MAYOR	COUNCIL
Brian K. Grim	Nicole Alt-Myers
	Seth D. Bernard
CITY ADMINISTRATOR	David Caporale
Jeff Rhodes	Richard J. "Rock" Cioni
CITY SOLICITOR	**CITY CLERK**
Michael Scott Cohen	Marjorie A. Woodring

AGENDA

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

DATE 11/1/2016

***Pledge of Allegiance**

I. ROLL CALL

II. PROCLAMATIONS

(A) Proclamation declaring November 26, 2016 to be Small Business Saturday

III. CERTIFICATES, AWARDS AND PRESENTATIONS

(A) Oath of Office for the Cumberland Police Department to be administered by Mayor Grim to Patrolman Trevor Baluch, Patrolman Michael D. Cessare, Patrolman Joshua Gordon, and Patrolman Jonathan Roudybush

(B) Presentation of the Let's Beautify Cumberland! Fall 2016 Blue Ribbon Awards to George and Marion Uhl of 449 Dirks Ave., John and Judy Appel of 230 Massachusetts Ave.,Cumberland Optical at 50 Greene St., and Uncle Jack's Pizzeria & Pub at 20 S. Mechanic St.

(C) Update from Kathy McKenney, Historic Planner, on the City of Cumberland Commercial Property Adaptive Reuse Tax Incentive Program

IV. DIRECTOR'S REPORT

(A) Administrative Services

1. Administrative Services monthly report for September, 2016

V. APPROVAL OF MINUTES

(A) Routine

1. Approval of the Regular Session Minutes of October 4 and 18, 2016

VI. UNFINISHED BUSINESS

(A) Ordinances

1. Ordinance *(2nd and 3rd readings)* - authorizing execution of a deed to convey surplus property located at 423 Ascension Street to Clean Demolition, Inc.

VII. NEW BUSINESS

(A) Ordinances

1. Ordinance *(1st reading)* - authorizing execution of a deed to transfer certain surplus real property located East of Shades Lane and the Goethe Street Addition and North of Welton Drive consisting of 15.07 acres +/- to Sean McCagh and Gary Blake

(B) Resolutions

1. Resolution supporting Footer Development, LLC's application to the MD Neighborhood Businessworks Program for financing to rehabilitate the Footer's Dye Works Building for mixed residential and industrial use

(C) Orders (Consent Agenda)

1. Order approving the award of $ 54,323 in 2016-2017 hotel / motel revenues to various community groups

2. Order accepting the bid of THC Enterprises T/A Mid-Atlantic Waste Services to provide a Tymco Street Sweeper for the amount not-to-exceed $139,800 and approving an appropriation to the FY17 General Fund in the amount of $139,800

3. Order declaring four (4) bus shelters with kiosks to be surplus property and authorizing their donation to the Western Maryland Scenic Railroad (WMSRR) for use along their railways to create scenic picnic areas for passengers

4. Order authorizing the Mayor and the Chief of Police to enter into a Mutual Aid Agreement for law enforcement with the Washington County Sheriff's Office, the Board of County Commissioners of Washington County, and the Mayor and City Council of Hagerstown

5. Order authorizing the execution of Change Order No.2 to the current contract with IA Construction Corp. for the milling and paving of various street (City Project 15-15-P) in the increased lump sum amount not to exceed $840,000; bringing the total contract amount to $2,047,016

6. Order authorizing the abatement of unpaid Personal Property Taxes for the period 1993-2007 totaling $189,237.79

VIII. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

IX. ADJOURNMENT

Regular Council Agenda
November 1, 2016

Description
Proclamation declaring November 26, 2016 to be Small Business Saturday

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

City of Cumberland

~ MARYLAND ~

Proclamation

WHEREAS, *independently owned small businesses are the building blocks that help establish the identity of a neighborhood and reinforce the economic stability of a community; and*

WHEREAS, *the City of Cumberland is proud to support the many shops, restaurants and service businesses in our community that are owned and operated by family, neighbors and friends; and*

WHEREAS, *for each dollar spent at a locally owned independent store, 68-cents stays in the community through taxes, payroll and other expenditures, as compared to 43-cents from a national chain; and, likewise, for each dollar spent shopping online, zero-cents in local sales tax is generated; and*

WHEREAS, *in recognition of this important economic influence, "Small Business Saturday" was founded in 2010 by American Express and officially recognized by the U.S. Senate in 2011 as a means to encourage holiday shoppers to purchase gifts and dine on the Saturday after Thanksgiving at locally owned and operated businesses that function as the "heartbeat of our communities;"*

Now, Therefore, the Mayor and City Council of Cumberland,

do hereby proclaim November 26, 2016 to be

"Small Business Saturday"

and do urge all citizens to "Shop Small" and support the local small businesses that we value for their contribution to our community.

Given under our Hands and Seals this 1st day of November, in the Year 2016, with the Corporate Seal of the City of Cumberland hereto attached, duly Attested by the City Clerk.

ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

Marjorie A. Woodring
City Clerk

Brian K. Grim
Mayor

Regular Council Agenda
November 1, 2016

Description

Oath of Office for the Cumberland Police Department to be administered by Mayor Grim to Patrolman Trevor Baluch, Patrolman Michael D. Cessare, Patrolman Joshua Gordon, and Patrolman Jonathan Roudybush

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

Regular Council Agenda
November 1, 2016

Description

Presentation of the Let's Beautify Cumberland! Fall 2016 Blue Ribbon Awards to George and Marion Uhl of 449 Dirks Ave., John and Judy Appel of 230 Massachusetts Ave.,Cumberland Optical at 50 Greene St., and Uncle Jack's Pizzeria & Pub at 20 S. Mechanic St.

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

Regular Council Agenda
November 1, 2016

Description

Update from Kathy McKenney, Historic Planner, on the City of Cumberland Commercial Property Adaptive Reuse Tax Incentive Program

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

City of Cumberland

COMMERCIAL PROPERTY ADAPTIVE REUSE TAX INCENTIVE PROGRAM APPLICATION

DEPARTMENT OF COMMUNITY DEVELOPMENT
57 NORTH LIBERTY STREET
CUMBERLAND, MD 21502
301-759-6431

Item # 4

October 2016

City of Cumberland
Commercial Property Adaptive Reuse Tax Incentive Program

Policies and Procedures

- Maryland state law grants the City of Cumberland the authority to provide tax incentives to property owners for qualified rehabilitations for the adaptive reuse of existing commercial properties within the municipal boundaries of Cumberland.
- Section 9-256 of the Maryland Annotated Code Tax Property Article provides that an existing structure that has been brought into compliance with current building codes relating to safety or accessibility may receive a tax credit not to exceed 50% of the amount of qualifying expenditures for a period of 10 years distributed in an equal amount each year.
- Qualifying expenditures include the following:
    - Elevators
    - Fire suppression systems
    - Means of ingress or egress; or
    - Architectural or engineering services related to installation or rehabilitation of these or similar building features.
- Funds that are awarded as part of a City of Cumberland incentive program or other funding program are not eligible for inclusion for tax credits.
- The minimum expenditure for each structure must be $25,000.
- The property owner must receive all applicable permits prior to the start of any work. These include, but are not limited to, Occupancy Permit, Commercial Alteration Permit, Certificate of Appropriateness, Plumbing and Electrical Permits
- All work must be preapproved. Work that is started before all approvals are in place will be ineligible.
- The tax credit cannot be used for commercial structures that do not comply with current building codes if the structures were constructed or improved when those standards were in place. The incentive will be available to those structures that were built or improved before those standards were in place.
- The approved tax credits will be applied in equal amounts for ten years
- The amount of the tax credit applied will not exceed the annual amount of real estate property taxes owed for that year.
- The credits will be applied to City of Cumberland real estate property taxes.
- Any tax credits remaining after the tenth year will expire.
- Property owners must remain current in payment of all property taxes.
- Complete details of the local program can be found in Section 10-33 of the Code of the City of Cumberland.

Instructions

Part I - Pre-Construction Work Scope Application

- The first step is to obtain all applicable building permits, including occupancy permits. Copies of checklists can be obtained from the Department of Community Development in the lower level of City Hall at 57 North Liberty Street or by visiting the City of Cumberland's website at http://www.ci.cumberland.md.us/519/Commercial.
- Complete the attached Pre-Construction Work Scope Application form. Fill in all the blanks. Missing information may result in delays in processing. **This form must be submitted and approved by the Department of Community Development staff prior to the commencement of any construction activities. Failure to receive approval prior to the commencement of construction will be subject to disqualification.**
- Provide representative photographs to visually describe the areas of impact for the project. Include copies of design plans, elevations, materials specifications, and all other relevant information to fully convey the scope of work.
- For new construction projects, applicants should provide design elevations/renderings, as well as photographs of the surrounding neighborhood in which the new building is to be constructed.
- Ensure that all relevant building and code-related permits are obtained from the City of Cumberland's Department of Community Development. Checklists are available upon request to address your specific scope of work.
- For properties located within the Canal Place Preservation District, an application for a Certificate of Appropriateness must be applied for and approved by the Historic Preservation Commission in addition to the approval of the Pre-Construction Work Scope Application Form. **For projects located within the Canal Place Preservation District, approval of a Certificate of Appropriateness will substitute for the approval of proposed exterior work. For this district, applicants should note any additional interior work that is planned.**

Part II – Completion Certification

- Include relevant before and after photos, documenting the rehabilitation that has taken place.
- Ensure that all applicable permits have been approved.
- Complete the attached transmittal of receipts form. Make sure to sign and date all receipts, invoices, canceled checks, and credit card statements. Account numbers should be obscured or removed. Invoices must be accompanied by proof of payment in order for processing to continue and all documentation must clearly reference the address of where the work has taken place. All receipts should be numbered. ***Please note that all submitted documentation must be kept on file and cannot be returned.***
- Return the completed application to the Cumberland Historic Preservation Commission, 57 North Liberty Street, Cumberland, MD 21502
- **The application will be reviewed by the Historic Preservation Commission and/or its staff upon receipt. When complete, the application will be forwarded to the Cumberland Mayor and City Council for approval.**

If you have any questions about the forms or the process of obtaining tax credits, please contact the City of Cumberland's Historic Planner/Preservation Coordinator, Kathy McKenney, at (301) 759-6431 or kathy.mckenney@cumberlandmd.gov .

PLEASE NOTE THAT THE APPROVAL OF THE APPLICATION FOR TAX CREDITS CONSTITUTES ONLY A LOCAL APPROVAL. YOU WILL NOT AUTOMATICALLY QUALIFY FOR THE TAX CREDIT PROGRAMS THAT THE STATE AND FEDERAL GOVERNMENTS HAVE TO OFFER. YOU MUST SUBMIT TO A SEPARATE PROCESS FOR THESE PROGRAMS. CONTACT THE APPROPRIATE OFFICE TO INQUIRE THE REGULATIONS FOR OBTAINING OTHER TAX CREDITS.

City of Cumberland
Commercial Property Adaptive Reuse Tax Incentive Program

FOR OFFICE USE ONLY	
COA	#_____
Tax Account	#_____
Date Part I Approved	_____

Part I – Pre-Construction Work Scope Application

TO: **City of Cumberland**
Department of Community Development
57 North Liberty Street
Cumberland, MD 21502

-type or print in ink-

APPLICANT:

Owner's Name: _____

Address: _____

_____

_____

Phone: _____

PROPERTY: (if different from applicant information)

Name: _____

Address: _____

_____

_____

Please Check the Qualifying Investment for which the Credit is Being Sought:

- ☐ **Elevator**
- ☐ **Fire Suppression Systems**
- ☐ **Means of Ingress/Egress**
- ☐ **Architectural or Engineering Services Related to Installation or Rehabilitation of the Above or Similar Building Features**

If structure is located in the Canal Place Preservation District, a Certificate of Appropriateness must be approved prior to the commencement of construction. A Certificate of Appropriateness is required for all exterior work in this district even if the tax credit application process is not completed and/or is denied.

If you are unsure as to which district your project qualifies for this incentive program, please consult the City of Cumberland's Historic Planner/Preservation Coordinator at 301-759-6431.

October 2016

Scope of Work – Existing Structures (Please attach a copy of all approved building and occupancy permit applications)

Elevator	Proposed Work/Changes
Fire Suppression System	**Proposed Work/Changes**

Means of Ingress/Egress	Proposed Work/Changes
Architectural/Engineering Services	**Detail Estimated Cost & Scope of Services**

Attach additional sheets, if needed.

City of Cumberland
Commercial Property Adaptive Reuse Tax Incentive Program
Part II – Completion Certification

FOR OFFICE USE ONLY
OP #_____
RB #_____
Tax Account #_____
Date Part II Certified/Recommended by staff _____
(See Attached for Recommended Incentives)

TO: **Cumberland Historic Preservation Commission**
57 North Liberty Street
Cumberland, MD 21502

-type or print in ink-

APPLICANT:

Owner's Name:_____

Address: _____
_____
_____

Phone: _____

Email: _____

PROPERTY ADDRESS:

Address: _____
_____
_____

A. In Accordance with Maryland's Annotated Code Tax Property Article 9-256 and the City of Cumberland's Ordinance 3788, I request a credit on my City Property taxes for attached detailed Commercial Adaptive Reuse Qualifying Investment:

B. Total Cost of the Project: $_____
The minimum expenditure must be $25,000.00

October 2016

C. **Start Date of Project** _____

D. **Completion Date of Project** _____

E. _____ **Attached Receipts Summary Form is Complete** _____ **Before and After Photographs are Enclosed**

_____ **All Receipts are Numbered and Dated** _____ **Copies of Cancelled Checks/Proof of Payment**

I HEREBY DECLARE under penalties of perjury that all information submitted is, to the best of my knowledge, accurate and true.

_____
Owner/Applicant (Print)

_____
Signature

_____
Date

Item # 4

Commercial Property Adaptive Reuse Application
Receipts Summary Form

Receipt Number #	Contractor	Amount	Date	Work Item (Select from List of Eligible Uses)

Regular Council Agenda
November 1, 2016

Description
Administrative Services monthly report for September, 2016

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

October 20, 2016

Honorable Mayor and City Council
City Hall
Cumberland, Maryland 21502

Re: Administrative Services Monthly Report for September, 2016

Dear Mayor and City Council Members:

The following report is submitted by the Department of Administrative Services for the month of September, 2016.

Management Information Systems

Management Information Systems reports the following activities for the month of September, 2016:

Statistics

103 completed help desk requests
257 open help desk requests

Activities

Major department initiatives in the past month include:

- Continued working with public works on combined vehicle maintenance software solution
- Move main network connection to state fiber
- Went live with new downtown WiFi network
- Continue VOIP replacement project
- Work with Tyler Technologies/New World Systems on ERP modules
- Assist with SCADA PLC upgrades
- Configure and deploy new Community Development PC's

Parks and Recreation

Parks and Recreation reports the following information for the month of September, 2016:

Pavilion Reservations and usage for the month of September: 32 reservations utilized pavilions,
4 new reservations were made in September
Sunday in the Park Concert series: The final concert of the season was held – at the Park Amphitheater in September. The Potomac Concert Band performed Sunday September 4.
Baseball/ Softball League
Soccer/Football League play and practices for September:

The City of Cumberland provides fields for the following leagues:

JCP Soccer League
Fort Hill Girls Soccer Teams
Allegany Boys Soccer Teams
Cumberland Cardinals Pee Wee Football
Warriors Youth Football
Adult flag football league
Fall Softball League Cumberland Girls League – Cavanaugh and Northcraft Fields
Fall Baseball League Dapper Dan – Long Field

1 Pee Wee League Weigh in & Scrimmage games at Mason
2 Youth League Scrimmage League Event at Mason
1 Pee Wee Raiders Game at Mason
3 Softball Tournament at Mason Sports Complex
1 Field usage for special events – Labor Day – (Prescribe Change 4 Mile Run)

Constitution Park Pool

3 Days of operation for the Park Pool (concludes the 2016 season)
Total Paid Attendance - 246
Total income for the Month of September$ 492.50
YMCA members - 79
Attendance from pool passes - 15

Other Services available: Amusement park ticket sales (final sales of the season) and games equipment rental.

End of season wrap up working to close seasonal programs and facilities, compiled seasonal data and annual information

Fall Program Planning for upcoming fall events

Halloween Party at Constitution Park – Sunday October 25, 2015; 2-5 p.m.
Halloween on the Downtown Mall – Saturday October 29, 11 – 1 p.m.
Babysitters Training Course begin Thursday October 6, 4:30 – 5:30 p.m. for six weeks, Halloween Parade float contest project with Marsha Thomas (Parade scheduled October 26)
Organizational meeting for the Co-ed Volleyball League – Play begins in November
Afterschool Program Special Event Planning – Holiday Event

Meetings attended:

Recreation Advisory Board Meeting – September 12
Meetings with seasonal employees- Pool manager, Day camp Director, etc. (wrap up)
Park Pool renovation meeting
Engineering – Skate park land meeting
Cumberland Museum – Holiday Event

Community Development

The Community Development Department reports the following activities for the month of September, 2016:

CDBG Activity

Senior Community Development Specialist

- September 2016 Report
- Reviewing CAPER checklist for CAPER information, wrote narratives, consultations with Jay and HUD about CAPER calculations, request data from non-CDBG sources
- Reconciling 2011-2014 funds among City financial system and IDIS

- Plan and implement HRC meeting
- Technical Assistance to YMCA's KIDS project, YMCA Gilchrist, Arts Bus and PIP program
- Review invoices for processing (CDBG sub recipients)
- Preparing Environmental Review Records for 2016 projects - Categorically Excluded Jane Frazier Village sidewalk project and Cavanaugh Field
- Research housing accessibility funding sources and the possibility of assisting current developer
- Attended meetings to discuss Jay's former procedures for the CDBG financial reports
- Set up 3 additional 2016 CDBG activities in IDIS
- Requested and received confirmation of CAPER extension
- Running and reviewing various IDIS CDBG reports
- Attended YMCA Gilchrist Veteran's Center ribbon cutting event
- Completed June, July and August CDBG draws in IDIS
- Performed two field inspections for 2016 CDBG projects requiring CEST ERR

Community Services Activity

- Performed monthly update to the City webpage re: CD, Permits and Housing Code/Rentals.
- Handled/directed public calls and front counter including permits, complaints, rental licenses, Parks and Rec pavilion rentals and tickets, and other various issues.
- Assist CD staff on Google Drive usage.
- Attended two CD Coordination meetings with CD staff.
- Maryland Mountain Trails meeting held on September 19 in Frostburg.
- Worked through some issues with new computers and assisted CD staff where I could.
- Neighborhood Advisory Commission:
  - Prepared minutes, agenda and handouts for September 26 meeting in the Walsh/Humbird Neighborhood.
  - Performed monthly updates to the Neighborhood Advisory Commission web and Facebook pages.
  - Attended SCBCA September meeting - 46 attended. Prepared minutes and agenda.
  - Finalized report of National Night Out – Cumberland for National Association of Town Watch.

Code Enforcement

Nuisance & Junk Vehicle Complaints		Property Maintenance Complaints		Building Code Complaints	
Received:	00	Received:	00	Received:	0
Corrected:	00	Corrected:	00	Corrected:	0

Housing Code Complaints		Zoning Complaints	
Received:	00	Received:	00
Corrected:	00	Corrected:	00

Permits, Applications, and Licenses

Building Permits		Residential Rental License		Plan Reviews	
Received:	02	Received:	247	Received:	0
Issued:	04	Issued:	247	Issued:	0

Occupancy Permit	
Received:	11
Issued:	08

Housing Inspections

Conducted:	49
Passed:	49

Revenue

Building Permits:	$ 1,140.00
Miscellaneous Permits:	224.50
Occupancy Permits:	300.00
Utility Permits:	0.00
Reviews, Amendments, and Appeals:	0.00
Rental Licenses:	12,350.00
Paid Inspections:	100.00
Municipal Infractions:	0.00
TOTAL	$14,114.50
Demolition Permit (Bonds)	0.00

Historic Planning/Preservation

The Cumberland Historic Preservation Commission met on Wednesday, September 14, 2016 at 4pm in the City Hall Council Chambers. Four Certificates of Appropriateness were reviewed:

A. 518 Washington Street – Christopher Stevens
B. 157 Baltimore Street – Downtown Development Commission – Sandi Saville
C. 15 North Centre Street - The Book Centre – Sandi Saville

HPC staff also conducted a tax incentive workshop during the meeting to review local, state, and federal tax incentives for historic structures.

Five COA were processed administratively during the month for tree removal at the following locations:

36 Queen City Drive
244 North Centre Street
246 North Centre Street
213 Washington Street
305 Washington Street

There was one Section 106 review processed in September:

206 Bowen Street

The 2016 Community Parks and Playgrounds application was submitted for consideration of funding for a ballfield on the Allegany College of Maryland campus. A total of $121,000.00 has been requested. Decisions are expected by mid-2017.

The Mayor and City Council approved the 2016 Upper Story Redevelopment Program recommendation for funding for 66-72 Pershing Street ($70,000) and 108-114 Harrison Street ($30,000) during their September 6th meeting. The source of the funding is the Community Legacy program.

The Leasehold Improvement Program application was finalized and announced to the public on August 30th. This new program is funded by Community Legacy and is a partnership with the Cumberland Economic Development Corporation. The program is designed to assist new lessees of commercial space or existing lessees within Cumberland's zoned Central Business District who plan to increase their amount of leased space. Funds will be awarded through a competitive process. The maximum grant funding for any one property is $20,000. Applications are due no later than noon on October 28th.

The Department of Community Development submitted a Community Enhancement application to the Allegany County Commissioners to request funds for blight removal. The decision on this request is scheduled for October 20th.

Routine grant administration reports were submitted to the Maryland Historical Trust, and Department of Housing and Community Development.

Comptroller's Office

The Comptroller's office reports the following information for the month of September, 2016:

Cash Flow:
Attached for your review is a Cash Flow Summary for the month of September 2016.

On August 1, 2016 the City had a cash balance of $5,862,843. Receipts exceeded disbursements by $2,236,393 in September leaving the City with a cash balance of $8,099,236 at September 30, 2016.

As of September 30, 2016, the significant balances were:

Taxes receivable (General Fund)		$ 4,610,300

	August Balance	Sept Balance	Collections
FY 2017	$ 5,997,300	$ 3,126,966	$ 2,870,334
FY 2016	723,945	667,499	56,446
FY 2015	373,154	359,598	13,556
FY 2014	41,351	40,753	598
FY 2013	34,217	34,112	105
FY 2012	35,409	35,409	-
FY 2011	51,509	51,509	-
Prior FY's	294,454	294,454	-
	$ 7,551,339	$ 4,610,300	$ 2,941,039

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

Real property (non-owner occupied)	$ 1,112,388
Non-Corp Personal Property	7,462
Corporate Personal Property	521,269
Real Property (semiannual payments)	1,485,847
Real Property (Half Year)	-
	$ 3,126,966

Payroll expenses for the upcoming month are an estimated $1,100,000.

The City cash position is 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
September 2016

	Cash	Investments
Beginning Balance	$ 5,860,132	$ 7,816,456
Add:		
Cash Receipts	6,983,866	476
Investment Transfer	-	
Less:		
Disbursements	4,744,762	-
Investment Transfer	-	-
Ending Balance	$ 8,099,236	$ 7,816,932
Restricted	$ 579,256	$ 1,934,828

Capital Projects and Associated Debt

The table below illustrates cash restrictions and balances of invested and available bond proceeds associated with capital projects.

Restricted Cash

	9/1/2016	Increase	Utilization	9/30/2016
Police Seizures	$ 241,240	$ 69,610	$ 20,334	$ 290,516
Bowers Trust	91,395	-	-	91,395
Restricted Lenders	106,341	-	-	106,341
GOB 2008	78,357	6	-	78,363
Other	12,641	-	-	12,641
	$ 529,974	$ 69,616	$ 20,334	$ 579,256

Restricted Investments

	9/1/2016	Increase	Utilization	9/30/2016
DDC	$ 6,603	$ -	$ -	$ 6,603
GOB 2008	31,990	-	-	31,990
GOB 2013	1,499,118	477	-	1,499,595
BAN 2016	396,640	-	-	396,640
	$ 1,934,351	$ 477	$ -	$ 1,934,828

Available Bond Proceeds

	9/1/2016	Increase	Utilization	9/30/2016
CDA 2014	$ 1,902,079	$ -	$ 39,271	$ 1,862,809
CDA 2015	2,659,735	-	85,696	2,574,039
	$ 4,561,814	$ -	$ 124,967	$ 4,436,847

The GOB 2008 restricted cash is restricted for street improvement capital projects. The balance of restricted cash accounts are to be utilized for a variety of purposes.

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 2008 bond proceed investments are earmarked for street repair projects. The $32,000 balance will be utilized by the end of the 2016 paving season.

The GOB 2013 bond proceed investments were originally intended for the demolition of Memorial Hospital, with any remaining proceeds earmarked for street repairs. There is a balance of $1.5 million which will be utilized for street repairs beginning this summer.

The Bond Anticipation Note (BAN 2016) for the Maryland Avenue Redevelopment Project was issued in June 2016. The balance of the bond proceeds is $397,000.

CDA 2014 and 2015 bond proceeds are intended for a variety of General Fund ($2.55 million), Water Fund ($531,000) and Sewer Fund ($1.35 million) projects and are available to be drawn as required. September draws included $39,000 drawn from the CDA 2014 proceeds for various street and water line improvements and $86,000 drawn from the CDA 2015 proceeds for a new phone system, flood control repairs and street improvements.

Respectfully submitted,

Jeff Rhodes
City Administrator

Regular Council Agenda
November 1, 2016

Description
Approval of the Regular Session Minutes of October 4 and 18, 2016

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

MAYOR
Brian K. Grim

CITY ADMINISTRATOR
Jeffrey D. Rhodes

COUNCIL
Nicole Alt-Myers
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David J. Caporale
Richard J. Cioni, Jr.

CITY SOLICITOR
Michael Scott Cohen

CITY CLERK
Marjorie A. Woodring

MINUTES

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

DATE: 10/4/16

***Pledge of Allegiance**

I. ROLL CALL

The meeting convened at 6:15 p.m.

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

ABSENT: Council Members Nicole Alt-Myers and Seth Bernard

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

II. PROCLAMATIONS

(A) Proclaiming October 9 - 15 as Fire Prevention Week in the City of Cumberland

Mayor Grim read the proclamation and presented it to Fire Chief Dunn who then spoke on the 2016 fire prevention theme of "Don't Wait - Check the Date. Replace Smoke Alarms Every 10 Years." He reminded citizens that the Cumberland Fire Department will assist in the purchase and installation of smoke alarms, and that the American Red Cross will also be undertaking a door-to-door program to supply and install smoke alarms.

(B) Proclaiming November 6, 2016 as "Maryland Emancipation Day" in the City of Cumberland

Mayor Grim read the Proclamation and presented it to Lynn Groesbeck Bowman, representative of Allegany College of Maryland, Sukh Gates, representative of the Jane Gates Heritage House, and several student representatives of the Allegany College NAACP Club. Ms. Bowman thanked the Mayor and Council for their support and their willingness to celebrate the history and heritage of the town.

III. CERTIFICATES, AWARDS AND PRESENTATIONS

(A) Update on 2016 summer construction projects from John DiFonzo, City Engineer

John DiFonzo, City Engineer, provided an update on the progress and completion of current street and sidewalk improvement projects and pool repairs. Details on the following projects were discussed: Nemacolin and Richwood, the end of Helen Street (wall), Maryland Avenue wall and sidewalk repair, drainage issues on Eichner and Myrtle Streets. Milling work would be done on Washington Street and the electrical conduit would be installed in preparation for new lighting in the future. Other projects discussed included Rose Hill Avenue and High Bedford Street wall and drainage issues.

Mr. DiFonzo discussed updates being made at the Constitution Park pool that would address issues with the pool liner, drains, filters, and seal. Upon questioning from Council, he advised that the unanticipated costs to repair the drains would probably cut into the scope of the original work that was planned for the pool and for which grant money had been obtained, but that the grant money would probably be able to be used for these repairs. He stated the pump also was in dire need of replacement, but the pool cannot be opened without the filter being fixed.

Bids for the CSO Storage Facility will be opened on October 5, 2016. Upon questioning from Council, Mr. DiFonzo advised that an award of the project would be delayed until the proper approvals were granted from MD Department of the Environment. Work on the facility was expected to begin in the Spring and would be a 1.5 year project at a minimum.

Bike lane improvements on Frederick and Bedford Streets and Centre and Mechanic Streets will be delayed pending further State approval, but is expected to be completed in the Spring.

The selection process is underway for a consultant for the new Town Center Project.

Inspection was performed last week on the Washington Street Bridge to determine whether or not it could be opened to traffic and an answer was expected within the next few days.

IV. DIRECTOR'S REPORT

(A) Public Works

1. Utilities Division and Central Services Monthly Report for August, 2016

Item Action: Approved

Motion to approve the report was made by Caporale, seconded by Cioni, and was passed on a vote of 3-0.

V. APPROVAL OF MINUTES

(A) Administrative / Executive

1. Approval of the Closed Session Minutes for August 16 and 26, 2016

Item Action: Approved

Motion to approve the Minutes was made by Caporale, seconded by Cioni, and was passed on a vote of 3-0.

August 16, 2016 Closed Session

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, and Richard J. Cioni; Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk

MOTION to enter into closed session to discuss personnel issues and union negotiations was made by Bernard, seconded by Caporale, and carried on a vote of 5-0.

AUTHORITY to close the session provided by the Annotated Code of Maryland, State Government Article, Section 10-508 (a) (1) and (9).

TOPICS: Personnel issues, union negotiations

August 26, 2016 Closed Session Minutes

PRESENT: Brian K. Grim, President; Council Members David Caporale and Richard J. Cioni, Jr.; Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Charles Hinnant, Chief of Police; Marjorie Woodring, City Clerk; Jason Garber, representative of Moore & Jackson, LLC, via conference phone

ABSENT: Council Members Nicole Alt-Myers and Seth Bernard

MOTION to enter into closed session to consult with the City Solicitor regarding a legal matter was made by Caporale, seconded by Cioni, and carried on a vote of 3-0.

AUTHORITY to close the session provided by the Annotated Code of Maryland, State Government Article, Section 10-508 (a) (7).

TOPICS: Legal matter

VI. NEW BUSINESS

(A) Ordinances

1. Ordinance *(1st reading)* - authorizing closure of a portion of South Spruce Place located between Greene Street and Paca Street at the request of Sheetz, Inc., and authorizing execution of deeds conveying portions of the closed right of way to the Housing Authority of the City of Cumberland, Potomac Federal Credit Union, R.J. Sepco, Inc., and Valley Fox, Inc.

   Item Action: Approved

   Mr. Rhodes advised that the proposed alley closure was submitted at the request of Sheetz, Inc. and would facilitate the redevelopment of the current Sheetz store on Greene Street. All bordering property owners were in agreement with the closure.

   FIRST READING: The Ordinance was presented in Title only for its first reading. Motion to approve the reading was made by Caporale, seconded by Cioni, and was passed on a vote of 3-0.

2. Ordinance *(1st reading)* - authorizing the execution of a deed to convey to the MD State Highway Administration .49 of a mile +/- and appurtenances known as U.S. Route 220 - McMullen Highway located at the southwestern corporate limits of the city

   Item Action: Approved

   Mr. Rhodes advised that transfer of this property on RT 220 to MD State Highway Administration involved the area of the roundabout that had been put in place.

   FIRST READING: The Ordinance was presented in Title only for its first reading. Motion to approve the reading was made by Caporale, seconded by Cioni, and was passed on a vote of 3-0.

(B) Resolutions

1. Resolution granting the Western Maryland Scenic Railroad Development Corporation, Inc. a property tax credit for the 2016/2017 tax year, as authorized by provisions of the Annotated Code of Maryland

Item Action: Approved

Mr. Rhodes advised that this was a yearly request from the Western MD Scenic Railroad and was authorized by certain provisions of the Annotated Code of Maryland.

The Resolution was presented in Title only for its first reading. Motion to approve the Resolution was made by Caporale, seconded by Cioni, and was passed on a vote of 3-0.

RESOLUTION NO. R2016-12

(C) Orders (Consent Agenda)

Item Action: Approved

Mr. Rhodes reviewed each item on the Consent Agenda and Mayor Grim then entertained questions or comments. Motion to approve Consent Agenda Items 1-7 was made by Caporale, seconded by Cioni, and was passed on a vote of 3-0.

1. Order authorizing the execution of a Certificate of Satisfaction made by Crable and Nellie Shryock pertaining to a CDBG Housing Rehabilitation Loan for 1114 Kentucky Avenue, acknowledging that the loan has been satisfied and that the lien is released

   ORDER NO. 26,038

2. Order authorizing the abatement of taxes and utilities at City-owned properties: 461 Goethe St., 610 Maryland Ave., 532 N. Centre St., 32 Industrial Blvd., 8 Virginia Ave., 408 N. Broadway St., 410 Waverly Terrace, 500 Kingsley Ave., 508 Park St., 210 Cecelia St.

   ORDER NO. 26,039

3. Order accepting the bid of First Fruits Excavating, Inc. for negotiated conduit work associated with the "Washington Street Lighting Improvements Project - Phase I" in the lump sum amount not to exceed $225,500, and rejecting all other bids

   ORDER NO. 26,040

4. Order authorizing the execution of a Parking Lease with the State of MD for the MD Department of Education, Division of Rehabilitation Services, for the use of 4 parking spaces in the George Street Garage at the cost of $2,640 annually, with a 3-year term and the option to renew for one additional 3-year term upon mutual consent

   ORDER NO. 26,041

5. Order authorizing the execution of an Art Easement Agreement with CSB, LLC for the placement of artwork on 157 Baltimore Street for a period of 5 years, with automatic renewals of 5 years unless terminated by the provisions of the Agreement

   ORDER NO. 26,042

6. Order accepting the bid of Duncan Tree Care for the Fall 2016 Tree Removal Project (15-16-M) in the estimated unit price of $16,100 and rejecting all other bids

ORDER NO. 26,043

7. Order extending the sole source proposal of Queen City Business Systems to provide maintenance for 14 Minolta copiers for an additional six (6) months at the cost of $14,190

ORDER NO. 26,044

VII. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

No public comments were presented at this time.

VIII. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:55 p.m.

Minutes approved on _____

Brian K. Grim, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

MAYOR
Brian K. Grim

CITY ADMINISTRATOR
Jeffrey D. Rhodes

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

CITY SOLICITOR
Michael Scott Cohen

CITY CLERK
Marjorie A. Woodring

MINUTES

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

DATE: 10/18/16

Pledge of Allegiance

I. ROLL CALL

The meeting convened at 6:28 p.m.

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

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Donald Dunn, Fire Chief; Captain Gregory Leake, CPD: Marjorie Woodring, City Clerk

II. DIRECTOR'S REPORT

(A) Police

1. Police Department monthly report for September, 2016

Item Action: Approved

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

(B) Fire

1. Fire Department monthly report for September, 2016

Item Action: Approved

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

(C) Administrative Services

1. Administrative Services monthly report for August, 2016

Item Action: Approved

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

(D) Public Works

1. Maintenance Division monthly report for September, 2016

Item Action: Approved

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

III. APPROVAL OF MINUTES

(A) Routine

1. Approval of the Minutes of the regular sessions of September 6 and September 20, 2016

Item Action: Approved

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

(B) Administrative / Executive

1. Approval of the Closed Session Minutes of September 6, 2016

Item Action: Approved

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

Closed Session - September 6, 2016

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, Richard J. Cioni; Councilman David Caporale entered the meeting at 5:45 p.m.; Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk

MOTION to enter into closed session to discuss union negotiations, board and commission appointments, and personnel issues was made by Councilman Bernard, seconded by Councilwoman Alt-Myers, and passed on a vote of 4-0.

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

TOPICS: Union negotiations, board and commission appointments, personnel issues

IV. UNFINISHED BUSINESS

(A) Ordinances

1. Ordinance *(2nd and 3rd readings)* - authorizing closure of a portion of South Spruce Place located between Greene Street and Paca Street at the request of Sheetz, Inc., and authorizing execution of deeds conveying portions of the closed right of way to the Housing Authority of the City of Cumberland, Potomac Federal Credit Union, R.J. Sepco, Inc., and Valley Fox, Inc.

Mr. Rhodes advised that closure of the requested public right-of-way would facilitate the redevelopment of the Greene Street Sheetz store. All adjoining property owners were in agreement with the closure.

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

Mayor Grim called for questions or comments from Council and the public. Being none, the Ordinance then proceeded to its third reading.

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

ORDINANCE NO. 3811

2. Ordinance *(2nd and 3rd readings)* - authorizing the execution of a deed to convey to the MD State Highway Administration .49 of a mile +/- and appurtenances known as U.S. Route 220 - McMullen Highway located at the southwestern corporate limits of the city

Mr. Rhodes advised that the portion of roadway being conveyed to the MD State Highway Administration was in the area of the roundabout at US Route 220 South / McMullen Highway.

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

Mayor Grim called for questions or comments from Council and the public. Being none, the Ordinance then proceeded to its third reading.

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

ORDINANCE NO. 3812

V. NEW BUSINESS

(A) Ordinances

1. Ordinance *(1st reading)* - authorizing execution of a deed to convey surplus property located at 423 Ascension Street to Clean Demolition, Inc.

Item Action: Approved

Mr. Rhodes advised that 423 Ascension Street was a former blighted property that had been offered for bid to the adjoining property owners. Only one bid was received from Clean Demolition, Inc. and was above the assessed value of the property.

FIRST READING: The Ordinance was presented in Title only for its first reading. Motion to approve the reading and table for two weeks was made by Alt-Myers, seconded by Caporale, and was passed on a vote of 5-0.

2. Ordinance *(1st reading)* - amending Section 6.08(5) of the Cumberland Zoning Ordinance to reduce the lighting standards restrictions applicable to residential uses prohibited in the City's Business and

Industrial Zones

Mr. Rhodes advised that the purpose of the Ordinance was to update the Code to allow for typical street lighting standards in the City's commercial and industrial zones. The amendment had been recommended by the Planning and Zoning Commission.

FIRST READING: The Ordinance was presented in Title only for its first reading. Motion to approve the reading and table for two weeks was made by Bernard, seconded by Alt-Myers, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Item Action: Approved

Mr. Rhodes reviewed each item on the Consent Agenda prior to vote and Mayor Grim entertained questions or comments from Council and the public. Motion to approve Consent Agenda Items 1-4 was made by Caporale, seconded by Bernard, and passed on a vote of 5-0.

1. Order authorizing the Chief of Police to accept a Maryland Highway Safety Office grant for FY17 in the amount of $3,950.00 for police overtime support concentrating on Occupant Protection Usage and DUI Enforcement

   ORDER NO. 26,045

2. Order rescinding the Art Easement Agreement approved per Order No. 25,975 for the placement of art work at 55 Baltimore Street to allow for replacement of the art work at 157 Baltimore Street

   ORDER NO. 26,046

3. Order amending the Table of Organization to add the position of Utilities Manager and remove the position of Economic Development Coordinator

   ORDER NO. 26,047

4. Order reappointing Cassie Conklin and Gary Mallow to the Shade Tree Commission for a 4-year term effective November 1, 2016 through November 1, 2020

   ORDER NO. 26,048

VI. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

Tamar Clarke, 811 Memorial Avenue, spoke regarding her concerns on fluoride in the municipal water supply, chem trails, and fracking. She provided informational material to the Mayor and Council for their review.

VII. ADJOURNMENT

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

Minutes approved on _____

Brian K. Grim, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Regular Council Agenda
November 1, 2016

Description

Ordinance *(2nd and 3rd readings)* - authorizing execution of a deed to convey surplus property located at 423 Ascension Street to Clean Demolition, Inc.

Approval, Acceptance / Recommendation

The opportunity to bid on this City-owned property was offered to adjoining property owners. The only bid received was from Clean Demolition, Inc. for the amount of $5,000. The current appraisal on this parcel is $4,900.

The offer from Clean Demolition was accepted and the property was declared surplus on September 20, 2016 and first reading of the Ordinance was passed on October 18, 2016.

The Ordinance authorizes transfer of the deed to Clean Demolition for the amount of $5,000.

☐ Budgeted

☐ 1st Reading
☑ 2nd Reading
☑ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE PURPOSE OF CONVEYING CERTAIN SURPLUS PROPERTY LOCATED AT 423 ASCENSION STREET IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND TO CLEAN DEMOLITION, INC."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 423 Ascension Street in the City of Cumberland, Allegany County, Maryland;

WHEREAS, the said property was declared to be surplus property under the terms of Order No. 26,037, passed by the Mayor and City Council on September 20, 2016;

WHEREAS, Clean Demolition, Inc. desires to purchase the said property for the sum of $5,000.00; and

WHEREAS, the Mayor and City Council of Cumberland deem it to be in the interest of the City to accept that offer.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council accept Clean Demolition, Inc.'s offer to purchase the real property located at 423 Ascension Street, Cumberland, MD 21502 for the purchase price of $5,000.00, provided that all costs of effecting the transfer shall be borne by Clean Demolition, Inc. and it shall be responsible for the payment of the portion of the current year real estate taxes which is prorated from the date of the deed through the end of the tax year;

SECTION 2: AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute

Item # 7

a deed in the form attached hereto as Exhibit A or in a similar form approved by the City Solicitor, conveying the aforesaid real property to Clean Demolition, Inc. in exchange for the payment of the aforesaid purchase price;

SECTION 4: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this ____ day of _____, 2016.

_____
Brian K. Grim, Mayor

ATTEST:

_____
Marjorie A. Woodring, City Clerk

EXHIBIT A

Regular Council Agenda
November 1, 2016

Description

Ordinance *(1st reading)* - authorizing execution of a deed to transfer certain surplus real property located East of Shades Lane and the Goethe Street Addition and North of Welton Drive consisting of 15.07 acres +/- to Sean McCagh and Gary Blake

Approval, Acceptance / Recommendation

☐ Budgeted

☑ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE PURPOSE OF CONVEYING TO SEAN MCCAGH AND GARY BLAKE CERTAIN SURPLUS REAL PROPERTY LOCATED EAST OF SHADES LANE AND THE GOETHE STREET ADDITION AND NORTH OF WELTON DRIVE CONSISTING OF 15.07 ACRES, MORE OR LESS, IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND."

WHEREAS, the record title holder of the property described in the title of this Ordinance is unknown and the City does not have possession of or claim an ownership interest in it;

WHEREAS, Sean McCagh and Gary Blake, own parcels of land which abut the subject property and they have requested that the City and other abutting property owners execute quitclaim deeds in order to convey whatever right, claim, title or interest they may have in the subject property to them;

WHEREAS, Dr. McCagh and Mr. Blake intend to develop the subject property and the adjacent parcels they own commercially;

WHEREAS, the Mayor and City Council have determined that the subject property has no value to the City;

WHEREAS, the subject property was declared to be surplus property under the terms of Order No. 26,029, passed by the Mayor and City Council on September 6, 2016; and

WHEREAS, the Mayor and City Council deem the conveyance of the subject property to Dr. McCagh and Mr. Blake to be in the City's bests interests due to the fact

that it will assist them in their efforts to develop the property.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor be and he is hereby authorized to execute a Deed in the form attached hereto as Exhibit A in order to effect the conveyance of the real property described in the title of this Ordinance and more particularly described in the Exhibit A attached hereto to Sean McCagh and Gary Blake for the purchase price of $0.00;

SECTION 2: AND BE IT FURTHER ORDAINED, that the City Solicitor be and he is hereby authorized to execute such other documents as may be required or expedient for the purpose of facilitating and completing the conveyance; and

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

Passed this ____ day of _____, 2016.

_____
Brian K. Grim, Mayor

ATTEST:

_____
Marjorie A. Woodring, City Clerk

EXHIBIT A

DEED ONLY - NO TITLE EXAMINATION

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this _____ day of November, 2016, from the **MAYOR AND CITY COUNCIL OF CUMBERLAND**, a Maryland municipal corporation, Grantor, to **SEAN McCAGH** and **GARY BLAKE**, of Allegany County, Maryland, Grantees.

W I T N E S S E T H :

The Grantor, for and in consideration of the sum of zero dollars ($0) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby give, grant, bargain and sell, release, convey, confirm and quitclaim unto the Grantees as tenants in common, their personal representatives, heirs and assigns, all of the Grantor's right, title, interest and estate in

ALL that piece or parcel of ground lying westerly of a parcel of land previously conveyed to Sean Leo McCagh and Gary Curtis Blake dated August 30, 2011 and recorded in Deed Liber 1811, Folio 034 and easterly of Goethe Street Addition to Cumberland and being more particularly described as follows (Maryland Grid Courses and Horizontal Measurements being used thru out);

BEGINNING for the same at 5/8" iron pin with cap found at the end of the 2nd line of the aforementioned deed and running thence with the northerly boundary of Weltonwood, LLC recorded in Deed Liber 2010, Folio 153;

1. South 89 degrees 16 minutes 12 seconds West for a distance of 154.11 feet to a 5/8" iron pin with cap previously set, thence;

2. South 88 degrees 16 minutes 07 seconds West for a distance of 270.26 feet to a point on the easterly margin of a 15' alley thence running with the easterly margin of said 15' alley along the easterly side of Goethe Street Addition;

3. North 02 degrees 43 minutes 04 seconds East for a distance of 76.63 feet to a point, thence;

4. North 08 degrees 38 minutes 14 seconds East for a distance of 198.97 feet to a point, thence;

5. North 18 degrees 49 minutes 04 seconds East for a distance of 110.96 feet to a point, thence;

6. North 32 degrees 29 minutes 55 seconds East for a distance of 1289.59 feet to a point on the 6th line of a tract of land conveyed by Barbara A. Smith to Charles L. Smith dated January 12, 1987 and recorded in Deed Liber 562, Folio 338 and running thence with the remainder of the 6th and a portion of the 5th line reversed;

7. South 55 degrees 42 minutes 30 seconds East for a distance of 390.92 feet to a 5/8" iron pin with cap set on the 5th line of the aforementioned deed recorded in Deed Liber 1811, Folio 034, thence running with the remainder of the 5th and the entire 4th and 3rd line;

8. South 24 degrees 47 minutes 20 seconds West for a distance of 367.43 feet to a 5/8" iron pin with cap set, thence;

9. South 34 degrees 51 minutes 01 seconds West for a distance of 709.69 feet to a 5/8" iron pin with cap set, thence;

10. South 17 degrees 35 minutes 20 seconds West for a distance of 335.26 feet to the point of beginning, containing 15.07 acres, more or less, all of which is shown on a "Boundary Survey made for Gary Curtis Blake and Susan McIntyre Blake", and intended to be recorded among the plat records of Allegany County, Maryland.

It is the intention of this Deed to convey to the Grantees as tenants in common, all of Grantor's interest in the property described herein as aforesaid existing in Grantor in any manner, including, but not limited to, as a result of conveyance, devise, inheritance, use, and/or possession. Grantor makes no representation or warranty as to title to the areas in question.

ATTEST:

MAYOR AND CITY COUNCIL
OF CUMBERLAND

_____

By_____(SEAL)

Marjorie A. Woodring, City Clerk

Brian K. Grim, Mayor

STATE OF MARYLAND
COUNTY OF ALLEGANY, to-wit:

On this the _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Brian K. Grim, the Mayor of the Mayor and City Council of Cumberland, a Maryland municipal corporation, who acknowledged himself to be an authorized person on behalf of the said Maryland municipal corporation to execute the within and foregoing instrument for the purposes therein contained by signing the name of the said Maryland municipal corporation, and to further certify that the actual consideration paid for the foregoing conveyance is Zero Dollars ($0.00).

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

This document has been prepared by the undersigned Maryland licensed attorney.

STEPHEN C. WILKINSON, LLC

By:_____

Stephen C. Wilkinson
220 Washington Street
P.O. Box 1379
Cumberland, MD 21502

Regular Council Agenda
November 1, 2016

Description

Resolution supporting Footer Development, LLC's application to the MD Neighborhood Businessworks Program for financing to rehabilitate the Footer's Dye Works Building for mixed residential and industrial use

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

City of Cumberland

- Maryland -

RESOLUTION

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, SUPPORTING MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, NEIGHBORHOOD BUSINESSWORKS PROGRAM FINANCING TO FOOTER DEVELOPMENT, LLC.

WHEREAS, the Mayor and City Council of Cumberland, Maryland is interested in promoting the revitalization of our community by encouraging the development and/or expansion of for-profit and nonprofit small businesses; and

WHEREAS, Footer Development, LLC applied to the Neighborhood BusinessWorks Program for financing to rehabilitate the historic Footer's Dye Works Building for mixed residential and commercial use at 2 Howard Street, Cumberland, Maryland; and

WHEREAS, this project is located in a State-approved locally designated revitalization area and conforms to the local zoning code; and

WHEREAS, the regulations of the Neighborhood BusinessWorks Program require that all projects receiving financing be approved and supported by the appropriate governing body of the locality in which the project is situated.

NOW, THEREFORE, BE IT RESOLVED THAT, the Mayor and City Council of Cumberland, Maryland hereby endorses the financing to Footer Development, LLC; and

BE IT FURTHER RESOLVED THAT, copies of this Resolution be sent to Mayor Brian K. Grim and to Michael Haloskey, Director, Neighborhood BusinessWorks Program at the Maryland Department of Housing and Community Development, 7800 Harkin Road, Lanham, MD 20706.

Given under our Hands and Seals this 1st day of November, 2016, with the Corporate Seal of the City of Cumberland hereto attached, duly attested by the City Clerk.

Attest:

_____

Marjorie A. Woodring
City Clerk

Mayor and City Council
Of Cumberland

_____

Brian K. Grim
Mayor

Regular Council Agenda
November 1, 2016

Description

Order approving the award of $ 54,323 in 2016-2017 hotel / motel revenues to various community groups

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 6, 2015____

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

THAT the City Comptroller be and is hereby authorized to make payment to the following community groups in an amount not to exceed Fifty Four Thousand, Three Hundred Twenty-three Dollars ($54,323.00).

ACIT	$ 2,488.00
Allegany Allied Arts	$840.00
Allegany Arts Council	$3,550.00
Allegany County Historical Society	$1,260.00
Allegany County Museum	$2,520.00
BW Invitational Tournament	$1,420.00
Canal Place (CPPDA)	$12,000.00
Cumberland Cultural Foundation	$1,360.00
Cumberland Historic Cemetery Organization	$950.00
Cumberland Theatre	$4,440.00
Embassy Theatre	$1,300.00
Front and Center Stage	$1,200.00
Great Allegany Run	$430.00
Mountain Maryland Trails	$5,965.00
Mountainside Baroque	$800.00
Schoolhouse Quilters Guild	$600.00
Tri-State Concert Association	$2,420.00
Western MD Jaycees, Junior Chamber	$5,080.00
Western MD Scenic RR	$5,020.00
Women's Civic Club of Cumberland	$680.00
TOTAL	**$ 54,323.00**

And, Be it Further Ordered, that said contributions are to be funded from the hotel/motel tax receipts for the Fiscal Year 2017.

_____

Mayor Brian K. Grim

Regular Council Agenda
November 1, 2016

Description

Order accepting the bid of THC Enterprises T/A Mid-Atlantic Waste Services to provide a Tymco Street Sweeper for the amount not-to-exceed $139,800 and approving an appropriation to the FY17 General Fund in the amount of $139,800

Approval, Acceptance / Recommendation

A Request for Bids was publicly advertised for the purchase of one (1) Diesel Powered 4.0 Cubic Yard Volumetric Capacity All-Area Sweeper with Twin Gutter Brooms and bids were opened on October 12, 2016. Only one bid was received from THC Enterprises T/A Mid-Atlantic Waste Systems in the amount of $139,800 and Dave Curry, Operations Manager, has recommended acceptance of the bid.

The sweeper purchase was expected to be completed in FY16, but was held over into FY17. Funding for the purchase was not however included in the FY17 budget. According to the Comptroller, the cost can be covered this fiscal year with 2015 Community Development Administration bond proceeds.

As this purchase was not included in the FY17, an authorization is also included in this Order to approve an appropriation of the cost of the sweeper ($139,800) to the General Fund.

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

$139,800.00

Source of Funding (if applicable)

2015 CDA Bond PRoceeds

- ORDER -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE:** __November 1, 2016___

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

THAT, the bid of THC Enterprises T/A Mid-Atlantic Waste Services, 10641 Cordova Road, Easton, MD 21601, to provide a Tymco Street Sweeper be and is hereby accepted in the amount not to exceed One Hundred Thirty-Nine Thousand, Eight Hundred Dollars ($139,800.000); and

BE IT FURTHER ORDERED, that as this purchase is an unbudgeted item and will be offset with 2015 Community Development Administration Bond proceeds, an appropriation to the FY17 General Fund in the amount of One Hundred Thirty-Nine Thousand, Eight Hundred Dollars ($139,800.00) be and is hereby approved, bringing the revised General Fund total to One Million, Six Hundred Eighty-Four Thousand, Three Hundred Twenty-Seven Dollars ($1,684,327).

_____

Mayor Brian K. Grim

Order of Bids

Bidder	*Amount*
THC Enterprises T/A Mid Atlantic Waste	**$139,800.00**

General Fund Appropriation

FY17 Approved Budget	$1,544,527.00
Amendment	139,800.00
New Total	$1,684,327.00

Fund: CDA 2015 Bond Proceeds

Diesel Powered 4.0 Cubic Yard Volumetric Capacity All-Area Sweeper with Twin Gutter Brooms

City Project No. PW2016-01

Bid Opening: October 12, 2016 - 2:30 p.m., City Hall Council Chambers

Company	Total Bid	Affadavit	Local Preference
Mid-Atlantic Waste Systems	$ 139,800.00	Yes	N/A
10641 Cordova Road			
Easton, MD 21601			

The bids will be reviewed by the appropriate department and a recommendation for award will be forwarded to the Mayor and City Council for formal approval.

Regular Council Agenda
November 1, 2016

Description

Order declaring four (4) bus shelters with kiosks to be surplus property and authorizing their donation to the Western Maryland Scenic Railroad (WMSRR) for use along their railways to create scenic picnic areas for passengers

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:** __November 1, 2016__

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

THAT the Mayor and City Council of Cumberland is the record owner of four (4) bus stop shelters; and

WHEREAS, the Mayor and City Council have determined that these bus stop shelters are of no further value to the City and desires to dispose of said shelters; and

WHEREAS, the Western Maryland Scenic Railroad (WMSRR) has offered to relocate the four (4) shelters along their railway routes to create scenic picnic areas and enhance the experience of passengers of the WMSRR;

IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND THAT the following units be and are hereby declared to be surplus property and authorized to be donated to the Western Maryland Scenic Railroad:

1) Four (4) bus shelters with kiosks

_____

Brian K. Grim, Mayor

June 16, 2016

Dear Ms. McKinney,

On behalf of Western Maryland Scenic Railroad, I am asking for your help and generosity in allowing us to obtain four currently unused bus stop shelters, as well as the ability to have the time needed to find assistance and/or funding in order to relocate them.

With these bus stops, our organization will be able to provide covered shelters along the halfway point of our route (which we refer to as "LAP"), as well Maryland Junction (an area that provides scenic vistas of the Potomac River, and also part of our route that is not used as frequently as the traditional Cumberland/Frostburg excursion). It is our hope to create picnic areas for guests to be able to enjoy lunch, scenery, and fresh air, if they choose to do so.

With the acquisition of these shelters, we will be able to enhance the experience of our passengers as they ride with us on the railroad, which is one of the premier tourist attractions in western Maryland. And as we are able to draw more visitors to Allegany County and Cumberland, this will in turn help to increase patronage to other local businesses and destinations, improving the economy in the area for everyone.

Sincerely,

John Garner
Western Maryland Scenic Railroad

APPROVED JUN 21 2016

Item # 12

Regular Council Agenda
November 1, 2016

Description

Order authorizing the Mayor and the Chief of Police to enter into a Mutual Aid Agreement for law enforcement with the Washington County Sheriff's Office, the Board of County Commissioners of Washington County, and the Mayor and City Council of Hagerstown

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:** __November 1, 2016___

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

THAT, the Mayor and the Chief of Police be and are hereby authorized to execute a Mutual Aid Agreement by and between the Mayor and City Council of Cumberland, the Washington County Sheriff's Office, the Board of County Commissioners of Washington County, and the Mayor and City Council of Hagerstown to establish the terms and conditions under which their respective police departments will provide aid to one another; and

BE IT FURTHER ORDERED, that this agreement shall be for a term of one (1) year and shall automatically renew for subsequent one (1) year terms upon mutual consent.

_____

Mayor Brian K. Grim

MUTUAL AID AGREEMENT

THIS MUTUAL AID AGREEMENT ("Agreement") is made and entered into this _____ day of November, 2016, by and between the **MAYOR AND CITY COUNCIL OF CUMBERLAND**, the **WASHINGTON COUNTY SHERIFF'S OFFICE** ("Sheriff"), the **BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY**, and the **MAYOR AND CITY COUNCIL OF HAGERSTOWN**.

RECITALS:

WHEREAS, in accordance with Md. Crim. Proc. Code Ann. § 2-105(b), the governing body of a county or municipal corporation, together with all necessary equipment, may lawfully go or be sent beyond the boundaries of the county or municipal corporation;

WHEREAS, the City of Cumberland Police Department, the City of Hagerstown Police Department, and the Washington County Sheriff's Office are charged with providing law enforcement services to the citizens of the City of Cumberland, the City of Hagerstown, Maryland and Washington County, Maryland within their respective jurisdictions;

WHEREAS, in accordance with Md. Crim. Proc. Code Ann. § 2-105(g)(1), police officers coming from one county or municipal jurisdiction under the terms of a mutual aid agreement may enforce the laws of the State of Maryland to the same extent as the authorized law enforcement officers of the receiving county or municipal corporation;

WHEREAS, on occasion, the City of Cumberland Police Department, the City of Hagerstown Police Department and the Washington County Sheriff's Office require supplementary manpower to assist with respect to their law enforcement operations; and

WHEREAS, the parties hereto enter into this Agreement for the purpose of establishing terms and conditions under which their respective law enforcement agencies will provide aid to one another.

WITNESSETH:

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements as contained herein, the parties hereto agree as follows:

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

2. **Definitions.** As used herein, the following terms shall have the following meanings:

"Assisting Party" means the participating governmental entity furnishing equipment, resources, supplies and/or personnel to the Requesting Party under the terms of this Agreement.

"Emergency" includes a life threatening situation demanding an immediate police response, a situation in which there is a potential for violence as well as the definition of that term as defined in Md. Crim. Proc. Code Ann. § 2-101(b), i.e., "a sudden or unexpected happening or an unforeseen combination of circumstances that calls for immediate action to protect the health, safety, welfare, or property of a person from actual or threatened harm or from an unlawful act."

"Requesting" means a request for assistance made by a Requesting Party to an Assisting Party under the terms of this Agreement.

"Requesting Party" means the participating governmental entity, which has primary jurisdiction at the location requesting aid, but due to insufficient resources, specialized units, supplies, equipment and/or personnel, is unable to provide an adequate response to the situation without the assistance of others. "Requesting Party" shall also include the governmental entity which has primary jurisdiction where an Assisting Party is providing assistance in response to an Emergency.

Any reference to "police" or "police officers" in this Agreement shall include police officers of the City of Cumberland Police Department, police officers of the City of Hagerstown Police Department, and/or deputies of the Washington County Sheriff's Office.

3. Purpose of Agreement. This Agreement is made in recognition of the fact that there may be situations where law enforcement agencies require the assistance of the other law enforcement agencies with respect to their law enforcement operations. The Assisting Party shall aid and assist the Requesting Party by assigning some of its resources, specialized units, equipment and/or law enforcement personnel to the Requesting Party as circumstances permit and in accordance with the terms of this Agreement. The specific intent of this Agreement is to safeguard the lives, persons and property of citizens by enabling other law enforcement agencies to provide additional resources, specialized units, equipment and/or law enforcement personnel as needed.

4. Actions Considered to be for Public and Governmental Purpose; Immunities. The terms and provisions of Md. Crim. Proc. Code Ann. § 2-105(c), as amended from time to time, are incorporated by reference herein and form a part of this Agreement. Effective the date of this Agreement, those terms and provisions are as follows:

(c) *Actions considered to be for public and governmental purpose; immunities.-*

(1) The acts done by the police officers or other officers, agents, or employees of a county or municipal corporation under the authority of subsection (b) of this section and the expenditures made by the county or municipal corporation are considered to be for a public and governmental purpose.

(2) When a county or municipal corporation is acting through its police officers or other officers, agents, or employees for a public or governmental purpose beyond its boundaries under this section or other lawful authority, the county or municipal corporation has the same immunities from liability that the county or municipal corporation has when acting through its police officers or other officers, agents, or employees for a public or governmental purpose within its boundaries.

(3) When the police officers or other officers, agents, or employees of a county or municipal corporation are acting beyond the boundaries of the county or municipal corporation within the State under this section or other lawful authority, the police officers and other officers, agents, and employees of the county or municipal corporation have the same immunity from liability described in 5-612 of the Courts Article and exemptions from laws, ordinances, and regulations, and the same pension, relief, disability, workers' compensation, and other benefits as those persons have while performing their duties within the boundaries of the county or municipal corporation.

5. Authority of Assisting Party's Officers. Police officers of an Assisting Party shall exercise criminal law enforcement powers outside of the Assisting Party's jurisdiction and within the jurisdiction of the Requesting Party to the same extent as police officers of the Requesting Party acting within the jurisdiction of the Requesting Party provided the police officers of the Assisting Party are present in the Requesting Party's jurisdiction pursuant to a Request from the Requesting Party.

None of the provisions of this Agreement shall be construed to permit the police officers of the Assisting Party to perform routine patrols in the jurisdiction of the Requesting Party or to conduct investigations therein unless said patrols or investigations are the subject of a particular Request.

6. Report Required. Whenever a Request is made, a report will be generated within the Requesting Party's records management system to document such Request. Said report shall detail the reason for the Request, the expected duration of the same, as well as all other salient details regarding the Request and the activities of the law enforcement officers of the Assisting Party and the Requesting Party in responding to the situation giving rise to the Request.

Whenever assistance is provided under the terms of this Agreement in response to an Emergency, the Assisting Party shall be responsible for generating a report regarding the incident and it shall provide a copy of the same to the Requesting Party.

7. Agency Policy and Procedures. When conducting law enforcement activities within the jurisdiction of a Requesting Party, including, but not limited to, the use of force, the officers of the Assisting Party shall adhere to the Assisting Party's policies and procedures. They shall use only those weapons and tactics for which they are qualified and authorized to use in accordance with the Assisting Party's policies and procedures.

8. Guidelines for Dispatching and Receiving Mutual Aid.

A. A Request may be made whenever a situation or potential situation requires concentration of personnel or special equipment and personnel that exceeds the normal on-duty capacity of the Requesting Party.

B. The supervisor or highest-ranking police officer on duty or his designee must be the person making the Request.

C. The supervisor or highest-ranking police officer on duty for the Assisting Party or his designee shall promptly acknowledge the request and shall, in the sole discretion of the Assisting Party determine whether to, when to, and how many officers of the Assisting Party will respond to the request based upon the availability of on-duty personnel and the situation or potential situation in the Assisting Party jurisdiction. The determination will be communicated to the Requesting Party immediately upon being made.

D. The Requesting Party will be responsible for communicating the necessary information to the Assisting Party's officers in order to safeguard their approach to the scene of the incident.

E. The Requesting Party will be responsible for arrests and detentions in its jurisdiction, unless circumstances dictate otherwise.

F. When a police officer of an Assisting Party makes an arrest in the Requesting Party's jurisdiction, that officer will immediately notify the Requesting Party, take the suspect to the Requesting Party's police station or Central Booking for processing, and take the suspect before a District Court Commissioner, if necessary, and prepare any necessary reports unless responsibility for the foregoing is expressly assumed by a police officer of the Requesting Party.

G. All follow-up investigation for all offenses will be conducted by the Requesting Party.

H. In the event that any police officer of an Assisting Party responds to an Emergency or a Request within a Requesting Party's jurisdiction, the command authority shall be determined as follows:

(i) The Requesting Party shall exercise command unless otherwise provided below.

(ii) In the event that a police officer of an Assisting Party is first on the scene, that individual shall assume command and secure the area, maintain the integrity of the crime scene, establish a perimeter, as required, and begin to gather victim and witness

information until a police officer from the Requesting Party's department arrives on the scene. Upon arrival, the Requesting Party's police officer shall assume command of the scene. Once command is transferred, the Assisting Party's police officer shall not remain on the scene unless requested to do so by the Requesting Party's officer in charge.

9. **Statutorily Require Waivers.** In accordance with Md. Crim. Proc. Code Ann. § 2-105(e)(2), each of the parties hereto: (i) waives any and all claims against the others that may arise out of the other parties' activities outside of their respective jurisdictions under this Agreement; and (ii) agrees to indemnify and hold the other parties harmless with respect to all claims by third parties that are for property damage or personal injury that may arise out of the activities of the other parties to this Agreement outside their respective jurisdictions under this Agreement.

10. **Term.** This Agreement shall remain in force and effect for a period of one (1) year from the date the Agreement takes effect and shall automatically renew for subsequent one (1) year terms on the same terms and conditions as are set forth herein unless any of the parties to this Agreement provides written notice to the other parties of its desire not to renew this Agreement no less than seven (7) days prior to the expiration of the then-current term. Additionally, any of the parties to this Agreement may cancel it and terminate its rights and obligations hereunder by providing no less than seven (7) days advance written notice of said termination to the other parties.

11. **Maryland Law Applies.** This Agreement, having been executed in the State of Maryland, shall be construed, interpreted and enforced under the laws of the State of Maryland.

12. **Venue.** This Agreement is and shall be enforceable with an action commenced in the District Court of Maryland for Garrett County, the District Court of Maryland for Frederick County, the Circuit Court for Garrett County, Maryland or the Circuit Court for Frederick County, Maryland and the parties hereto agree to be subject to the jurisdiction of such courts and further waive any claim that any action or proceeding arising out of or relating to this Agreement and commenced in such courts is commenced in an inconvenient forum or one that lacks proper venue. Any actions arising out of or relating to this Agreement must be instituted in the aforesaid courts. The courts of Garrett County and Frederick County have specifically been chosen as they are the counties which are in closest proximity to the counties where the parties to this Agreement.

13. **Captions.** The marginal captions of this Agreement are for convenience and in no way define or limit the intents, rights or obligations of the parties hereunder.

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

may not be modified except in a subsequent writing signed by all of the parties to this Agreement.

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

16. **Jury Trial Waiver**. **THE PARTIES HERETO WAIVE TRIAL BY JURY IN ANY ACTION OR PROCEEDING TO WHICH ANY OF THEM MAY BE PARTIES ARISING OUT OF, AS AN INCIDENT TO OR IN ANY WAY PERTAINING TO THIS AGREEMENT. IT IS AGREED AND UNDERSTOOD THAT THIS WAIVER CONSTITUTES A WAIVER OF TRIAL BY JURY OF ALL CLAIMS AGAINST ALL PARTIES TO SUCH ACTIONS OR PROCEEDINGS, INCLUDING CLAIMS AGAINST PARTIES WHO ARE NOT PARTIES TO THIS AGREEMENT.**

IN WITNESS WHEREOF, the parties hereto acknowledge that this Agreement is their act and that they have executed it effective the day and year first above written.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

_____

By:_____
Brian K. Grim, Mayor

MAYOR AND CITY COUNCIL OF HAGERSTOWN

_____

By:_____
David S. Gysberts, Mayor

WASHINGTON COUNTY SHERIFF'S OFFICE

_____

By:_____
Douglas W. Mullendore, Sheriff

BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND

_____

By:_____
Terry L. Baker, President

Approved as to form and content:

CITY OF CUMBERLAND POLICE DEPARTMENT

_____

By:_____
Charles H. Hinnant, Chief

CITY OF HAGERSTOWN POLICE DEPARTMENT

_____

By:_____
Victor Brito, Chief

Regular Council Agenda
November 1, 2016

Description

Order authorizing the execution of Change Order No.2 to the current contract with IA Construction Corp. for the milling and paving of various street (City Project 15-15-P) in the increased lump sum amount not to exceed $840,000; bringing the total contract amount to $2,047,016

Approval, Acceptance / Recommendation

It is the Engineering Department's recommendation to execute Change Order No. 2 with IA Construction Corp on City Project 15-15-P for the lump sum amount not to exceed $840,000.00. The additional work will include paving of the following streets: Eichner Ave., Rose Hill Ave., Washington St., Prospect Square, Brook Ave. and Lowell St.; and also paving and under-drain work on the following streets: Bedford St. and Richwood Ave.

☑ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

$840,000.00 - Change Order No. 1
$2,047,016.00 - Total Contract Amount

Source of Funding (if applicable)

117.099XB.63000 CDA 2014

- ORDER -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE:** __July 05, 2016 _

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

THAT, Change Order No. 2 to the contract with IA Construction Corporation, P.O. Box 258, Corriganville, MD, 21524, for additional paving and milling work at various locations (City Project No. 15-15-P) be and is hereby approved for the increased lump sum amount not to exceed Eight Hundred Forty Thousand Dollars ($840,000.00); and

BE IT FURTHER ORDERED, that the total revised amount of this contract be and is hereby a lump sum amount not to exceed Two Million, Forty-Seven Thousand, Sixteen Dollars ($2,047,016.00);

BE IT FURTHER ORDERED, that this award shall be based on IA Construction's proposal to honor pricing awarded in Belt Paving Inc.'s State Contract with the Maryland State Highway Administration (Contract No. XY4015177).

_____

Mayor Brian K. Grim

Original Contract	$1,000,000.00
Change Order No. 1	+ 207,016.00
Change Order No. 2	+ 840,000.00
Total Contract Amt.	$2,047,016.00

Source of funding: 117.099XB.63000 CDA 2014

City of Cumberland

Change Order Number: 2

Project: Mill, Patch & Pave Various City Streets
City Project No.: 15-15- P
Purchase Order No.:
M&CC Order No.:
Contractor: IA Construction, Corp
Vendor No.: 90000

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

Add / Delete	Unit	Description	Delete	Add
ADD	LS	Mill, Patch and Pave Various City Streets		$840,000.00
		Eichner Avenue		
		Bedford Street Paving and Underdrain		
		Rose Hill		
		Washington Street		
		Prospect Square		
		Richwood Paving and Drianage Work		
		Brook Ave		
		Lowell St		
		TOTALS	$0.00	$840,000.00

The Original Contract Sum was:

The Original Contract Sum was:	$1,000,000.00
Previous Change Orders:	$207,016.00
Contract Sum as a result of Previous Change Orders:	$1,207,016.00
The Contract Sum increased/decreased by this Change Order:	$840,000.00
The New Contract Sum as a result of this Change Order is:	$2,047,016.00

Contract Time Change: N/A

Contractor: IA Construction Corp

10-28-2016
Date

The City of Cumberland:

Accepted by: Director of Engineering — Date

Approved By: City Administrator — Date

Mayor and City Council Order Number Authorizing this Change Order: _____

Regular Council Agenda
November 1, 2016

Description

Order authorizing the abatement of unpaid Personal Property Taxes for the period 1993-2007 totaling $189,237.79

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:** __November 1, 2016___

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

THAT, the amounts due on the Personal Property Tax Accounts specified on the attached list for the period 1993 – 2007, totaling $189,237.79, be and are hereby abated.

_____

Mayor Brian K. Grim

City of Cumberland -
Unpaid Personal Property Taxes 1993-2007

Account #	Owner		Due
L0 8296857	Kensington-Cumberland		2,304.30
F0 3114691	Leasetec Income Fund		26.72
	107.31 Taxes Receivables 1993-94	**$**	**2,331.02**
L0 8281297	Hoyer Robert		18.86
L0 8307126	Moller Hans J		131.00
D0-0612341	AMERICAN LEASING, INC		99.04
D0-3101250	BEA DISTRIBUTORS, INC.		137.55
D0-3338878	ALLEGANY COUNTRY WESTERN DA		121.57
D0-3650785	ALLEGANY BEER DISTRIBUTORS		736.74
F0-3114691	LEASTEC INCOME FUND MANAGEM		19.65
	107.32 Taxes Receivables 1994-95	**$**	**1,264.41**
L0-8281297	HOYER, ROBERT		23.58
L0-8307126	MOLLER, HANS J.		163.75
L0-8310179	SHIELDS, RICCI A.		131.00
L0-8310278	GREEN, BARBARA A.		225.58
L0-8311169	SHIFMAN, MOSHE' I.		131.00
L0-8311581	SMITH, EDWARD W. &		131.00
L0-8311599	RICE, PAUL L.		131.00
L0-8313660	HELLER BLAINE		150.91
D0-3101250	BEA DISTRIBUTORS, INC.		194.67
D0-3650785	ALLEGANY BEER DISTRIBUTORS,		662.86
F0-3114691	LEASTEC INCOME FUND MANAGEM		19.65
	107.33 Taxes Receivables 1995-96	**$**	**1,965.00**
L0-8282444	WATSON, PATRICIA		137.29
L0-8287351	STERNE, RICHARD A		387.50
L0-8288342	SHADE, DAVID C DR		8.49
L0-8310179	SHIELDS, RICCI A.		163.75
L0-8311110	BURGESS, RUTH E.		26.46
L0-8311581	SMITH, EDWARD W. & HELLER,		163.75
L0-8311599	RICE, PAUL L.		163.75
L0-8312316	ROY, ROBERT E		131.00
L0-8312332	MATREY, JAMES R.		131.00
L0-8312431	HAUGER, GARY G.		131.00

Item # 15

L0-8312472	ATKINSON, BRYAN S	131.00
L0-8312514	SHIREY, JOHN E	131.00
L0-8312530	J J P ENTERPRISES	872.46
L0-8313025	SMITH, MICHAEL D	131.00
L0-8313058	RICHARDS, HERBERT S	131.00
L0-8313157	ENGLAND, DALE F	131.00
L0-8313397	D' ANGELO, SHERRIE	157.20
L0-8313660	HELLER BLAINE	301.82
D0-2289072	ATKINSON WELDING CONTRACTOR	2,166.22
D0-2383008	CLEAN TEXTILE SYSTEMS, INC.	786.00
D0-3369386	PRECISION PRINTING COMPANY,	9,815.04
D0-3596129	HARVEY & MANNING, P.A.	205.93
D0-4037610	SHAMROCK CIVIC ASSOCIATION,	98.60
F0-3713781	PATWIL HOMES, INC	337.98
F0-4612651	OSM COMMUNICATIONS, INC	134.14
P0-3244241	NORTHEAST BROADCASTING GROU	1,775.57
L0-8315111	JEFFERY Z COLEMAN	26.20
D0-4389458	WILLAMS NEWCO, INC	1,016.82
D0-3478468	ROADSIDE AQUARIUM	79.65
D0-3906781	DOCTORS HEALTH, INC	466.62
D0-3200300	ACADEMY OF BUSINESS ADM	144.36
F0-2951150	D & T LIMOUSINE SERVICE	785.21
	107.34 Taxes Receivables 1996-97	**$ 21,268.81**

D0-3877362	AGAPE GRAPHICS INC	9,798.54
L0-8313264	GRAY, LEE	26.20
L0-8313645	TOWNSEND, DAVID	157.20
L0-8313702	BAUMAN, JOANN	131.00
L0-8313744	NAU, DONALD SR.	131.00
L0-8313819	THORTON, MICHAEL A	131.00
L0-8314031	MILLER, TOMMY	104.80
L0-8314163	EVERSOLE, DIANA	131.00
L0-8314890	RAFFERTY, LARRY D	131.00
L0-8315038	HILLEGASS, CHRISTA	131.00
L0-8315103	MERRITT, RICHARD W	131.00
L0-5355391	KEYSTONE FINANCIAL LEASING	2,397.82
L0-8213480	DUNN TRACEY A.	212.22
L0-8288342	SHADE, DAVID C DR	215.89
L0-8311094	POSTAL CENTRE	28.82
L0-8311367	QUAINT ANTIQUES	11.79
L0-8313397	D' ANGELO, SHERRIE	137.55
L0-8315244	MCCAGH, TIMOTHY J	440.68
L0-8282444	WATSON, PATRICIA	274.58
L0-8287351	STERNE, RICHARD A	467.41
L0-8287518	HIGSON, RICHARD L	64.45

Item # 15

L0-8310179	SHIELDS, RICCI A.	204.62
L0-8311599	RICE, PAUL L.	204.62
L0-8312316	ROY, ROBERT E	163.75
L0-8312332	MATREY, JAMES R.	163.75
L0-8312431	HAUGER, GARY G.	163.75
L0-8312514	SHIREY, JOHN E	163.75
L0-8313058	RICHARDS, HERBERT	163.75
L0-8313157	ENGLAND, DALE F	163.75
L0-8313660	HELLER BLAINE	377.28
L0-8315111	JEFFERY Z COLEMAN	32.75
L0-8313512	ATHEY, WILLARD O.,	160.34
L0-8313710	WINFIELD, PENNY L.	8.50
L0-8314536	DURST, LINDA L	65.50
D0-3478468	ROADSIDE AQUARIUM INC	69.53
D0-2289072	ATKINSON WELDING CONTRACTOR	1,535.06
F0-2951150	D & T LIMOUSINE SERVICE, IN	4,098.20
D0-1554864	CUMBERLAND EXOTIC PET SHOP,	115.54
D0-3028255	VIRGINIA AVE. CHEVRON, INC	207.77
D0-3596129	HARVEY & MANNING, P.A.	159.56
D0-3969912	AMERICAN LEISURE, INC	228.99
D0-4077251	PRO-CHECK HOME INSPECTION S	53.45
F0-3057817	RAL AUTO PARTS, INC	964.42
P0-3244241	NORTHEAST BROADCASTING GROU	1,474.27
F0-3642584	BROTHERS GOURMENT COFFEES	1.12
D0-2129831	GARLITZ BROTHERS, INC.	310.21
D0-3746153	DEMOCRAT CLUB OF WESTERN MA	601.55
D0-4037610	SHAMROCK CIVIC ASSOCIATION,	25.94
F0-4612651	OSM COMMUNICATIONS, INC	268.29
D0-3906781	DOCTORS HEALTH, INC	130.74
	107.35 Taxes Receivables 1997-98	**$ 27,535.70**

L0-8287518	HIGSON, RICHARD	32.23
L0-8315244	MCCAGH, TIMOTHY	431.51
D0-3877362	AGAPE GRAPHICS, INC	19,597.08
L0-8313710	WINFIELD PENNY L	42.44
L0-8196131	LLEWELLYN, KELLY	131.00
L0-8239386	TURNER, TODD	131.00
L0-8282444	WATSON, PATRICIA	343.22
L0-8287351	STERNE, RICHARD A &	479.20
L0-8302317	HALL, CAROL M.	131.00
L0-8310179	SHIELDS, RICCI A.	255.71
L0-8310450	CONNOLLY, JOHN	511.95
L0-8311367	QUAINT ANTIQUES	23.58
L0-8311599	RICE, PAUL L.	255.71
L0-8312217	FOUT, GEORGE E.	34.06

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L0-8312316	ROY, ROBERT E		204.62
L0-8312332	MATREY, JAMES R.		204.62
L0-8313157	ENGLAND, DALE F		204.62
L0-8313264	GRAY, LEE E.		32.75
L0-8313645	TOWNSEND, DAVID		196.50
L0-8313702	BAUMAN, JOANN		163.75
L0-8313819	THORTON, MICHAEL A &		163.75
L0-8314031	MILLER, TOMMY		209.60
L0-8314163	EVERSOLE, DIANA		163.75
L0-8314536	DURST, LINDA L		131.00
L0-8314825	HUNT, MATTHEW J.		131.00
L0-8314890	RAFFERTY, LARRY D		163.75
L0-8315038	HILLEGASS, CHRISTA T.		163.75
L0-8315046	MCKENZIE, PAM		163.75
L0-8315103	MERRITT, RICHARD W		163.75
L0-8315442	SWOPE, GREGORY E.		131.00
L0-8315608	TURNER, TODD GARFIELD		131.00
L0-8315855	SPANO, MICHAEL J.		61.05
D0-2996544	BISTRO OF CUMBERLAND		126.55
D0-3969912	AMERICAN LEISURE, INC		180.52
D0-4077251	PRO-CHECK HOME INSPECTION		30.39
D0-1818921	ALLEGANY FEED & GARDEN		114.76
W0-4279501	WEB NET,		315.97
F0-2973642	INKEEPERS' TELEMANAGEMENT &		438.59
P0-4811857	CLEAN TEXTILE SYSTEMS, L.P.		57.12
D0-1626027	ABBAS & SANITAGO & DAIA ANE		37.20
D0-2046738	KIM'S KHOCOLATE, INC.		1,267.03
D0-3028255	VIRGINIA AVE. CHEVRON, INC		415.53
D0-3478468	ROADSIDE AQUARIUM INCORPORA		138.86
D0-3596129	HARVEY & MANNING, P.A.		319.12
D0-4581245	LOCATOR CONSULTANTS, INC		76.77
D0-4646022	NANNETTE L. MCCULLOUGH, MD,		104.99
F0-2951150	D & T LIMOUSINE SERVICE, IN		8,196.41
F0-3057817	RAL AUTO PARTS, INC		1,928.84
F0-4612651	OSM COMMUNICATIONS, INC		402.43
P0-3244241	NORTHEAST BROADCASTING GROU		1,163.28
	107.98 Taxes Receivables 1998-99	**$**	**40,498.06**

L0-8315137	BURNS, JOHN C.	131.00
L0-8315244	MCCAGH, TIMOTHY J	362.35
L0-8697484	THORTON, ALEX H. ET	131.00
L0-8899866	BRASHEARS, JUNE D &	131.00
L0-8915472	ROY, ROBERT E.	65.50
L0-8924888	ROSE, ROY D.	117.90
L0-8927501	ISER, CAROL J.	117.90

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L0-8932410	EVANS, CHARLES		325.40
L0-9592254	YOUNGER, NORMA		183.40
L0-8312217	FOUT, GEORGE		29.08
L0-8133287	MCINTYRE, VICKI L		163.75
L0-8196131	LLEWELLYN, KELLY D.		163.75
L0-8287351	STERNE, RICHARD A &		426.80
L0-8310450	CONNOLLY, JOHN		640.07
L0-8311367	QUAINT ANTIQUES		29.61
L0-8311599	RICE, PAUL L.		319.64
L0-8312332	MATREY, JAMES R.		255.71
L0-8313157	ENGLAND, DALE F		255.71
L0-8313264	GRAY, LEE E.		40.87
L0-8313819	THORTON, MICHAEL A &		204.62
L0-8314031	MILLER, TOMMY		262.00
L0-8314163	EVERSOLE, DIANA		204.62
L0-8314825	HUNT, MATTHEW J.		163.75
L0-8314890	RAFFERTY, LARRY D		204.62
L0-8315046	MCKENZIE, PAM		204.62
L0-8315103	MERRITT, RICHARD W		204.62
L0-8287518	HIGSON RICHRD L		32.23
D0-2604080	COMMERCIAL VIDEO SERVICES,		1,621.78
D0-3121274	C R & W CORNER TAVERN, INC		36.68
W0-4437190	APPLE OF YOUR EYE,		236.85
D0-1310721	BARNES CUSTOM JEWELERS, INC		144.62
D0-1576354	ITNYRE ENTERPRISES, INC.		2,184.56
D0-2996544	BISTRO OF CUMBERLAND INC		253.09
D0-3969912	AMERICAN LEISURE, INC		361.04
D0-4077251	PRO-CHECK HOME INSPECTION S		7.60
D0-4126553	AIRPORT AUTO PARK INC		172.92
P0-4811857	CLEAN TEXTILE SYSTEMS, L.P.		114.23
D0-4105854	WASHINGTON STREET RESTORATI		68.38
	107.99 Taxes Receivables 1999-00	**$**	**10,573.27**

L0-5300488	GREEN, WILLIAM A		260.00
L0-5510268	VUCKOVICH, KAREN		117.00
L0-5538939	KEARNEY, GARLAND D. SR		117.00
L0-5592894	HARPER, JACQUALINE		130.00
L0-8277212	BLACK, THOMAS C. JR.		20.80
L0-8287351	STERNE, RICHARD A &		203.84
L0-8312332	MATREY, JAMES R		317.20
L0-8314825	HUNT, MATTHEW J		203.06
L0-8315137	BURNS, JOHN C.		162.50
L0-8315244	MCCAGH, TIMOTHY		719.16
L0-8315806	ZEUNGES, LANDIS F. JR		203.06
L0-8464802	LEWIS, SUSAN L		14.04

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L0-8915472	ROY, ROBERT E		81.38
L0-9592254	YOUNGER, NORMA L		227.50
D0-0078105	THE CUMBERLAND ELECTRIC COM		2015.78
D0-0245936	WILLS CREEK LUMBER AND LAND		24.70
D0-2604080	COMMERCIAL VIDEO SERVICES		1672.84
D0-4077251	PRO-CHECK HOME INSPECTION		7.54
D0-4105854	WASHINGTON STREET RESTORATI		135.72
D0-4184685	G.V. MCKINLEY, P.A.		68.38
D0-4593331	LAW OFFICE OF LEE A. CAPLAN		198.64
D0-5032172	BUDDY'S CORNER CAFE INCORPO		1369.16
F0-3268463	COS COMPUTER SYSTEMS INC.		115.96
Z0-4304515	B & S VIDEOS, L.L.C.		4408.56
	107.00 Taxes Receivables 2000-01	**$**	**12,793.82**

L0-5538939	KEARNEY, GARLAND D. SR.	133.43
L0-5592894	HARPER, JACQUALINE	148.13
L0-5627617	BRIDGES, CARRIE A.	118.50
L0-5643978	BLOWE, WALTER L. SR.	165.90
L0-5669478	HATFIELD, JOHN W.	237.00
L0-5679436	DEVORE, JAMES M.	118.50
L0-5768080	ALFORD, DAVID C. & HOLLY E.	237.00
L0-5783634	DUMAS, BERNADETTE Y.	237.00
L0-5786769	MORGAN, FRANK R.	118.50
L0-5791181	KIMBLE, TONY & WHETSELL, RO	1.07
L0-5794235	WILEY, KENNETH GEORGE	118.50
L0-5859095	IONADI, PATRICK	118.50
L0-5859343	DUNCAN, KATHY K.	118.50
L0-5972278	LEPLEY, LLOYD R,	142.20
L0-6018014	GRIMM, CHARLES D.	118.50
L0-6973432	QL CAPITAL	125.37
L0-8287351	STERNE, RICHARD A	431.58
L0-8312332	MATREY, JAMES R.	361.43
L0-8313637	TACCINO, TINA M. & THOMAS R	48.35
L0-8314825	HUNT, MATTHEW J.	231.31
L0-8315137	BURNS, JOHN C.	185.10
L0-8315244	MCCAGH, TIMOTHY J	819.55
L0-8464802	LEWIS, SUSAN L	17.06
L0-9340449	RENNIX, DERRICK	15.17
L0-9592254	YOUNGER, NORMA L.	259.28
D0-0078105	THE CUMBERLAND ELECTRIC COM	1566.57
D0-0245936	WILLS CREEK LUMBER AND LAND	21.09
D0-2077493	WALVID, INCORPORATED	2067.11
D0-2604080	COMMERCIAL VIDEO SERVICES,	1621.79
D0-4077251	PRO-CHECK HOME INSPECTION S	6.87
D0-4184685	G.V. MCKINLEY, P.A.	77.74

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D0-4282497	ALCHEMY ENGINEERING, INC.	232.73
D0-4299293	M & M AMUSEMENTS, INC.	155.95
D0-5393780	FIRST BRADDOCK MORTGAGE COR	30.81
F0-0040378	GENERAL ELECTRIC CAPITAL CO	115.41
F0-2752566	POLAROID ID SYSTEMS, INC.	71.52
F0-4650388	VANGUARD FINANCIAL SERVICE	142.20
F0-4824934	MACK REALTY HOLDING COMPANY	60.59
Z0-4304515	B & S VIDEOS, L.L.C.	1080.01
	107.01 Taxes Receivables 2001-02	**$ 11,875.82**

L0-5332424	COXE, DANIEL E.	71.10
L0-5538939	KEARNEY, GARLAND D. SR	166.85
L0-5627617	BRIDGES, CARRIE A.	148.13
L0-5643978	BLOWE, WALTER L. SR.	207.38
L0-5679436	DEVORE, JAMES M.	148.13
L0-5783634	DUMAS, BERNADETTE Y	148.13
L0-5786769	MORGAN, FRANK R	148.13
L0-5794235	WILEY, KENNETH GEORGE	148.13
L0-5806211	D'ATRI, MARK A.	148.13
L0-5859095	IONADI, PATRICK	148.13
L0-5859343	DUNCAN, KATHY K.	148.13
L0-5972278	LEPLEY, LLOYD R,	177.75
L0-6018014	GRIMM, CHARLES D.	148.13
L0-6242465	WALMSLEY, NORINE	118.50
L0-6309736	HU, FRANK	118.50
L0-6346423	NELSON, MICHAEL A.	118.50
L0-6393656	REAMS, LARRY C.	118.50
L0-6424188	SCARDINA, JANE	118.50
L0-6424196	SCARDINA, ALFORD III	118.50
L0-6584239	JENKINS, SANDRA JEAN	142.20
L0-6973432	QL CAPITAL	71.57
L0-7975782	JENKINS, DAVID E. SR	49.06
L0-8287351	STERNE, RICHARD A	400.06
L0-8312332	MATREY, JAMES R.	451.72
L0-8315137	BURNS, JOHN C.	231.31
L0-8315244	MCCAGH, TIMOTHY J	1,024.55
L0-8464802	LEWIS, SUSAN L	14.93
L0-9340449	RENNIX, DERRICK	13.27
L0-9592254	YOUNGER, NORMA L.	324.22
D0-0973057	DAYS MARKET, INC.	4,161.72
D0-2077493	WALVID, INCORPORATED	1,941.50
D0-2604080	COMMERCIAL VIDEO SERVICES,	1,470.82
D0-4077251	PRO-CHECK HOME INSPECTION S	6.87
D0-4299293	M & M AMUSEMENTS, INC.	260.46
D0-5393780	FIRST BRADDOCK MORTGAGE COR	22.99

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D0-5806591	EXECUTIVE BILLING, INC.		23.95
D0-5925474	BARNES-POWELL ENTERPRISES,		728.06
F0-4650388	VANGUARD FINANCIAL SERVICE		284.40
W0-3530417	CANAL PLACE INVESTORS LLC		243.16
W0-6027783	JOB LIMITED LIABILITY CORPO		33.18
W0-6240303	MADAR FOUNDATION, LLC		43.37
	107.02 Taxes Receivables 2002-03	**$**	**14,610.62**

L0-5538939	KEARNEY, GARLAND D. SR.	208.56
L0-5627617	BRIDGES, CARRIE A.	185.10
L0-5643978	BLOWE, WALTER L. SR.	259.28
L0-5679436	DEVORE, JAMES M.	185.10
L0-5794235	WILEY, KENNETH GEORGE	185.10
L0-5806211	D'ATRI, MARK A.	185.10
L0-5859095	IONADI, PATRICK	185.10
L0-5859343	DUNCAN, KATHY K.	185.10
L0-5972278	LEPLEY, LLOYD R,	222.31
L0-6242465	WALMSLEY, NORINE	148.13
L0-6346423	NELSON, MICHAEL A.	148.13
L0-6393656	REAMS, LARRY C.	148.13
L0-6424188	SCARDINA, JANE	148.13
L0-6560932	SMITH, RACHEL E.	148.13
L0-6584239	JENKINS, SANDRA JEAN	177.75
L0-6670798	STAFFORD, MELISSA S.	118.50
L0-7013113	WOOD, RALPH G.	118.50
L0-7028327	HAROLD L.	118.50
L0-7073356	FIELDS, DEBBIE S.	118.50
L0-7095615	ATKINSON, MARK L.	118.50
L0-8287351	STERNE, RICHARD A	348.63
L0-8312332	MATREY, JAMES R.	564.77
L0-8315137	BURNS, JOHN C.	289.14
L0-8472607	KERNS, MICHAEL	995.16
L0-8912891	COLE, ALBERT B	260.70
L0-9592254	YOUNGER, NORMA L.	405.27
D0-0164400	THE OLD HOMESTEAD, INC.	18.49
D0-1201409	BRASKEY, THOMAS & HARE, P.A	95.04
D0-4077251	PRO-CHECK HOME INSPECTION S	6.87
D0-4299293	M & M AMUSEMENTS, INC.	520.93
D0-4343257	THE 223 GROUP, INC.	32.24
D0-5014600	CHALET HOME IMPROVEMENT, IN	359.06
D0-5632880	PORTFOLIO PRESS, INC.	10.19
D0-5806591	EXECUTIVE BILLING, INC.	40.76
D0-5925474	BARNES-POWELL ENTERPRISES,	1456.13
D0-6650782	WESTERN MARYLAND WIRELESS C	27.97
F0-5562459	CASHPOINT NETWORK SERVICES	19.91

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F0-5945597	CABLE & WIRELESS USA, INC.		451.63
W0-6240303	MADAR FOUNDATION, LLC		54.98
	107.02 Taxes Receivables 2003-04	**$**	**9,269.52**

L0-7013113	WOOD, RALPH G.		160.5
L0-7028327	SEE, HAROLD L.		160.5
L0-7095615	ATKINSON, MARK L		160.50
L0-8287351	STERNE, RICHARD A		332.56
L0-8309171	BARNARD, JR, ROBERT M.		103.75
L0-8472607	KERNS, MICHAEL		573.95
L0-9592627	KNISLEY, ALLISON		60.86
L0-9719352	BALBOA, WILLIAM T.		770.40
D0-0164400	THE OLD HOMESTEAD, INC.		30.56
D0-0974055	HARVEY'S JEWELRY STORE, INC		277.86
D0-1201409	BRASKEY, THOMAS & HARE, P.A		205.95
D0-1290717	ROLLINS ASSOCIATES, P.A.		159.22
D0-2219210	W. C. LEWIS, INC.		193.88
D0-4343257	THE 223 GROUP, INC.		280.43
D0-5169495	J B T, INC.		5579.75
D0-5322441	QUEEN CITY CARRIER'S, INC.		257.31
D0-6138101	ADVENTURE GUIDES AND TRAVEL		2.17
D0-6650782	WESTERN MARYLAND WIRELESS C		26.96
F0-2984268	AMERICAN OFFICE SYSTEMS, IN		3.10
F0-5562459	CASHPOINT NETWORK SERVICES,		43.14
F0-5945597	CABLE & WIRELESS USA, INC.		369.54
F0-6344717	PREFERRED CAPITAL, INC.		1062.90
W0-5238308	VALLEY NOVELTY, LLC		985.60
W0-6696231	R & C CYCLES, A LIMITED LIA		1290.68
	107.02 Taxes Receivables 2004-05	**$**	**13,092.07**

L0-8287351	STERNE, RICHARD A		573.71
L0-8309171	BARNARD, JR, ROBERT M.		77.30
L0-8472607	KERNS, MICHAEL		610.41
D0-0038349	THE FIDELITY BANK		422.29
D0-0164400	THE OLD HOMESTEAD, INC.		50.85
D0-0229914	FEDERAL PRINTING COMPANY		738.30
D0-0674978	BOYD ZOSIMO T. GABA, M.D.		5.75
D0-1290717	ROLLINS ASSOCIATES, P.A.		318.43
D0-3156668	SPENCER'S TRANSMISSIONS, IN		134.95
D0-3248721	WILLIAM E. PALIN, JR., M.D.		1162.28
D0-5322441	QUEEN CITY CARRIER'S, INC.		264.50
D0-5550082	MOUNTAIN MARYLAND ENTREPREN		78.32
D0-7558331	STIVALA & SONS CONSTRUCTION		59.06

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F0-5804729	EAST EUROPEAN INVESTMENTS		185.92
F0-5950498	THE CREDIT BUREAU, INC.		3.34
F0-6344717	PREFERRED CAPITAL, INC.		2125.79
F1-0044105	RCOA IMAGING SERVICES, INC.		1439.11
W0-5238308	VALLEY NOVELTY, LLC		985.60
W0-7684632 T	THE LAW OFFICES OF C. TRENT		141.24
	107.02 Taxes Receivables 2005-06	**$**	**9,377.15**

L0-8281164	SHEARER, CLARA Z.		145.61
L0-8287351	STERNE, RICHARD A		517.20
L0-8288821	KIGHT, WILLIAM		31.59
L0-8309171	BARNARD, JR, ROBERT M.		83.20
L0-8314940	WILSON, LESTER J.		91.42
L0-8319238	GODBY, RICK L.		94.76
L0-8472607	KERNS, MICHAEL		705.17
L1-0055721	WHITACRE, SUSAN L.		35.95
L1-0611689	KWIK CONNECTIONS		63.43
L1-0612406	AHERN ROBERT W		4.67
L1-0714137	KERR JAMES K		128.40
D0-0067330	BROCK STEEL COMPANY		548.52
D0-0229914	FEDERAL PRINTING COMPANY		59.32
D0-3156668	SPENCER'S TRANSMISSIONS, IN		283.51
D0-3248721	WILLIAM E. PALIN, JR., M.D.		1028.23
D0-3703147	OLDE NORTH CUMBERLAND RESTA		824.84
D0-4450169	EMPLOYMENT INITIATIVES, INC		12.09
D0-5180575	JOHN W. CONNOLLY, M.D., P.A		20.75
D0-5322441	QUEEN CITY CARRIER'S, INC.		40.57
D0-5550082	MOUNTAIN MARYLAND ENTREPREN		156.65
D0-5806591	EXECUTIVE BILLING, INC.		37.75
D0-7628753	3 N 1, INC.		4066.68
F1-0044105	RCOA IMAGING SERVICES, INC.		1439.11
W0-5238308	VALLEY NOVELTY, LLC		1971.20
W0-7684632	THE LAW OFFICES OF C. TRENT		282.48
W1-0707560	LIFE FITNESS MANAGEMENT, LL		6.70
W1-0740215	TAYLOR ARCHITECTURE, LLC		102.72
	107.02 Taxes Receivables 2006-07	**$**	**12,782.52**

	Tax Receivables 1993-2007 for Corp & PP as of 10/1/2016	**$**	**189,237.79**

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