Change Order:  \$ _____	Contract Times prior to this Change Order: Substantial completion ( <u>days</u> or <u>date</u> ): <u>0</u> _____ Ready for final payment ( <u>days</u> or <u>date</u> ): <u>0</u> _____
[Increase] [Decrease] of this Change Order:  \$ _____	[Increase] [Decrease] of this Change Order: Substantial completion ( <u>days</u> or <u>date</u> ): <u>0</u> _____ Ready for final payment ( <u>days</u> or <u>date</u> ): <u>0</u> _____
Contract Price incorporating this Change Order:  \$ _____	Contract Times with all approved Change Orders: Substantial completion ( <u>days</u> or <u>date</u> ): _____ Ready for final payment ( <u>days</u> or <u>date</u> ): _____

THE TERMS AND CONDITIONS OF THE CHANGE ORDER, INCLUDING THE AMOUNT AND TIME CONTAINED HEREIN, CONSTITUTE A FULL ACCORD AND SATISFACTION BY THE CITY AND THE CONTRACTOR FOR ALL COSTS AND THE TIME OF PERFORMANCE RELATED TO THE ACTIONS DESCRIBED OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, DELAY AND IMPACT COSTS FOR THE WHOLE PROJECT RESULTING FROM THIS CHANGE ORDER. EXCEPT AS AMENDED HEREIN, ALL PROVISIONS OF SAID CONTRACT REMAIN IN FULL FORCE AND EFFECT.

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By:  Contractor (Authorized Signature)
Date: _____	Date: _____	Date: <u>10.02.17</u>
Approved by Funding Agency (if applicable): _____	Date: _____	

## ATTACHMENT A

Contractor made claim against Owner for damages it alleges it incurred on account of permitting delays, as is more particularly described in a correspondence dated June 6, 2017 from Michael L. Fiore, Contractor's Director of Project Management, to Paul Rosol, III of Whitman , Requart & Associates, LLP, which claim for damages is hereinafter referred to as the "Claim." In consideration of the changes to the contract terms described in this Change Order, Contractor, for itself, its successors and assigns, releases, acquits and forever discharges Owner, its successors and assigns, of and from any claims, demands, damages, costs, liabilities, actions, causes of action, suits at law or in equity, of whatsoever kind or nature, in any way related to or arising out of or as an incident to the Claim. Further, Contractor, for itself, its successors and assigns, agrees to refrain from instituting, prosecuting, filing or processing, or assisting with the institution, prosecution, filing or processing of any lawsuits, arbitrations, claims, charges or grievances against Owner, its successors and assigns, in any way related to or arising out of or as an incident to the Claim or the facts and circumstances concerning the Claim.

The terms of this Change Order are contingent upon the approval of the Maryland Department of the Environment.



Regular Council Agenda  
October 17, 2017

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**Description**

Order authorizing the execution of Change Order No. 2 to the current contract with Leonard S. Fiore on the CSO Storage Phase I at the WWTP (Project No. 01-10-WWTP) for the increased amount of \$16,582.53, bringing the total contract price to \$26,432,922.53. This Change Order is contingent upon approval from MDE.

**Approval, Acceptance / Recommendation**

It is the Engineering Department's recommendation to execute Change Order No. 2 as recommended by WR&A, Resident Engineer for the City. This Change Order is in the increased amount of \$16,582.53 and will add costs associated with service connection and permanent power installation by Potomac Edison. This Change Order is contingent upon approval from MDE.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

Original Contract Price :\$ 26,416,340.00

Change Order No. 1: \$ 16,582.53

New Contract Price :\$ 26,432,922.53

**Source of Funding (if applicable)**

MDE Grant and Loan

Date of Issuance: October 3, 2017  
 Owner: City of Cumberland, MD  
 Contractor: Leonard S. Fiore, Inc.  
 Engineer: Whitman, Requardt, and Associates, LLP  
 Project: Phase 1 CSO Storage Facility at the  
 Wastewater Treatment Plant

Effective Date: October 3, 2017  
 Owner's Contract No.: 01-10-WWTP  
 Contractor's Project No.: CT-0365  
 Engineer's Project No.: 13993-003  
 Contract Name: Phase 1 CSO Storage Facility at the  
 Wastewater Treatment Plant

The Contract is modified as follows upon execution of this Change Order:

Description: Includes costs associated with service connection and permanent power installation by Potomac Edison, per Potomac Edison invoice #90534024.

Attachments: *Attachment A*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ 26,416,340.00	Original Contract Times: Substantial Completion: <u>not applicable</u> Ready for Final Payment: <u>not applicable</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>1</u> :  \$ 0	[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>1</u> : Substantial Completion: <u>not applicable</u> Ready for Final Payment: <u>not applicable</u> days
Contract Price prior to this Change Order:  \$ 26,416,340.00	Contract Times prior to this Change Order: Substantial Completion: <u>not applicable</u> Ready for Final Payment: <u>not applicable</u> days or dates
[Increase] [Decrease] of this Change Order:  \$16,582.53	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>not applicable</u> Ready for Final Payment: <u>not applicable</u> days or dates
Contract Price incorporating this Change Order:  \$26,432,922.53	Contract Times with all approved Change Orders: Substantial Completion: <u>802</u> Ready for Final Payment: <u>862</u> days or dates

<p>RECOMMENDED:</p> <p>By: <u><i>[Signature]</i></u> Engineer (if required)</p> <p>Title: <u>ASSOCIATE</u></p> <p>Date: <u>10/2/2017</u></p>	<p>ACCEPTED:</p> <p>By: _____ Owner (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>	<p>ACCEPTED:</p> <p>By: _____ Contractor (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>
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Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

DEDICATED TO EXCELLENCE  
 5506 SIXTH AVENUE REAR ALTOONA, PA 16602 PH: (814) 946-3686  
 www.lsfiore.com Main FX: (814) 946-5288 Proj Mgmt FX: (814) 946-3526

Please reference the Proj Name, Proj #, and applicable Submittal #'s, RFI#'s, etc. on all correspondence to Leonard S. Fiore, Inc.

**PROJECT:** Cumberland Tank (CSO Storage)

**DATE:** 9/19/2017

**PROJ #:** CT-0365

**REF:** Change Request -  
 PCO-002: Owner Potomac  
 Edison Service Bill #1

**TO:** Paul Rosol, III  
 Whitman, Requard & Assoc., LLP  
 801 South Carolina Street  
 Baltimore, MD 21231

**WE ARE SENDING:**

- Shop drawings
- Letter
- Prints
- Change Order
- Plans
- Samples
- Specifications
- Other: Change Request

**SUBMITTED FOR:**

- Approval
- Your use
- As Requested
- Review and Comment

**SENT VIA:**

- Attached
- Separate cover via: Email

**ACTION TAKEN:**

- Approved as Submitted
- Approved as Noted
- Returned for Corrections
- "Due Date: 10/3/2017"
- Revise & Resubmit

Item	Copies	Date	No.	Description	Status
Change Request	1	9/19/17	PCO-002	Owner Potomac Edison Service Bill #1	None

Please send all Change Order information to our new Change Management e-mail [cm@lsfiore.com](mailto:cm@lsfiore.com) or to our office, attention Change Management. \*\*\*\* Please be advised that this is the only copy of the PCO that will be sent. We are no longer sending a hard copy. \*\*\*\*

**Notes:**
**CC:**
**Signed:** \_\_\_\_\_  
 Change Management (Leonard S. Fiore, Inc.)



**CHANGE ORDER SUMMARY**

**PCO-002 - Owner Potomac Edison Service Bill #1**

CONTRACTOR NAME\*\*\*\*

Contractor/Subcontractor Name	Total (from cost breakdown)	Markup on sub (if applicable)**	Total
1. Leonard S. Fiore, Inc.	\$0.00		\$0.00
2. Potomac Edison	\$15,636.52	\$781.83	\$16,418.35
3.			\$0.00
4.			\$0.00
5			\$0.00
6			\$0.00
7			\$0.00
Total (L/M/E/S)			\$16,418.35
Bond			\$164.18
<b>TOTAL THIS CHANGE</b>			<b>\$16,582.53</b>

## COST BREAKDOWN

CONTRACTOR NAME PRIME  
Leonard S. Fiore, Inc.

**LABOR COST**

Classification	Certified Payroll Base Rate *	Fringe Benefits (as defined by L&I) *	Total Hourly Rate	Hours	Total
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
<b>Sub-Total</b>					<b>\$0.00</b>

On Base Labor Rate ONLY	Social Security @ <u>7.65%</u> Medicare @ <u>0.80%</u> Unemployment @ <u>10.89%</u> Workmans Compensation @ <u>9.63%</u> Public Liability Insurance @ <u>2.23%</u> Small Tools @ <u>2.00%</u>	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 <b>Sub-Total</b> <u>\$0.00</u>
-------------------------	--	--

\*\* Labor Markup ( 15.00% ) \$0.00

**TOTAL LABOR** \$0.00

**MATERIAL COST** (attach material list if necessary, insert totals as shown)

Item	Quantity	Unit	Unit Cost	Total Cost
				\$0.00
				\$0.00
				\$0.00
<b>Sub-Total</b>				<b>\$0.00</b>

\*\*Applicable Sales Tax \$0.00

\*\* Material Markup ( 15.00% ) \$0.00

**MATERIAL TOTAL** \$0.00

**EQUIPMENT COST** (equipment cost for owned equipment (depreciation, insurance, etc.) or documentation supporting lease of equipment)

Classification	Hour Rate	Hours	Total Cost
			\$0.00
			\$0.00
			\$0.00
<b>Sub-Total</b>			<b>\$0.00</b>

\*\* Equipment Markup ( 15.00% ) \$0.00

**EQUIPMENT TOTAL** \$0.00

**LME TOTAL** \$0.00

## Christopher M. Makdad

---

**From:** Rosol III, Paul <pmrosol@wrallp.com>  
**Sent:** Monday, July 10, 2017 4:28 PM  
**To:** Shawn Steward  
**Cc:** Christopher M. Makdad; Blassino, Monika  
**Subject:** RE: Utility Fees

Shawn,

I see the work order request/invoice from Potomac Edison. I agree that they should be on the same page understanding this is not future temporary service, but is permanent. On a separate topic, I wonder if Potomac Edison has ever been successfully back charged (or provided a credit on their invoice) by a contractor when the power company has made a mistake in the equipment they provided.

Since LSF is proceeding with payment to eliminate any delays, best practice is, yes, please submit a PCO asap. I won't be in the office tomorrow, call my cell if needed. Thanks-

Paul Rosol III, CCM | Construction Manager

Whitman, Requardt & Associates, LLP  
801 South Caroline Street  
Baltimore, MD 21231  
(Main – Balt) 410.235.3450  
(Direct) 443.224.1614  
(Cell) 443.756.9448

[pmrosol@wrallp.com](mailto:pmrosol@wrallp.com)  
[www.wrallp.com](http://www.wrallp.com)

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**From:** Shawn Steward [mailto:ssteward@lsfiore.com]  
**Sent:** Monday, July 10, 2017 3:52 PM  
**To:** Rosol III, Paul <pmrosol@wrallp.com>  
**Cc:** Christopher M. Makdad <cmakdad@lsfiore.com>  
**Subject:** Utility Fees

Paul,

FYI - Attached are the two invoices for the relocation of the electric. I included the invoice for the temporary service for construction so you would know this cost is not part of the \$15,636.52. I would anticipate a future invoice for the power being run from the junction box to the pump station once its ready to be hooked up. Also, I have a call into Potomac Edison in regards to the description for the \$15,636.52 invoice. This is for permanent service and not future temporary service.

Chris Makdad will issue a PCO in the next day and in the meantime Fiore will proceed with the payment in good faith to eliminate any additional delays with the power service.

Shawn A. Steward | Estimator  
Leonard S. Fiore, Inc. | General Contractor

Invoice No. 90534024  
Pre-payment request -----

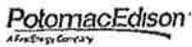
Bill for:  
LEONARD S FIORE  
CHRIS MAKDAD  
5506 EAST AVE  
ALTOONA PA 16602

Total Due and Payable Upon Receipt  
The cost for providing this service is valid for a period not to exceed 90 days from 06/29/2017

General Description			
Item	Description	Qty	Total
1	<p>Services - NT RELOCATE EXISTING 3PH PRIMARY UGR AND INSTALL 3PH JUNCTION FOR FUTURE TEMP SERVICE ON SITE AT THE E OFFUTT ST. QUESTIONS REGARDING THIS INVOICE SHOULD BE DIRECTED TO: SUSAN MCLEOD AT (301) 759-5710</p> <p>CREWS WORK REQUEST 58672670</p> <p>TO PAY BY CREDIT CARD, CALL 1-866-569-5288. PLEASE BE ADVISED THAT A SERVICE FEE WILL BE CHARGED.</p>		15,636.52
Subtotal			15,636.52
Total Amount Due			15,636.52

RECEIVED JUL 05 2017

General Information	
	<p>Written correspondence may be mailed to: Attn: Accounts Receivable, 6th Floor FirstEnergy Corp. 76 S Main St Akron OH 44308</p> <p>Questions regarding this invoice may be directed to Accounts Receivable:  1-301-582-5290</p>



Return this part with a check or money order payable to:  
POTOMAC EDISON  
Write name, phone, or address changes on back and check here.

Invoice No.	Customer PO No.	Your Check Number/Date	Contract No.
90534024			120015492487
Amount Paid			
Please Pay		15,636.52	
Due By		Upon Receipt	

LEONARD S FIORE  
CHRIS MAKDAD  
5506 EAST AVE  
ALTOONA PA 16602

POTOMAC EDISON  
P.O. BOX 3615  
AKRON OH 44309-3615

Leonard S. Fiore, Inc. 814-946-3686  
Vendor: POTOMAC EDISON COMPANY

Check Date: July 11, 2017

INVOICE DATE	INVOICE NO	DESCRIPTION	INV. AMOUNT	DISCNT TAKEN	BALANCE		
6-29-17	90534024	CT0365/PERM ELECTRI	15636.52	.00	15636.5		
<b>Chk: Date</b>	7-11-17	<b>Chk: No</b>	107658	<b>Totals</b>	15636.52	.00	15636.5

Leonard S. Fiore, Inc. 814-946-3686  
Vendor: POTOMAC EDISON COMPANY

Check Date: July 11, 2017

INVOICE DATE	INVOICE NO	DESCRIPTION	INV. AMOUNT	DISCNT TAKEN	BALANCE		
6-29-17	90534024	CT0365/PERM ELECTRI	15636.52	.00	15636.5		
<b>Chk: Date</b>	7-11-17	<b>Chk: No</b>	107658	<b>Totals</b>	15636.52	.00	15636.5



M&T BANK  
ALTOONA, PA 16602  
60-295/313

Check Number: 10765

5506 - Sixth Avenue, Rear  
Altoona, PA 16602

PAY ONLY **15,636.52** CENTS

Date	July 11, 2017
Amount	\$15,636.52

PAY \*\*\*\*\*Fifteen thousand six hundred thirty-six dollars and 52 cents

(void if not cashed within 90 days)

ORDER FROM THE POTOMAC EDISON COMPANY  
PO BOX 3615  
AKRON, OH 44309-3615

**COPY**



Regular Council Agenda  
October 17, 2017

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**Description**

Order appointing Kathleen Breighner and Terri Layton to the Human Resources Commission effective 10/1/17 - 10/1/20; Ben Wolters to the Planning & Zoning Commission effective 10/1/17 - 10/1/22; Dennis Bittinger to the Shade Tree Commission effective 10/1/17 - 10/1/21; and Charles Taylor, Jr. to the Zoning Board of Appeals effective 10/1/17 - 10/1/20

**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: October 17, 2017

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

**THAT,** the following appointments and reappointments be and are hereby approved:

<b>Name</b>	<b>Board / Commission</b>	<b>Seat</b>	<b>Term</b>
Kathleen Breighner	Human Relations Commission	Seat 2	10/1/17 – 10/1/20
Terri Layton	Human Relations Commission	Seat 5	10/1/17 – 10/1/20
Ben Wolters	Planning & Zoning Commission	Seat 4	10/1/17 – 10/1/22
Dennis Bittinger	Shade Tree Commission	Seat 6	10/1/17 – 10/1/21
Charles Taylor, Jr.	Zoning Board of Appeals	Seat 2	10/1/17 – 10/1/20

\_\_\_\_\_  
**Brian K. Grim, Mayor**



Regular Council Agenda  
October 17, 2017

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**Description**

Order declaring certain computer equipment to be surplus and authorized for disposal

**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: October 17, 2017

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

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

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

**IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, THAT** the attached list of equipment, summarized below, is hereby declared to be surplus property and authorized for disposal:

1. 13 desktop PC's
2. 3 monitors
3. 5 printers
4. 8 laptops
5. 2 network hubs

---

**Mayor Brian K. Grim**

(Attachment)

Dell Optiplex 755 s/n J01V9F1  
" " 740 s/n C0VFZD1

Acer Veriton M430G s/n PSVB10300102118F222700

Gateway M255-E GWTF6280R1N

Acer Veriton M430G PSVB10300102118F62700

HP Laserjet P1102W VND3Z37969

Acer Veriton M498G illegible

Dell Optiplex 740 4WDZQF1

Lenovo Thinkcenter DBU IS7269D8UMJATR71

Gateway M255-E GWTF70704X6

" " GWTF64800HC

Lenovo ASU IS2227A5UMJTLMAM

Acer Veriton X275 PSVAM030321240673A9203

Lenovo J6U IS7622J6UMJ22552

Gateway EL610.D 0039064481

~~Gateway M255-E GWTF~~

Gateway M255-E GWTF6420164

" M280-E 0036534708

Acer Veriton M430G LXTH1060227210F84D2505

Lenovo ThinkCenter

7099E50 55CTZBV

Acer Veriton M4306

PSVB1030010Z118EFA2100

Lexmark E360dn

HP/compag laptop CN04217195

3 monitors

2 HP 4 printers

Dell s/n 6CRCLF1

Acer PC Veriton X4986 s/n 300214002C189280

Brother HL3170

~~HP~~ HP Omnibook TW05205790

~~Pelco DVR~~

2 hubs

~~3com FXS gateways~~



Regular Council Agenda  
October 17, 2017

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**Description**

Order authorizing the sole-source purchase of root control services for the Sewer Department from Duke's Root Control, Inc. in the amount of \$49,951.23

**Approval, Acceptance / Recommendation**

Sole source approval attached.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

\$49,951.23

**Source of Funding (if applicable)**

003.320.20100 \$33,191.45

003.320.40200 \$16,759.78

\$49,951.23

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

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

DATE: October 17, 2017

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

THAT, the sole source proposal from Duke's Root Control, Inc., 1020 Hiawatha Blvd, West, Syracuse, NY, 13204-1131 be and is hereby accepted for root control services for the Sewer Department in the amount of Forty-nine Thousand, Nine Hundred Fifty-one Dollars and Twenty-three Cents (\$49,951.23).

---

**Brian K. Grim, Mayor**

Source of Funding:

003.320.20100	\$33,191.45
003.320.40200	<u>\$16,759.78</u>
	\$49,951.23



Cindi Mertens <cindi.mertens@cumberlandmd.gov>

---

## Approval request - Duke's

2 messages

---

**Cindi Mertens** <cindi.mertens@cumberlandmd.gov>  
To: Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>

Wed, Oct 11, 2017 at 12:52 PM

Hi Jeff,

Requesting a sole-source approval for Duke's Root Control to provide services for the Sewer Department in the amount of \$49,951.23.

Duke's is our warranted company. The City is invoiced every two years for root control as part of the guarantee, which was set up by Dave Curry years ago.

Once approved, I will enter this on the M&CC agenda for next week.

Thank you,

**Cynthia L. Mertens**

City of Cumberland  
Utilities Division/Central Services  
301-759-6427  
cindi.mertens@cumberlandmd.gov

---

**Jeff Rhodes** <jeff.rhodes@cumberlandmd.gov>  
To: Cindi Mertens <cindi.mertens@cumberlandmd.gov>

Wed, Oct 11, 2017 at 3:12 PM

approved



**Jeffrey D. Rhodes, ICMA-CM**

City Administrator  
City of Cumberland, Maryland  
301-759-6424

Email: jeff.rhodes@cumberlandmd.gov  
Website: www.cumberlandmd.gov

[Quoted text hidden]



# DUKE'S

**Root Control, Inc.**

# INVOICE

No. 13258

1020 Hiawatha Blvd, West  
 Syracuse, NY 13204-1131  
 (800) 447-6687 (315) 475-4203 (FAX)

**SOLD TO**

ACCOUNTS PAYABLE  
 CITY OF CUMBERLAND  
 400 EAST OFFUTT STREET  
 CUMBERLAND, MD 21502

**Auth By** JOHN SCARLETT

**Dept.** SEWER MAINTENANCE

Job Number	Cust #	Invoice Date	Customer PO #	Ship Via	Product Code
17-0465	M336	9/28/2017	N/A	N/A	401
QUANTITY	UNIT	DESCRIPTION		PRICE	AMOUNT
5,227.00	FEET	24" PIPE SEWER ROOT CONTROL EVITTS CREEK		6.35	33,191.45
Federal Tax Number: 75-3026801					
[REDACTED]					
[REDACTED]					
[REDACTED]					

*Brooke Casell*

**TERMS: NET 30 DAYS**  
 INVOICES NOT PAID WITHIN 30 DAYS ARE SUBJECT TO A SERVICE  
 CHARGE OF 1 1/2% PER MONTH, WHICH IS AN ANNUAL RATE OF 18%

<b>NET INVOICE</b>	33,191.45
<b>FREIGHT</b>	0.00
<b>SALES TAX</b>	0.00
<b>TOTAL</b>	<b>33,191.45</b>



# DUKE'S

**Root Control, Inc.**

# INVOICE

No. 13257

1020 Hiawatha Blvd, West  
 Syracuse, NY 13204-1131  
 (800) 447-6687 (315) 475-4203 (FAX)

SOLD  
TO

ACCOUNTS PAYABLE  
 CITY OF CUMBERLAND  
 400 EAST OFFUTT STREET  
 CUMBERLAND, MD 21502

Auth By JOHN SCARLETT

Dept. SEWER MAINTENANCE

Job Number	Cust #	Invoice Date	Customer PO #	Ship Via	Product Code
17-0465	M336	9/28/2017	N/A	N/A	401
QUANTITY	UNIT	DESCRIPTION		PRICE	AMOUNT
1.00	EACH	HOUSE LATERAL ROOT CONTROL		125.00	125.00
928.00	FEET	6" PIPE SEWER ROOT CONTROL		1.59	1,475.52
6,042.00	FEET	8" PIPE SEWER ROOT CONTROL		1.59	9,606.78
1,552.00	FEET	10" PIPE SEWER ROOT CONTROL		1.76	2,731.52
648.00	FEET	12" PIPE SEWER ROOT CONTROL		1.92	1,244.16
445.00	FEET	15" PIPE SEWER ROOT CONTROL		2.73	1,214.85
57.00	FEET	24" PIPE SEWER ROOT CONTROL		6.35	361.95
Federal Tax Number: 75-3026801					

*Brooke Casell*

**TERMS: NET 30 DAYS**  
 INVOICES NOT PAID WITHIN 30 DAYS ARE SUBJECT TO A SERVICE  
 CHARGE OF 1 1/2% PER MONTH, WHICH IS AN ANNUAL RATE OF 18%

NET INVOICE	16,759.78
FREIGHT	0.00
SALES TAX	0.00
<b>TOTAL</b>	<b>16,759.78</b>



Regular Council Agenda  
October 17, 2017

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**Description**

Order appointing J. Matthew Gilmore, Raymond Morriss, Mary Beth Pirolozzi, Dale Sams, and John R. Smyth, Jr. to the Citizen Advisory Commission on Salaries and Benefits effective October 17, 2017

**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: October 17, 2017

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

**THAT,** J. Matthew Gilmore, Raymond Morriss, Mary Beth Pirolozzi, Dale Sams, and John R. Smyth, Jr. be and are hereby appointed to the Citizen Advisory Commission on Salaries and Benefits effective this date.

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**Brian K. Grim, Mayor**



Regular Council Agenda  
October 17, 2017

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**Description**

Letter from Police Chief Charles Hinnant advising that a public information session will be held Wednesday, November 1, 2017 at 5:30 p.m. at the Cumberland City Hall Council Room, 57 N. Liberty Street, Cumberland, MD 21502, as part of the on-site assessment requirements for the Cumberland Police Department's program to obtain CALEA Accreditation Status. During this meeting, individuals wishing to comment on the CPD's ability to comply with CALEA standards will be provided an opportunity to speak.

**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

20 Bedford Street, Cumberland, Maryland 21502  
Tel: 301-777-1600 Fax: 301-759-6544 [cpd@cumberlandmd.gov](mailto:cpd@cumberlandmd.gov)

Charles H. Hinnant  
Chief of Police

October 17, 2017

Mayor and City Council of Cumberland  
City Hall  
57 N. Liberty Street  
Cumberland, MD 21502

Dear Mayor Grim and City Council:

As we move forward in our CALEA accreditation process, a team of assessors will arrive in Cumberland October 30, 2017, to examine all aspects of the Cumberland Police Department's policies and procedures, management, operations, and support services. Verification by the team that the Cumberland Police Department meets the Commission's state-of-the-art standards is a highly-prized recognition of law enforcement professional excellence.

The assessment team is comprised of law enforcement practitioners from similar out-of-state agencies. The assessors will review written materials, interview individuals, visit offices and other places where compliance can be witnessed. The assessors are Sheriff Howard Niemeier of Kentucky's Bracken County Sheriff's Office and Lieutenant Charles Groover of Georgia's Covington Police Department.

As part of the on-site assessment, City of Cumberland employees and members of the community are invited to offer comments at a public meeting scheduled Wednesday, November 1, 2017, at 5:30 p.m. in the Cumberland City Hall Council Room, 57 N. Liberty Street, Cumberland, MD, 21502. If for some reason an individual is not available to speak at the public information session but would like to provide comments to the assessment team, they may do so by telephoning 301-759-6532 between 3:00 p.m. and 5:00 p.m. Wednesday, November 1, 2017, or by sending an e-mail to [cpd-calea@cumberlandmd.gov](mailto:cpd-calea@cumberlandmd.gov).

Telephone comments as well as appearances at the public information session are limited to 10 minutes and must address the agency's ability to comply with CALEA standards. Anyone having questions as to the content of the standards may contact Accreditation Manager, Lt. Chuck Terner, at 301-759-6454. Persons wishing to offer written comments about the Cumberland Police Department's ability to meet the standards for accreditation may write to the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), 13575 Heathcote Boulevard, Suite 320, Gainesville, Virginia 20155.

Any comments offered by council in person or by telephone would be greatly appreciated.



Charles H. Hinnant  
Chief of Police