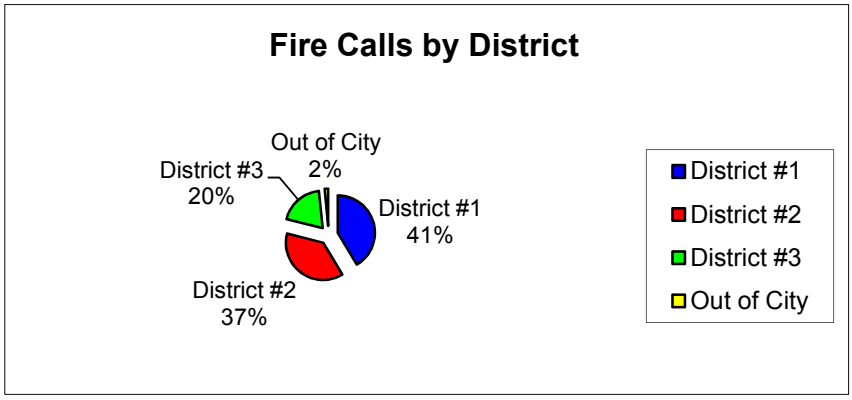
REPORT OF THE FIRE CHIEF FOR THE MONTH OF NOVEMBER, 2014
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 128 Fire Alarms:

Responses by District:	
District #1	53
District #2	48
District #3	25
Out of City	2
	128



Number of Alarms:	
First Alarms Answered	127
Working Alarms Answered	1
	128

Calls Listed Below:	
Property Use:	
Public Assembly	1
Educational	0
Institutional	1
Residential	79
Stores and Offices	6
Industrial, Utility	0
Manufacturing	2
Storage	2
Special Properties	37
	128

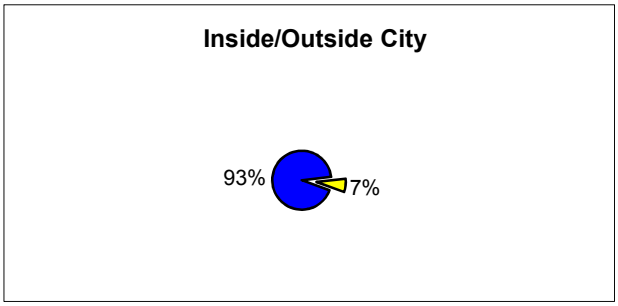
Type of Situation:	
Fire or Explosion	16
Rescue Calls	50
Hazardous Conditions	19
Service Calls	11
Good Intent Calls	11
False Calls	21
	128

Total Fire Service Fees for Fire Calls Billing by Medical Claim-Aid in November:	$2,890.00
Total Fire Service Fees for Fire Calls Billed by MCA Fiscal Year to Date:	$11,960.00
Fire Service Fees for Fire Calls Paid in November:	$450.00
Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date:	$1,050.00
Total Fire Service Fees Paid in FY2015:	$3,598.26

Fire Service Fees for Inspections and Permits Billed in November:	$0.00
Fire Service Fees for Inspections and Permits Paid in November:	$0.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	$550.00

Cumberland Fire Department Responded to 465 Emergency Medical Calls:

In City Calls	431
Out of City Calls	34
Total	465



Total Ambulance Fees Billed by Medical Claim-Aid for November:	$146,220.00
Ambulance Fees Billed Fiscal Year to Date:	$679,916.41
Ambulance Fees Paid: Revenue Received in November:	$89,979.19
FY2015 Fees Paid in FY2015:	$302,095.98
Total Ambulance Fees Paid in FY2015:	$426,532.13

(Includes all ambulance fees paid from previous and current fiscal years, paid in FY2015.)

Cumberland Fire Department Provided 14 Mutual Aid Calls:

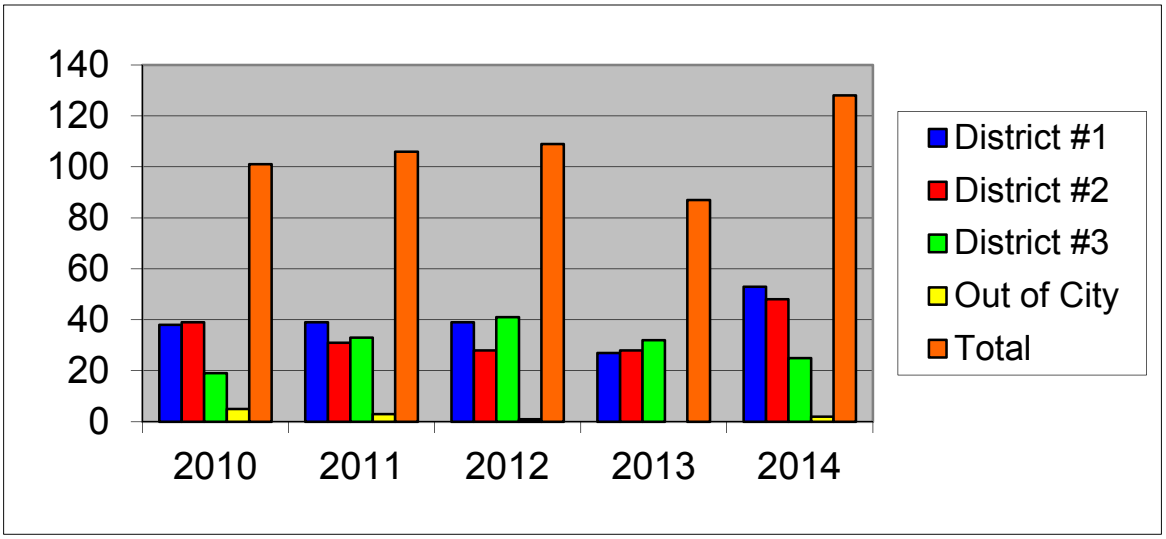
13	Mutual Aid Calls within Allegany County
1	Mutual Aid Calls outside of Allegany County
14	

Cumberland Fire Department Provided 20 Paramedic Assist Calls:

7	Paramedic Assist Calls within Allegany County
13	Paramedic Assist Calls outside of Allegany County
20	

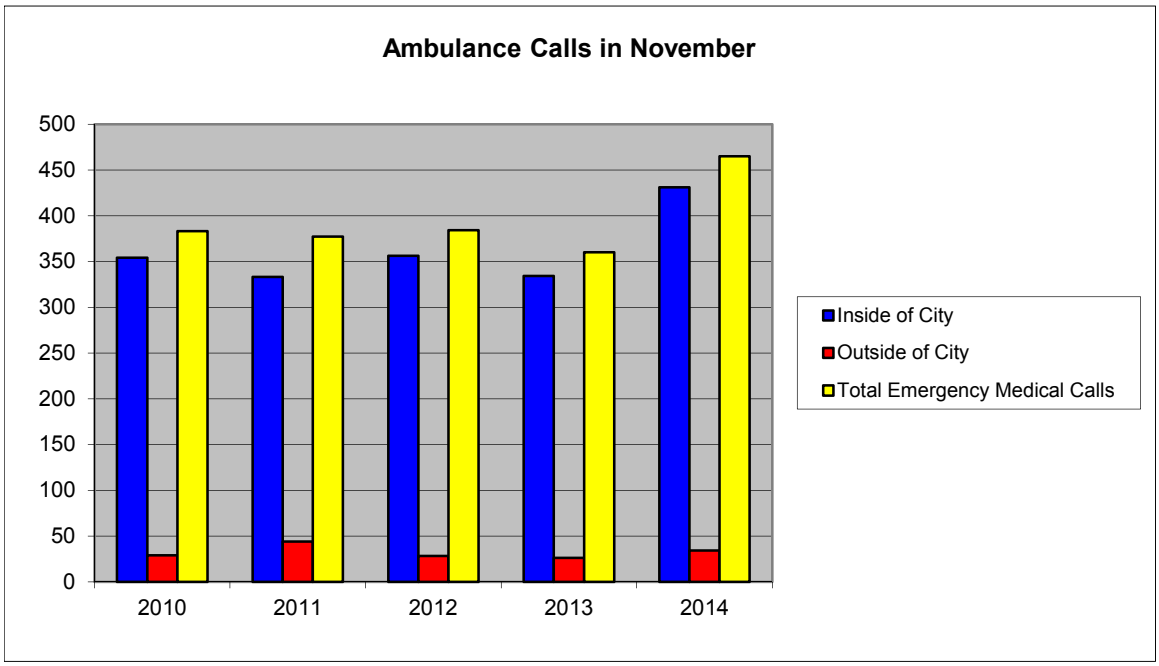
Fire Calls for the Month of November for a Five-Year Period:

	2010	2011	2012	2013	2014
District #1	38	39	39	27	53
District #2	39	31	28	28	48
District #3	19	33	41	32	25
Out of City	5	3	1	0	2
Total	101	106	109	87	128



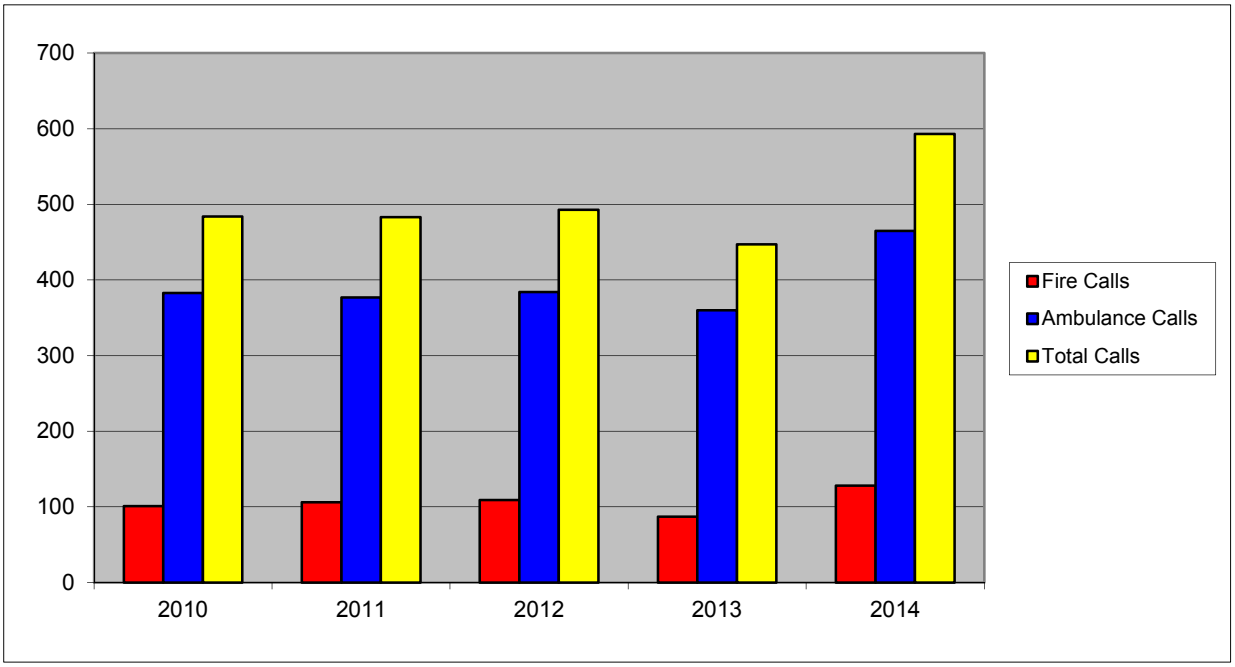
Ambulance Calls for the Month of November for a Five-Year Period:

	2010	2011	2012	2013	2014
Inside of City	354	333	356	334	431
Outside of City	29	44	28	26	34
Total Emergency Medical Calls	383	377	384	360	465



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

	2010	2011	2012	2013	2014
Fire Calls	101	106	109	87	128
Ambulance Calls	383	377	384	360	465
Total Calls	484	483	493	447	593



Training

Training Man Hours:	88.70
Training Listed Below:	
Administrative Policy and Procedures	4.95
Apparatus Check Procedures	28.00
SCBA Inspection and Care	18.00
SCBA Donning Methods	2.25
Inservice Inspections	3.00
Emergency Medical Services	4.00
Physical Fitness	14.50
Maze/Smoke Chase	2.00
Rapid Intervention Training	12.00
	88.70

Fire Prevention Bureau

Complaints Received	1
Conferences Held	32
Correspondence	14
Inspections Performed	4
Pre-Plans	6
Investigations Conducted	6
Plan Reviews	2

Personnel

Hours: **11,133.88 Total Hours Paid**

Pay Code	Description	Hours
3	Union Business	0.00
76	Training	35.50
8	Make-Up	619.75
9	Kelly Days	1296.00
10	Regular	6542.15
15	Overtime	181.00
20	Double Time	24.00
23	Holiday Premium Pay	58.63
40	Comp. Time Used	56.60
45	Comp. Time Earned	15.50
49	Comp. Time Earned	6.50
50	Sick	320.00
51	Bereavement	0.00
56	Sick Bonus	240.00
60	Vacation	794.25
120	Personal	0.00
70	Holiday	784.00
140	Birthday	160.00
150	Jury Duty	0.00
	Total	**11133.88**

Statistics Compiled by Julie A. Davis, Fire Administrative Officer

Regular Council Agenda
January 6, 2015

Description
Fire Department Monthly Report for November, 2014

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

Regular Council Agenda
January 6, 2015

Description
Administrative Services Monthly Report for October, 2014

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
David J. Caporale
David F. Kauffman
Nicholas J. Scarpelli

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: 12/16/16

***Pledge of Allegiance**

I. ROLL CALL

PRESENT: Brian K. Grim, Mayor; Council Members Nicole Alt-Wagoner, David Caporale, David Kauffman, Nicholas Scarpelli

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

II. CERTIFICATES, AWARDS AND PRESENTATIONS

Councilman Kauffman, in light of this being Nick Scarpelli's last public meeting as Councilman, acknowledged Councilman Scarpelli for the past four years of public service he provided and thanked him for his commitment to the citizens of Cumberland.

(A) Presentation of the City Star Award to Al Feldstein, ARC Program Manager, upon his retirement from the Maryland Department of Planning.

Mayor Grim presented the City Star to Al Feldstein in recognition of his pending retirement from the Maryland Department of Planning. Mayor Grim spoke of Mr. Feldstein's accomplishments during his tenure and his steadfast support of projects that advanced the community. Grim stated that Feldstein's experience and knowledge were the keys to bringing many important projects to fruition. Mr. Feldstein thanked the Mayor and City Council and spoke of the value of teamwork, partnerships, and competent staff as also being key components of success.

(B) Certificate of Recognition awarded to the Fort Hill High School Varsity Football team for capturing the 2014 MPSSAA Class 1A State Championship Title

Mayor Grim presented a Certificate of Recognition to Coach Todd Appel and representatives of the Fort Hill Varsity Football Team who were in attendance, and congratulated them on capturing the 2014 MPSSAA State Title.

(C) Presentation of Certificates of Recognition to the Allegany High School Marching Band and Color Guard for capturing titles at the Tournament of Bands Atlantic Coast Championships

Mayor Grim presented a Certificate of Recognition to representatives of the Allegany High School Marching Band for capturing the Tournament of Bands Chapter V Championship for the 15th year in a row, and to representatives of the Allegany High School Color Guard for capturing First Place for Group II Color Guard at the Tournament of Bands Atlantic Coast Championships.

(D) Certificate of Recognition presented to Maryland Department of Natural Resources in appreciation for their assistance in managing the Emerald Ash Borer infestation at Constitution Park

Mayor Grim presented a Certificate of Recognition to the MD Department of Natural Resources in appreciation for the assistance they provided in identifying and managing an Emerald Ash Borer infestation that threatened the tree population at Constitution Park. Paul Eriksson, Natural Resource Technician, accepted the Certificate on behalf of the Department.

III. DIRECTOR'S REPORT

(A) Public Works

1. Utilities Division & Central Services Monthly Reports for November, 2014

Item Action: Approved

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

IV. APPROVAL OF MINUTES

(A) Routine

1. Approval of the Regular Session Minutes of November 18 and December 2, 2014

Item Action: Approved

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

V. NEW BUSINESS

(A) Ordinances

1. Ordinance *(1st reading)* - authorizing the transfer of a parcel of surplus property at the intersection of Bedford and Centre Streets to David McCagh

Item Action: Approved

Mr. Rhodes advised that Mr. McCagh had leased land at the intersection of Bedford and Centre Streets for many years and had recently completed a public right-of-way closing request to transfer a portion of the closed area back to him. The transfer authorized by this Ordinance would complete the closing process.

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 Councilman Kauffman, seconded by Councilwoman Alt-Myers and was passed on a vote of 5-0.

2. Ordinance *(1st reading)* - authorizing the execution of a Deed to transfer surplus property at 315 Broadway to Autumn Datri for the purchase price of $500

Item Action: Approved

Mr. Rhodes advised that the structure at 315 Broadway had been demolished due to fire damage and Ms. Datri had provided an offer of $500.00 to the City to purchase the remaining lot.

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 Councilman Kauffman, seconded by Councilman Caporale and was passed on a vote of 5-0.

(B) Resolutions

1. Resolution granting the Western Maryland Scenic Railroad a property tax credit for the 2014-2015 tax year

Mr. Rhodes advised that this yearly tax credit provided to the Western Maryland Scenic Railroad was authorized by the Annotated Code of Maryland.

The Resolution was presented in Title only. Motion to approve the Resolution was made by Councilman Kauffman, seconded by Councilman Caporale, and was passed on a vote of 5-0.

RESOLUTION NO. R2014-10

(C) Orders (Consent Agenda)

1. Order authorizing the execution of a Contract of Sale between the City *(Buyer)* and Clarence Cosby-El *(Seller)* for property located at 659 Greene Street for the purchase price of $1,000, authorizing acceptance of the Deed providing settlement contingencies are met, allowing for extension of the date of closing if needed, and authorizing the City Solicitor and City Administrator to sign documents to facilitate the transfer

Mr. Rhodes provided background on each item on the Consent Agenda prior to vote and Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-8 was made by Councilman Scarpelli, seconded by Councilwoman Alt-Myers, and was passed on a vote of 5-0.

ORDER NO. 25,762

2. Order approving the settlement of a claim with Jeanne Platt in the amount of $62,500 and authorizing the execution of a release agreement regarding the claim

Mr. Rhodes provided background on each item on the Consent Agenda prior to vote and Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-8 was made by Councilman Scarpelli, seconded by Councilwoman Alt-Myers, and was passed on a vote of 5-0.

ORDER NO. 25,763

3. Order accepting the revised proposal of The EADS Group, Inc. to provide professional services to prepare the building and site demolition contract documents for the former East Side School, 100 East Reynolds Street, (City Project No. 17-14-M) in the amount not-to-exceed $32,937

Mr. Rhodes provided background on each item on the Consent Agenda prior to vote and Mayor Grim called for questions or comments. Councilman Kauffman questioned whether

anything had been learned from the Memorial Hospital demolition that could be applied to this fact finding project. Mr. Rhodes advised that the City had learned that it was often difficult with buildings of this age to determine accurate levels of hazardous materials because of numerous modifications made over the course of many years. He added that although this had been learned, the results would not necessarily be less costly. Motion to approve Consent Agenda Items 1-8 was made by Councilman Scarpelli, seconded by Councilwoman Alt-Myers, and was passed on a vote of 5-0.

ORDER NO. 25,764

4. Order authorizing the sole source purchase of signals and controllers from Traffic Systems and Technology for the complete replacement of the traffic lights at Greene Street and Allegany Street, at a cost not-to-exceed $39,537

Mr. Rhodes provided background on each item on the Consent Agenda prior to vote and Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-8 was made by Councilman Scarpelli, seconded by Councilwoman Alt-Myers, and was passed on a vote of 5-0.

ORDER NO. 25,765

5. Order approving appropriations and transfers for the Fiscal Year 2013-2014

Mr. Rhodes provided a detailed breakdown of the annual General Fund appropriations and transfers authorized by this Order to balance the revenues and expenditures for the year. Councilman Kauffman stated that the information presented by Mr. Rhodes illustrated why the City is in the black, although not flush with money. He stated that the City's financial recovery was a long-term process and the City had to remain cautious in its spending. Councilman Scarpelli stated, as well, that he felt it should be made clear that the City was still in a precarious position financially. Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-8 was made by Councilman Scarpelli, seconded by Councilwoman Alt-Myers, and was passed on a vote of 5-0.

ORDER NO. 25,766

6. Order rescinding Order No. 25,755 and reauthorizing the execution of a Memorandum of Understanding with the Appalachian Regional Commission (ARC) for the acceptance of $640,000 in grant funding for the Mechanic Street Access Roads Improvements, and authorizing the City Administrator to execute documentation necessary to complete the funding process

Mr. Rhodes provided background on each item on the Consent Agenda prior to vote and Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-8 was made by Councilman Scarpelli, seconded by Councilwoman Alt-Myers, and was passed on a vote of 5-0.

ORDER NO. 25,767

7. Order authorizing the execution of a Memorandum of Understanding with the MD State Highway Administration pertaining to the provision of National Recreational Trail Program Funding in an amount up to $24,000 for the Downtown Cumberland Pedestrian / Bicycle Wayfinding Signage Project and committing a 20% cash or in-kind match from the City

Mr. Rhodes provided background on each item on the Consent Agenda prior to vote and Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-8 was made by Councilman Scarpelli, seconded by Councilwoman Alt-Myers, and was

passed on a vote of 5-0.

ORDER NO. 25,768

8. Order approving the reappointment of David Romero to the DDC as a Primary District Representative effective 12/16/14 - 12/16/17; Dr. Henry Bullamore and Doug Macy to the Historic Preservation Commission effective 12/31/14 - 12/31/17; and Earl E. Royce to the Zoning Board of Appeals effective 1/15/15 - 1/15/18

Mr. Rhodes provided background on each item on the Consent Agenda prior to vote and Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-8 was made by Councilman Scarpelli, seconded by Councilwoman Alt-Myers, and was passed on a vote of 5-0.

ORDER NO. 25,769

(D) Letters, Petitions

1. Letter from the City Clerk advising that the results of the 2014 Cumberland Municipal General Election, as certified by the Allegany County Board of Elections and the MD State Board of Elections, determined that Brian K. Grim is elected to the office of Mayor for a 4-year term ending January, 2019, and Seth D. Bernard and David F. Kauffman are elected to the office of Councilman for 4-year terms each, ending January, 2019

The letter was acknowledged and entered into public record.

VI. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

No public comments were offered at this time.

VII. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:45 p.m.

Minutes approved on _____

Brian K. Grim, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Regular Council Agenda
January 6, 2015

Description
Approval of the Regular Session Minutes of December 16, 2014

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

Mayor and City Council of Cumberland

Administrative Session Minutes

City Hall Conference Room
Tuesday, December 2, 2014
5:15 p.m.

PRESENT: Mayor Brian Grim; Council Members Nicole Alt-Myers, David Caporale, David Kauffman, Nicholas Scarpelli

ALSO PRESENT: Jeff Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Seth Bernard, Councilman-elect; Marjorie Woodring, City Clerk

NOTICE: Notice of intent to hold an Administrative Session on Tuesday, December 2, 2014, at 5:15 p.m. was provided to the media via email notification and posted to the City's website on November 26, 2014.

MOTION: Motion to enter into closed Administrative Session to discuss board and commission appointments and to consult with counsel regarding a settlement agreement was made by Councilman Kauffman, seconded by Councilman Caporale and passed on a vote of 5-0.

AUTHORITY TO CLOSE SESSION:
Annotated Code of Maryland, State Government:
- **Section 10-508 (a) (1):** to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- Section 10-508 (a) (7): to consult with counsel to obtain legal advice on a legal matter

TOPICS: Board and commission appointments, settlement agreement

Minutes approved on _____

Brian K. Grim, Mayor _____

ATTEST: _____
Marjorie A. Woodring, City Clerk

Mayor and City Council of Cumberland

Administrative Session Minutes

City Hall Conference Room
Tuesday, December 16, 2014
5:30 p.m.

PRESENT: Mayor Brian Grim; Council Members Nicole Alt-Myers, David Caporale, David Kauffman, Nicholas Scarpelli (entered at 5:40 p.m.)

ALSO PRESENT: Jeff Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Seth Bernard, Councilman-elect; Marjorie Woodring, City Clerk

NOTICE: Notice of intent to hold an Administrative Session on Tuesday, December 16, 2014, at 5:30 p.m. was provided to the media via email notification and posted to the City's website on December 12, 2014.

MOTION: Motion to enter into closed Administrative Session to confer with legal counsel regarding a contract issue was made by Councilman Kauffman, seconded by Councilwoman Alt-Myers and passed on a vote of 4-0.

AUTHORITY TO CLOSE SESSION:
Annotated Code of Maryland, State Government:
- Section 10-508 (a) (7): to consult with counsel to obtain legal advice on a legal matter

TOPICS: Contract issue

Minutes approved on _____

Brian K. Grim, Mayor _____

ATTEST: _____
Marjorie A. Woodring, City Clerk

Regular Council Agenda
January 6, 2015

Description
Approval of the Administrative Session Minutes of December 2 and 16, 2014

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 CERTAIN SURPLUS PROPERTY LOCATED AT 316 BROADWAY IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND TO AUTUMN D'ATRI."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 316 Broadway in the City of Cumberland, Allegany County, Maryland;

WHEREAS, the said property was declared to be surplus property under the terms of Order No. 25,761, passed by the Mayor and City Council on December 2, 2014;

WHEREAS, Autumn Datri desires to purchase the said property for the sum of $500.00; and

WHEREAS, the Mayor and City Council of Cumberland deem it to be in the interest of the City to accept Ms. Datri's offer.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council accept Autumn Datri's offer to purchase the real property located at 316 Broadway, Cumberland, MD 21502 for the purchase price of $500.00, provided that all costs of effecting the transfer shall be borne by Ms. Datri and she shall be responsible for the payment of a prorated portion of the current year real estate taxes;

SECTION 2: AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute a deed in the form attached hereto as Exhibit A or in a

similar form, conveying the aforesaid real property to Autumn Datri 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 _____, 2014.

_____
Brian K. Grim, Mayor

ATTEST:

_____
Marjorie A. Woodring, City Clerk

EXHIBIT A

DEED ONLY – NO TITLE SEARCH

THIS DEED, made this ____ day of December, 2014, by and between **MAYOR AND CITY COUNCIL OF CUMBERLAND**, a Maryland municipal corporation, party of the first part, and **AUTUMN DATRI**, of Allegany County, Maryland, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Five Hundred Dollars ($500.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim unto party of the second part, her personal representatives, heirs and assigns, all of the party of the first part's right, title, interest and estate in and to the following described property lying and being in the City of Cumberland, Allegany County, Maryland, to wit:

ALL that lot or parcel of ground situated on the northerly side of Broadway, in the City of Cumberland, Allegany County, Maryland, known and designated as part of Lot No. 5 in Broadway Addition to Cumberland, and particularly described as follows, to-wit:

BEGINNING for the same on the northerly side of Broadway at a point distant South 82-1/2 degrees East 56 feet from the intersection of the easterly side of Althea Alley with the northerly side of Broadway, said point of beginning being also at the end of the first line of the lot conveyed by Marshall G. Wilson and wife to John Rhoades by deed dated January 19, 1921, and recorded in Liber 135, folio 406, Allegany County Land Records, and running then with the northerly side of Broadway, South 82-1/2 degrees East 29 feet, then North 71-1/2 degrees East 85 feet to an alley six feet wide, then with said alley, North 82-1/2 degrees West 29 feet to the second line of said Rhoades lot, and running with said second line, South 71-1/2 degrees West 85 feet to the place of beginning.

BEING the same property conveyed from Lisa Kay Federline, Personal Representative of the Estate of Patty Joan Boggs (A.K. A. P. Joan Boggs) to Mayor and City Council of Cumberland by deed dated April 2, 2014 and recorded among the Land Records of Allegany County, Maryland in Book 2053, Page 259.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto party of the second part, her personal representatives, heirs and assigns, in fee simple forever.

WITNESS the hand and seal of the party of the first part the day and year first above written.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL
OF CUMBERLAND

By:_____(SEAL)

_____
Marjorie A. Eirich, City Clerk

Brian K. Grim, Mayor

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2014, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is $500.00 and that the total payment made to the grantor was $500.00 and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident of the State of Maryland.

WITNESS my hand and Notarial Seal.

_____
NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

_____
MICHAEL SCOTT COHEN

Regular Council Agenda
January 6, 2015

Description

Ordinance *(2nd and 3rd Readings)* - authorizing the execution of a Deed to transfer surplus property at 316 Broadway to Autumn Datri for the purchase price of $500

Approval, Acceptance / Recommendation

First reading of this Ordinance was approved on December 2, 2014.

This property was declared surplus on December 2, 2014. The City demolished a blighted property at this location. Ms. Datri proposes to purchase the lot for $500. The adjoining property owner was offered the opportunity to bid on the property, but no reply was received.

☐ 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 DAVID MCCAGH CERTAIN PROPERTY LOCATED ON THE EAST SIDE OF CENTRE STREET AT THE SITE OF ITS FORMER INTERSECTION WITH BEDFORD STREET CONSISTING OF 1180.08 SQUARE FEET, MORE OR LESS, CONSTITUTING A PART OF THE SECTION OF BEDFORD STREET CLOSED UNDER ORDINANCE NO. 3759."

WHEREAS, Mayor and City Council of Cumberland is the record owner of a certain parcel of real property which consists of a portion of the parcel that was conveyed to Mayor and City Council of Cumberland pursuant to Ordinance No. 3759 (passed May 20, 2014), the Ordinance that effected the closure of a section of Bedford Street at its intersection with Centre Street (hereinafter referred to as the "Property");

WHEREAS, the Property was declared to be surplus property under the terms of Order No. 25,754, passed by the Mayor and City Council on November 18, 2014;

WHEREAS, Mr. McCagh and his predecessor-in-interest had been leasing a parcel, which included the Property and the half of the closed section of Bedford Street conveyed to him pursuant to Ordinance No. 3759, for the sum of $35.00 per month from the date of the Lease Agreement through June of 2002 and $42.00 per month thereafter.

WHEREAS, in leasing the parcel described in the preceding paragraph, Mr. McCagh and his predecessor-in-interest have paid rent to the City far in excess of the value of that parcel.

WHEREAS, the Mayor and City Council of Cumberland deem it to be in the interest of the City to convey the Property to Mr. McCagh as it has no use for the same and, in transferring ownership to Mr. McCagh, he shall bear responsibility for its repair and maintenance and shall assume all incidents of ownership with respect to it.

WHEREAS, since the Property is part of the section of the former road bed of Bedford Street closed pursuant to Ordinance No. 3759, the northern half of said section having been transferred to Mr. McCagh by deed from the Mayor and City Council of Cumberland recorded among the Land Records of Allegany County, Maryland in Book 2088, Page 444, the deed transferring ownership of the Property to Mr. McCagh shall include the same covenants and restrictions as were set forth in the deed recorded in Book 2088, Page 444 as well as such additional covenants as are set forth in the deed attached hereto as Exhibit 1.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and the City Clerk be and they are hereby authorized to execute the deed attached hereto as Exhibit 1;

SECTION 2: AND BE IT FURTHER ORDAINED, that the Lease Agreement between the Cumberland Municipal Parking Authority and Interface dated February 1, 1988, as amended by the Amendment to Lease Agreement dated August 7, 2002, is terminated effective the date of this Ordinance;

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

Passed this ____ day of _____, 2014.

_____
Brian K. Grim, Mayor

ATTEST:

_____
Marjorie A. Woodring, City Clerk

EXHIBIT 1

NO TITLE SEARCH PERFORMED

THIS QUITCLAIM DEED, made this ____ day of _____, 2014, by and between the **MAYOR AND CITY COUNCIL OF CUMBERLAND**, a Maryland municipal corporation, party of the first part, and **DAVID MCCAGH**, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Zero Dollars ($0.00) and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim to the party of the second part, his personal representatives, heirs and assigns, all of its right, title, interest and estate in and to the following described piece or parcel of real estate lying and being in the City of Cumberland, Allegany County, Maryland, which real property is more fully described in the metes and bounds description attached hereto and incorporated by reference herein as Exhibit A and is depicted in the plat attached hereto and incorporated by reference herein as Exhibit B.

IT BEING a part of the property conveyed from the Mayor and City Council of Cumberland to itself by quitclaim deed dated September 30, 2014 and recorded among the Land Records of Allegany County, Maryland in Book 2088, Page 453. The property which is the subject of this conveyance is identified as "Area-South 'A' to McCagh" in the plat attached hereto as Exhibit B. The conveyance of this parcel constitutes a lot line adjustment under the Subdivision Regulations of the City of Cumberland, the same having been approved by the Zoning Administrator for the City of Cumberland, as indicated in the plat attached hereto and incorporated by reference herein as Exhibit C. A metes and bounds description describing the portion of the property described in the deed recorded in Book 2088, Page 453 which shall be retained by the Mayor and City Council of Cumberland, being described as "Area-South 'B' Retained by City" in the plat attached hereto as Exhibit B, is attached hereto and incorporated by reference herein as Exhibit D.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TOGETHER with and subject to any restrictions, reservations, covenants, rights of way, etc. as of record or as shown on the aforementioned plat.

SUBJECT, HOWEVER, to the easements, reservations, covenants and restrictions set forth in the Exhibit E attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above-described property unto the party of the second part, his personal representatives, heirs and assigns in fee simple forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed in its name and under its seal and duly attested all on the day and date first above written.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

By:_____(SEAL)

_____
Marjorie A. Woodring, City Clerk

Brian K. Grim, Mayor

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2014, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of the Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is $0.00 and that the total payment made to the grantor was $0.00 and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident of the State of Maryland.

WITNESS my hand and Notarial Seal.

_____
NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

_____
MICHAEL SCOTT COHEN

<u>EXHIBIT A</u>

AREA SOUTH 'A' TO McCAGH

BEGINNING for the same at a pk nail set at the end of a reference line South 45 degrees 02 minutes 48 seconds East 23.56 feet from a drill hole set on or near the Northwesterly right-of-way limits of Bedford Street and near said street's intersection with North Centre Street in Cumberland, Maryland, said line is found on MSHA Plat of John J. McMullen Memorial Bridge Plat 8 & 9 of 74 State of Maryland State Road Commission Contract No. A -539-001-670 dated and revised 1975; thence creating a new division line on or near the centerline of said Bedford Street

1) North 23 degrees 59 minutes 37 seconds East 88.29 feet to a point; thence

2) South 66 degrees 00 minutes 23 seconds East 13.00 feet to a pk nail set; thence with the rear edge of existing concrete curb near limits of an existing parking area

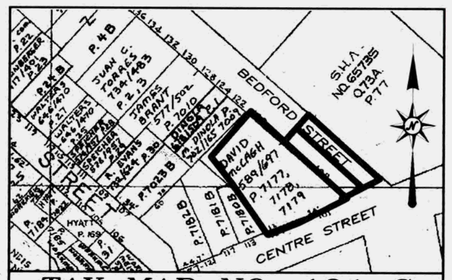
3) South 23 degrees 59 minutes 37 seconds West 93.27 feet to a pk nail set on or near new right-of-way limits of North Centre Street; thence with said limits

4) North 45 degrees 02 minutes 48 seconds West 13.92 feet to the point of beginning

Containing 1180.08 square feet± or 0.03 acres± as surveyed by Coughenour Surveying August, 2013.

EXHIBIT B

SITE LOCATION MAP
SCALE: 1" = 2000'



TAX MAP NO. 104-C
SCALE: 1" = 100'

SCALE 1" = 10'

NORTH IS BASED ON THE RIGHT-OF-WAY LIMITS OF BEDFORD STREET.

CENTRE STREET
ONE WAY
BITUMINOUS CONCRETE

CONCRETE SIDEWALK

PE POLE C-W/LIGHT

PE POLE C-19718

AERIAL UTILITIES

N/F
MOHAMMED & JAWAD J. ALHARMOOSH
1883/46
TM 104, P. 7180B
ACCT NO: 005110
113 N. CENTRE ST

N/F
DAVID McCAGH
589/697
TM 104, P. 7178B
ACCT NO: 004130
107 N. CENTRE ST
PARCEL V

N/F
DAVID McCAGH
589/697
TM 104, P. 7178B
ACCT NO: 004130
107 N. CENTRE ST
PARCEL I

N/F
DAVID McCAGH
589/697
TM 104, P. 7178B
ACCT NO: 004130
107 N. CENTRE ST
PARCEL III

N/F
DAVID McCAGH
589/697
TM 104, P. 7178B
ACCT NO: 004130
107 N. CENTRE ST
PARCEL IV

N/F
M. DINOLA
702/165
TM 104, P. 7009

WALSH & McCAGH PHARMACY & APARTMENTS

4 STORY BRICK BUILDING # 107

PARKING LOT BIT. CONC.

3 STORY BRICK

N 23°59'37" E 226.48'

P.O.B.-STREET TOTAL AREA P.O.B.-NORTH TO McCAGH
DRILL HOLE SET
N 10002.2016
E 10009.6676

T-1 60D
N 9995.9374
E 10002.8631
Z:50.00

P.O.B.-SOUTH TO CITY P.O.B.-SOUTH 'A' TO McCAGH
A POINT
N 9985.5566
E 10026.3398

T1
N 23°-59'-37" E 79.86'
N1

8.07'
8.16'
8.25'
8.35'

GAS VALVE
WATER VALVE
CONCRETE SIDEWALK

PK NAIL SET
N 10075.1594
E 10042.1407

N4 23.56'

TOTAL STREET CLOSING N 45°-02'-48" W

AREA-NORTH TO McCAGH
1849.58 SQ. FT.±
0.04 ACRES±

S 66°-00'-23" E 22.00'
N2
TOTAL STREET CLOSING

PE POLE C-19801

EXISTING 6" GAS FROM SHA PLAT NO. 9 OF 74 CONTRACT A 539-001-670 10/22/75
OR
COLUMBIA GAS OF MARYLAND PLAT 3"-P-LP

MANHOLE
MANHOLE
SANITARY MANHOLE MH-29

T4
47.12'
S4 23.56'
SA-4
SB-4

WATER VALVE
STORM INLET

EXIST. 10" SANITARY SEWER

N3
S 23°-59'-37" W 88.29'
N 23°-59'-37" E 88.29'
S1
SA-1

AREA-SOUTH TO CITY
2034.98 SQ. FT.±
0.05 ACRES±

AREA-SOUTH 'A' TO McCAGH
1180.08 SQ. FT.±
0.03 ACRES±

EXISTING 6" WATER

A POINT
N 10066.2134
E 10062.2397

BEDFORD STREET (44')
ONE WAY
BITUMINOUS CONCRETE

S 66°-00'-23" E 44.00' TOTAL STREET CLOSING
T2
SA-2
SB-2
S2

P.O.B.-SOUTH 'B' RETAINED BY CITY
PK NAIL SET
N 9975.7209
E 10036.1915

N 45°-02'-48" W 47.12'
S4 23.56'

EX. WHITE PARKING LINES (TYP.)

SA-3
S 23°-59'-37" W 93.27'
N 23°-59'-37" E 93.27'
SB-1

EXISTING 18" RCP
STORM INLET
TRANSFORMER
CONC.

AREA-SOUTH 'B' RETAINED BY CITY
854.90 SQ. FT.±
0.02 ACRES±

PK NAIL SET
N 10060.9272
E 10074.1164

A POINT
N 10057.2675
E 10082.3387

SB-3
S3
S 23°-59'-37" W 96.71' TOTAL STREET CLOSING
T3

A POINT
N 9968.9116
E 10043.0120

EX. 8" GAS LINE

GRASS

RAMP TO BRIDGE

GRASS

T-2 60D
N 10072.4465
E 10101.8493
Z:54.11

AREA-NORTH TO McCAGH
1849.58 SQ. FT.± 0.04 ACRES±

LINE	BEARING	DISTANCE
N1	N 23°59'37" E	79.86'
N2	S 66°00'23" E	22.00'
N3	S 23°59'37" W	88.29'
N4	N 45°02'48" W	23.56'

TOTAL AREA STREET CLOSING
3884.56 SQ. FT.± 0.09 ACRES±

LINE	BEARING	DISTANCE
T1	N 23°59'37" E	79.86'
T2	S 66°00'23" E	44.00'
T3	S 23°59'37" W	96.71'
T4	N 45°02'48" W	47.12'

AREA-SOUTH TO CITY
2034.98 SQ. FT.± 0.05 ACRES±

LINE	BEARING	DISTANCE
S1	N 23°59'37" E	88.29'
S2	S 66°00'23" E	22.00'
S3	S 23°59'37" W	96.71'
S4	N 45°02'48" W	23.56'

AREA-SOUTH 'A' TO McCAGH
1180.08 SQ. FT.± 0.03 ACRES±

LINE	BEARING	DISTANCE
SA-1	N 23°59'37" E	88.29'
SA-2	S 66°00'23" E	13.00'
SA-3	S 23°59'37" W	93.27'
SA-4	N 45°02'48" W	13.92'

AREA-SOUTH 'B' RETAINED BY CITY
854.90 SQ. FT.± 0.02 ACRES±

LINE	BEARING	DISTANCE
SB-1	N 23°59'37" E	93.27'
SB-2	S 66°00'23" E	9.00'
SB-3	S 23°59'37" W	96.71'
SB-4	N 45°02'48" W	9.64'

NOTES:

1. ALL UNDERGROUND UTILITIES FROM CITY OF CUMBERLAND AND MSHA PLAT ARE AT APPROXIMATE LOCATION. FIELD VERIFY IF DIGGING
2. ALL UNDERGROUND UTILITIES RETAINS A 15' R/W TOTAL 7.5' FROM CENTERLINE FOR MAINTENANCE OR REPAIR ACROSS ALL LANDS OF SAID FORMER BEDFORD STREET RIGHT-OF-WAY HERE ON CONVEYED.

CITY OF CUMBERLAND ENGINEERING APPROVAL
BY: [signature] DATE 3/27/14

SURVEYOR'S CERTIFICATION

I hereby certify that in MONTH, YEAR I made a survey of the tract shown hereon and that this plat is made in accordance with the field notes and computations of said survey. I further certify this plat to be complete and accurate.

STATE OF MARYLAND — MICHAEL RAY COUGHENOUR — No. 443 — REGISTERED PROPERTY LINE SURVEYOR

Michael R. Coughenour
Property Line Surveyor
MD REG. NO. 443
EXP. DATE: 12/9/2014

3-5-14

NOTE: THIS PROPERTY IS LOCATED OUT OF THE 100 YEAR FLOOD BOUNDARY AS INDICATED BY THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY - PANEL NO. 240003 0005C, DATED ON SEPTEMBER 1, 1983 (FLOOD ZONE C.)

LEGEND

- MANHOLE
- PROPERTY LINE
- CLEANOUT
- SANITARY SEWER
- STORM SEWER
- WATER LINE
- GAS LINE
- PROPERTY CORNER/IRON BAR
- SILT FENCE
- STRAW BALE DIKE
- WATER METER
- UNDERGROUND ELECTRIC
- TRANSFORMER
- WATER VALVE
- NON-BUILDABLE STEEPER THAN 25% SLOPE
- CONCRETE MONUMENT
- 5' DEDICATED TO PUBLIC USE

S:\ACAD2007\D-PS\PS213049-2545
TAB: 1 2X2 = 10'

213049-2545	PROJECT NUMBER:	1 of 1	DRAWING NUMBER:

PROPERTY SURVEY
FOR
DAVID McCAGH

LOCATED AT
101 N. CENTRE STREET

ALLEGANY COUNTY — ELECTION DISTRICT NO. 14
CUMBERLAND — MARYLAND

COUGHENOUR SURVEYING
115 SOUTH CENTRE STREET, SUITE III • CUMBERLAND, MD
TELEPHONE NO. 301-777-7222 • FAX NO. 301-777-3405

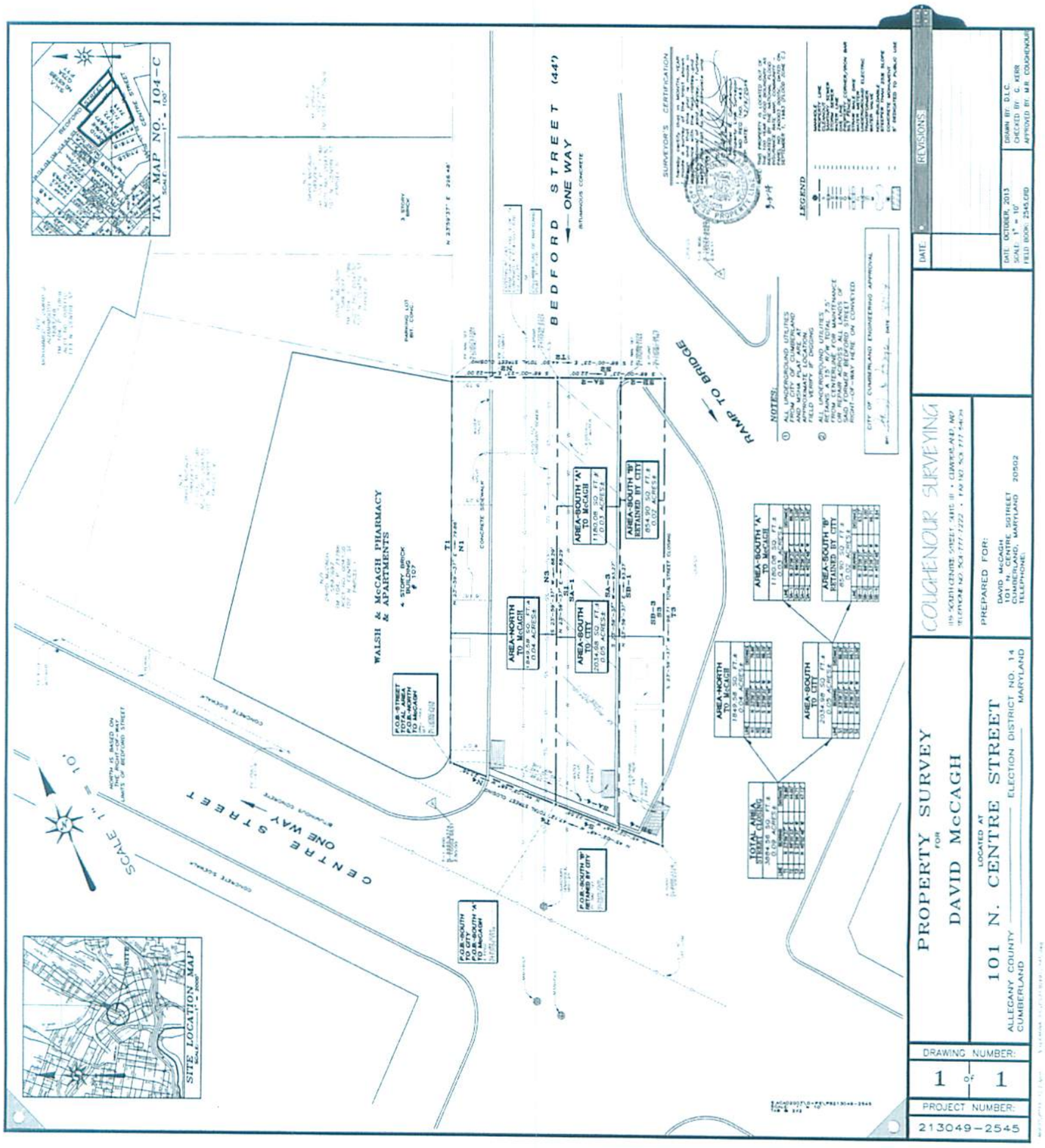
PREPARED FOR:
DAVID McCAGH
101 N. CENTRE SGTREET
CUMBERLAND, MARYLAND 20502
TELEPHONE:

DATE: REVISIONS:

DATE: OCTOBER, 2013	DRAWN BY: D.L.C.
SCALE: 1" = 10'	CHECKED BY: G. KERR
FIELD BOOK: 2545.CRD	APPROVED BY: M.R. COUGHENOUR

Mar05,2014-12:53pm S:\DEANNA-PS\PS213049-2545.dwg

Exhibit C



Lot split of Area-South to City into (1) Area-South 'A' to McCagh and (2) Area-South 'B' Retained by City approved by the City of Cumberland Zoning Administrator.

David Umling, Zoning Administrator

11/21/14
date

EXHIBIT D

AREA SOUTH 'B' RETAIN BY CITY

BEGINNING for the same at a pk nail set at the end of a reference line South 45 degrees 02 minutes 48 seconds East 37.48 feet from a drill hole set on or near the Northwesterly right-of-way limits of Bedford Street and near said street's intersection with North Centre Street in Cumberland, Maryland, said line is found on MSHA Plat of John J. McMullen Memorial Bridge Plat 8 & 9 of 74 State of Maryland State Road Commission Contract No. A -539-001-670 dated and revised 1975; thence binding with the rear edge of existing concrete curb

1) North 23 degrees 59 minutes 37 seconds East 93.27 feet to a pk nail set; thence

2) South 66 degrees 00 minutes 23 seconds East 9.00 feet to a point; thence

3) South 23 degrees 59 minutes 37 seconds West 96.71 feet to a point on or near new right-of-way limits of North Centre Street; thence with said limits

4) North 45 degrees 02 minutes 48 seconds West 9.64 feet to the point of beginning

Containing 854.90 square feet± or 0.02 acres± as surveyed by Coughenour Surveying August, 2013.

EXHIBIT E

SUBJECT, HOWEVER, to an easement in favor of the party of the first part and public and private utilities, including, but not limited to, gas, electric and telephone service providers, for the full length and width of the right-of-way being closed for any existing utility lines, for stormwater and surface drainage (including, but not limited to, drainage from Bedford Street) and for the installation, inspection, operation, maintenance, repair, replacement and/or relocation of any needed utility lines and stormwater management and sediment and erosion control devices and improvements.

FURTHER SUBJECT, HOWEVER, to the reservation of an easement for the benefit of the public over, across and through the sidewalk abutting the east side of the building located at 107 N. Centre Street, running from its northeast corner south to N. Centre Street. As required by Article III of Chapter 22 of the City of Cumberland Code, the party of the second part shall be responsible for all repairs and maintenance of the aforesaid sidewalk. In the event the sidewalk is repaired or replaced, all work relative thereto shall be performed in accordance with applicable law, including, but not limited to, the Americans with Disabilities Act.

FURTHERMORE, it is a condition of the conveyance effected by this deed that the party of the second part, its successors, and assigns, or other to whom this and the adjacent property shall be conveyed, shall be allowed to use the surface of the land hereby conveyed; however, he shall not be permitted to place or erect structures thereon without the written consent of the party of the first part, which consent may be granted or denied for any reason or no reason at all. The party of the second part's use of the property conveyed by this deed shall not interfere with the ingress, egress or other actions of the party of the first part and public and private utilities, as necessary for the installation, inspection, operation, maintenance, repair, replacement and/or relocation of the aforesaid utilities and improvements related thereto. Furthermore, no such structures shall be located or constructed upon the land conveyed by this deed until plans therefore have been submitted to and approved by the party of the first part's Engineering Division, and no work in the construction of such enclosure or buildings or in the use of the surface

shall injure or disturb the aforesaid utilities and improvements related thereto or in any way interfere with or adversely impact their operation or maintenance.

FURTHERMORE, the party of the second part shall not be permitted to grade the property conveyed under the terms of this deed nor shall he be permitted to alter the surface of the land hereby conveyed, aside from filling potholes, except upon the written consent of the party of the first part, said consent not to be unreasonably withheld.

FURTHERMORE, the party of the second part shall not be permitted to use the property hereby conveyed for the purpose of constructing or creating an entrance from N. Centre Street into the parcel of land and the improvements thereon commonly known as 107 N. Centre Street. The party of the second part shall be responsible for keeping the parking area closed off from traffic on N. Centre Street by means of concrete curbing on the property hereby conveyed, such as that which presently exists at the property, or by such other barriers as may be approved by the party of the first part. The party of the second part shall maintain the concrete curbing or other barriers and keep them in good repair.

FURTHERMORE, in the event the party of the second part alters the surface of the land hereby conveyed or the subsurface thereof and said alterations result in the need to relocate public or private utilities' lines and/or other improvements related thereto, the party of the second part shall be liable for all costs associated with the relocation.

FURTHERMORE, the party of the first part, and public and private utilities, shall also have the right to remove, where necessary, such trees and other growths as may be required for the installation, inspection, operation, maintenance, repair, replacement and/or relocation of the aforesaid utility lines and stormwater management and sediment and erosion control devices and improvements related to the foregoing.

FURTHERMORE, the property conveyed under the terms of this deed shall be used solely as a vehicular parking area. Any other use shall be subject to the written consent of the party of the first part.

FURTHERMORE, the property conveyed under the terms of this deed (Area-South 'A' to McCagh on the plat attached hereto as Exhibit B) together with the property described in the deed from Mayor and City Council of Cumberland to David McCagh dated September 30, 2014 and recorded among the Land Records of Allegany County,

Maryland in Book 2088, Page 444 deed (Area-North to McCagh on the plat attached hereto as Exhibit B) shall not be deemed to be independent lots of record but shall be deemed to be appended to and a part of the lot of record which is owned by the party of the second part which is described as Parcel I in the deed from Brian E. McCagh, Successor Trustee under the Will of Frank L. McCagh and Catherine McCagh to David McCagh dated March 9, 1990 and recorded among the aforesaid Land Records in Deed Liber 589, folio 697.

IT IS UNDERSTOOD, that the foregoing easements, covenants and restrictions shall be deemed to touch and concern the land, shall run with the title to the land, shall inure to the benefit of the party of the first part and the other parties thereby benefited, and shall be binding upon the party of the second part and all future owners or possessors of all or any of the land hereby conveyed as well as their personal representatives, heirs, successors and assigns, and any and all persons and entities claiming through them.

Regular Council Agenda
January 6, 2015

Description

Ordinance *(2nd and 3rd Readings)* - authorizing the transfer of a parcel of surplus property at the intersection of Bedford and Centre Streets to David McCagh

Approval, Acceptance / Recommendation

First reading of this Ordinance was approved on December 2, 2014.

- [ ] Budgeted

- [ ] 1st Reading
- [x] 2nd Reading
- [x] 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

- Order -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE:** __January 6, 2015__

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

THAT, Frederick W. Cook be and is hereby appointed to the Housing Authority of the City of Cumberland for a five (5) year term to be effective January 6, 2015 through October 17, 2019.

_____

Brian K. Grim, Mayor

Regular Council Agenda
January 6, 2015

Description

Order authorizing the appointment of Frederick W. Cook to the Housing Authority of the City of Cumberland for a five (5) year term to be effective January 6, 2015 through October 17, 2019

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

- Order -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE:** __January 6, 2015__

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

THAT, the following Council Members and staff be and are hereby appointed as designated City representatives and/or appointees to the following Boards and Commissions:

BOARD / COMMISSION	APPOINTEE	STATUS
Allegany County Museum	David Caporale	Council Representative
Allegany County Solid Waste Committee	Raquel Ketterman, Environmental Technician	Council Appointee
Blighted Property Committee	Brian Grim	Council Representative
Canal Place Preservation & Development Authority	David Caporale	Council Representative
Cumberland/Allegany County Industrial Foundation (CACIF)	Nicole Alt-Myers	Council Representative
Downtown Development Commission (DDC)	Brian Grim	Council Representative – Non-voting member
Economic Development Commission	David Kauffman	Council Representative – Voting member
Evitts Creek Steering Committee	Brian Grim Seth Bernard	Council Representatives
Evitts Creek Water Company	Brian Grim Seth Bernard	Council Representatives
Human Relations Commission	Nicole Alt-Myers	Council Representative – Non-voting member
Human Resources Development Commission	Brian K. Grim	Council Representative
Historic Preservation Commission	David Kauffman	M&CC ex officio - Voting member
Let's Beautify Cumberland! Committee	Nicole Alt-Myers	Council Representative
Neighborhood Advisory Commission	Seth Bernard	Council Representatives – One (1) voting member
Parks & Recreation Commission	Seth Bernard	Council Representative – Non-voting
Planning & Zoning Commission	David Caporale	M&CC ex officio - Voting member
Potomac Highland Airport Authority	Nicole Alt-Myers	Council Representative
Western Maryland Scenic Railroad	Cady Kirkwood, Economic Dev. Assistant	Council Appointee

Brian K. Grim, Mayor

Regular Council Agenda
January 6, 2015

Description

Order appointing Mayor and Council members and staff as designated representatives or appointees to the City's boards and commissions

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

Application Due Date: January 26, 2015
Email completed applications to:
MSEC.MEA@maryland.gov

Maryland Smart Energy Communities: New Communities Track Application Instructions

NOTE – THIS APPLICATION IS ONLY FOR NEW MARYLAND SMART ENERGY COMMUNITIES

This application should only be used by communities who have not yet participated in the Maryland Smart Energy Communities (MSEC) program. Communities currently accepted into the MSEC program that are interested in pursuing additional funding should complete the MSEC Existing Communities Track application available online at http://energy.md.gov/Govt/SmartEnergyCommunities. Table 1 provides a summary of the two MSEC funding tracks:

Table 1. Summary of New and Existing MSEC Funding Tracks

Funding Track	Description	Type and Availability of Funding Resources *subject to funding availability*	Timeline
New Community	Available to all incorporated towns, cities, and counties not yet accepted into the MSEC program. All communities that apply for the program and agree to meet the three deliverable requirements will receive funding based on population size and funding availability. Full grant funds are only made available when communities complete the deliverables specified by MEA.	**Up to $2.79 million total is available, subject to funding availability,** to be divided between both existing and new MSEC communities. The $2.79 million (subject to funding availability) is allocated in the following manner: up to $450,000 for energy efficiency projects, up to $1.34 million for renewable energy/transportation projects; and up to $1 million for energy efficiency projects benefitting low to moderate-income populations.	Accepting Applications from **November 2014** until **January 26, 2015**
Existing Community	Available to all MSEC incorporated towns, cities, and counties accepted in FY13 who have completed all "New Community" deliverables and FY 14 who have either completed or are on track to complete all "New Community" deliverables. Funding for projects submitted under the existing community track will be awarded competitively based on funding availability in each energy funding area (energy efficiency, renewable energy/transportation, and low-to moderate income energy efficiency) and project characteristics. Projects will be evaluated based on their innovation, the expected impact on the State's energy and greenhouse gas reduction goals, and feasibility, among other criteria. Priority will be given to existing communities who adopt the third MSEC policy.		Accepting applications from **October 2014** until **December 19, 2014**

.

Program Overview

Local governments that participate in the Maryland Smart Energy Communities program must voluntarily adopt energy policies in at least two of three policy areas -- energy efficiency, renewable energy, or transportation petroleum reduction:

- Energy Efficiency Policy- Establish an energy consumption baseline and develop a plan with the goal of reducing electricity consumption of city/town or county-owned buildings by 15% within five (5) years of the baseline year.

- Renewable Energy Policy- Reduce conventional centralized electricity generation serving a local government's buildings by meeting 20% of those buildings' electricity demand with distributed, renewable energy generation by 2022.

- Transportation Policy- A local government must establish a petroleum consumption baseline for all local government vehicles, and put in place a comprehensive program designed to reduce the baseline by 20 percent within five (5) years of the baseline year.

In addition to adopting the energy policies, participating local governments must also commit to developing a baseline of current electricity and, if applicable, transportation fuel usage as well as an action plan to achieve each of the adopted energy goals within the required timeframes. Additional information about each energy policy, as well as the energy deliverables associated with each goal, can be found at http://energy.maryland.gov/Govt/SmartEnergyCommunities.

Subject to funding availability, MEA expects to make grant awards to all new communities that apply to the MSEC program and agree to meet the program requirements. The size of the grant award will be based on population size and funding availability. While a limited amount of grant funds can be used for costs associated with passing the energy policies and developing the required energy baselines and plans, the majority of the funding must be directed towards energy projects that directly contribute to the achievement of one or more of the MSEC energy policy goals. All program participants will be required to enter into a grant agreement with MEA. MEA will not reimburse for any costs expended prior to the grant agreement being fully executed by MEA and the local government. Additionally, in order to receive reimbursement from MEA, each local government will be required to get their energy projects approved by MEA prior to beginning construction, in order to ensure that the energy projects will directly contribute to the achievement of at least one MSEC energy policy goals.

Moving forward in future fiscal years, local governments that are in good standing with the program may be eligible to apply for additional grant funding, subject to availability, that can be used for additional energy-related projects that aid in the achievement of the adopted energy goals. For a local government to be considered in good standing, the community must have adopted at least two of three energy policies and completed the required baselines and energy action plans.

New Communities Track – Application Deadline

The full application (this form) is due **January 26, 2015**, and requires sign-off from the city/county council or other governing body confirming that they intend to complete all MSEC program deliverables (i.e. adoption of at least two of the three required energy goals and creation of the energy baselines and action plans) by the established deadlines. MEA will provide technical assistance through the University of Maryland Environmental Finance Center to help participants complete the application. Applications must be submitted to **MSEC.MEA@maryland.gov**.

MEA reserves the right to request additional information before accepting a local government into the program.

Grant Funding Amounts

In fiscal year 2015, MEA expects to provide grant awards to all new local governments applying to the MSEC program, subject to meeting the terms of the program and funding availability. While subject to change, MEA currently anticipates new counties entering the MSEC program in fiscal year 2015 to receive no less than $50,000, with new towns and cities receiving no less than $25,000.

While MEA intends to provide grant awards to all new local governments interested in participating in MSEC, not all energy projects submitted for consideration by MEA may be approved. Some, none, or all project requests submitted for consideration to the MSEC program may be funded, based on how the project positively contributes to the achievement of the MSEC policy goals and the MSEC project criteria outlined below. MEA reserves the right to partially fund projects.

Project Criteria

Table 1 outlines the funding resources available to the MSEC program in fiscal year 2015. Within each funding category (i.e. energy efficiency, renewable energy/transportation, and low-to-moderate income energy efficiency), priority will be given to projects completed on government-owned buildings, facilities, or vehicles that help the local government achieve the goals of the Maryland Smart Energy Communities program. These funding constraints will influence the types of projects that local governments will be approved to complete.

Once all program deliverables have been completed, MSEC local governments will need to submit a project approval form to MEA, formally requesting approval of the identified energy project. The project approval form will be one of the documents

included in the grant agreement between MEA and the participating local government. Once the project approval form has been submitted, MEA will determine project approvals based on the following criteria:

(a) Past experience and performance with other MEA programs,
(b) Evidence of the community's ability to complete the project in the time provided (e.g. commitment of staff time and other resources),
(c) Project innovation,
(d) Project feasibility,
(e) Expected electricity savings, transportation petroleum reduction, and/or renewable energy generated as a result of the project,
(f) Whether or not a project benefits a low to moderate-income population,
(g) Whether or not the project is being completed on a government-owned building, facility, or vehicle,
(h) Whether or not the project is occurring in a Priority Funding Area (PFA), and
(i) Whether or not the project has a simple payback that is less than the anticipated life of the energy project being installed.

***With the exception of transportation-related projects, MEA is unlikely to approve projects that involve switching fuel sources.**

***Please note that the energy efficiency goal is focused on electricity-reductions rather than overall energy efficiency improvements.**

In addition, priority will be given to projects that:
1. Focus on, or contain a component of, building energy efficiency.
2. Occur in Priority Funding Areas.

Priority Funding Areas

Priority Funding Areas are existing communities and places where local governments want State investment to support future growth. The following areas qualify as Priority Funding Areas:
(a) Every municipality, as they existed in 1997;
(b) Areas inside the Washington Beltway and the Baltimore Beltway
(c) Areas already designated as enterprise zones, neighborhood revitalization areas, heritage areas, and existing industrial land.

A map of Priority Funding Areas, including a search by address feature, can be found on the Maryland Department of Planning (MDP) website at: http://www.mdp.state.md.us/OurProducts/pfamap.shtml

Program Deadlines for Fiscal Year 2015

December 31, 2015:	(i) At least two of three required energy policies passed. (ii) Energy baselines and energy action plans developed.
May 15, 2016:	Energy-related projects funded by this grant complete.
June 15, 2016:	All invoices and reports submitted to MEA for energy-related projects funded by this grant.

Additional Requirements

- Question 25 of the application requires communities to list (by year) the energy code that they are currently enforcing and to provide documentation demonstrating adoption of the code. In FY2015, communities must have adopted the 2012 International Energy Conservation Code (IECC) to receive additional MSEC funding. Moreover, communities are expected to adopt the 2015 IECC before July 2015, prior to applying for additional MSEC funds in future funding cycles. For questions about energy codes please contact Devan Willemsen at devan.willemsen@maryland.gov.
- Projects must comply with all applicable state and federal laws, regulations, and guidelines, including, but not limited to, following appropriate procurement policies, compliance with the National Historic Preservation Act of 1966, all applicable licenses, insurance, permits, environmental standards, etc.

- **All proposed projects must have written approval from MEA prior to the local government beginning any project work. The application approval does not qualify as project approval. Communities should not expect to receive funding support for energy projects already underway. Not all projects will be fully funded using MSEC funds.**

Questions about the application or MSEC program may be directed to:

Devan Willemsen, E: devan.willemsen@maryland.gov, T: 410-260-7539
Sean Williamson, E: srw46@umd.edu, T: 301-405-8259

Application Due Date: January 26, 2015
Email completed applications to:
MSEC.MEA@maryland.gov

Maryland Energy Administration – Maryland Smart Energy Communities
New Communities Application Form (Boxes will expand as you type)

1. Name of Local Government

Mayor and City Council of Cumberland

2. Intent

☒ We intend to pass two of the three policy goals* by December 31, 2015, making us eligible for project funding. If so, please select 2 of 3 policies, below:

☒ Energy efficiency: Establish an electricity consumption baseline and develop a plan to reduce per-square foot electricity consumption of local government-owned buildings by 15% within five years of the baseline year.

☐ Renewable Energy: Reduce conventional centralized electricity generation serving local government-owned buildings by meeting 20% of those buildings' electricity demand with distributed, renewable energy generation by 2022.

☐ Transportation Petroleum Reduction: Establish a petroleum consumption baseline for all local government vehicles, and put in place a plan to reduce petroleum consumption by 20 percent within five years of the baseline year.

☒ We understand that in addition to the policy goals, our community must complete an energy baseline and develop an action plan for achieving the goals before we can receive full project funding. We intend to put a good faith effort towards completing all three deliverables and by December 31, 2015.

☒ We understand that energy-related projects funded by this grant must be completed by May 15, 2016 and invoiced by June 15, 2016. We intend to spend the grant funds within the timeframe provided.

☒ We would like to be considered for low-to-moderate income grant funding under the MSEC program. *Please select only if you have an energy efficiency project in a government-owned facility that serves a low-to-moderate income population.*

* Local governments can formally commit to the above energy goals by ordinance, resolution, executive order, or similar policy mechanism (as appropriate). Descriptions of the policy goals can be found at http://energy.maryland.gov/Govt/SmartEnergyCommunities.

OR

☐ We do not intend to pass two of the three policy goals during calendar year 2015, but we are interested in getting started with technical assistance from MEA. We understand we will not be eligible for project funding in the first round of the program, but may be eligible for funding in future years.

Signature of Authorized Representative: Date:

_____ _____

Brian Grim, Mayor

Application Due Date: January 26, 2015
Email completed applications to:
MSEC.MEA@maryland.gov

3. Authorized Representative (the individual with signature authority for the applicant organization)	**4. Title of Authorized Representative**	**5. Phone Number of Authorized Representative**	**6. Email Address of Authorized Representative**
Jeff Rhodes	City Administrator	301-759-6424	jeff.rhodes@cumberlandmd.gov
7. Application Contact Person (the individual completing the application)	**8. Title of Application Contact Person**	**9. Phone Number of Application Contact Person**	**10. Email Address of Application Contact Person**
Raquel J. Ketterman	Environmental Specialist	301-759-6604	Raquel.ketterman@cumberlandmd.gov
11. Project Manager (the individual who will be managing the passing of the policies and the development of the energy baselines and action plans on a day-to-day basis)	**12. Title of Project Manager**	**13. Phone Number of Project Manager**	**14. Email Address of Project Manager**
Raquel J. Ketterman	Environmental Specialist	301-759-6604	raquel.ketterman@cumberlandmd.gov
15. Legal Contact (the individual who is responsible for legal review)	**16. Title of Counsel**	**17. Phone Number of Legal Counsel**	**18. Email Address of Legal Counsel**
Michael Cohen	City Solicitor	301-724-5200	michaelcohen@atlanticbbn.net

19. Application Submittal Date	**20. Federal Tax Identification Number**
January 23, 2014	**526000786**

21. Applicant Street Address. Please include PO Box number if applicable.

57 N. Liberty Street, Cumberland, MD 21502

22. Please describe the number and type of staff you will commit to working on passing the policies, developing the energy baselines and action plans, and eventually running the energy grant project(s). *(Boxes will expand as you type).*

About 4 staff persons will be committed to completing the tasks to develop the deliverables and administering the program for energy grant projects. Primary staff will be from the Engineering (2) and Central Services Divisions (1) of the City and assistance will be provided by the Finance Department (1) on an as needed basis.

23. Provide a detailed description of how policies are passed in your local government, including key points of approval needed and approximately how long it takes from start to finish. This should be consistent with the procedures outlined in your local charter.

Policies and plans are recommended for adoption through Orders. Orders are approved or rejected Mayor and City Council through Council meetings which occur on the first and third Tuesdays of each month.

Cumberland, Maryland – Charter Section 18. - Power of mayor and council over departments; city administrator
(1)The Mayor and City Council shall be responsible for all the departments and agencies of the City, and to that end, shall have the authority to adopt such ordinances and to make and enforce such rules and regulations as they may see fit and proper for and concerning the organization, management, and operation of the City. http://www.ci.cumberland.md.us/new_site/

Application Due Date: January 26, 2015
Email completed applications to:
MSEC.MEA@maryland.gov

24. Energy/Sustainability Initiatives: List any ongoing energy-related or sustainability initiatives taking place in your local government, such as ENERGY STAR ratings, EPA Community Challenge participation, DHCD Sustainable Communities participation, Sustainable Maryland Certified participation, etc.

The energy improvements to date include primarily the installation of replacement lighting that is more energy efficient than what had existed. These projects are primarily one-time projects implemented as funding is available or introduced, for example:

- **In 2011 the City qualified for EECDBG funding. This funding was used for exterior lighting retrofit from metal halide to LED luminaries**
- **In 2013 trough a Potomac Edison reimbursement (incentives) program (GreenerVolts) the City's Central Services staff replaced 89 City owned street lights with high pressure sodium to LED lamps**
- **Four lighting replacement projects were conducted in 2014 including:**
  1. **LED lighting replacements at the WWTP (interior and exterior)**
  2. **LED Upgrade (exterior lighting) at the Municipal Service Center parking lots, Public Safety parking lot, and Smith Park**
  3. **LED Upgrade (exterior lighting) at the Frederick Street Parking Garage**
  4. **LED Upgrade (exterior lighting) at City Hall Courtyard area**

25. Energy codes- What year of the International Energy Conservation Code (IECC) is being enforced by your community? Please provide a weblink or a copy of the authorizing resolution or ordinance.

2012 International Energy Conservation Code (IECC)

City Ordinance No. 3722 August 28, 2012 (codified weblink below)https://www.municode.com/library/md/cumberland/codes/code_of_ordinances?nodeId=PTIICUCO_CH5BUBURE_ARTIIBUCO_DIV1GE_S5-26MABUPEST

Timeline and Assistance

This Section is Mandatory.

26. Provide a monthly schedule that includes detailed information on the following:
(a) Working the policies through each step of the legislative process in your municipality
(b) Completing the baseline electricity consumption
(c) Developing the electricity reduction plan and/or renewable energy action plan and/or transportation petroleum reduction plan
(d) MEA approval of a specific project
Please refer to the Policy Guidance Documents on the MEA website to ensure that you fully understand the deliverables.

Month	Key Milestones
April 2015	Expected notification of grant award and signature of Grant Agreement
May – July 2015	Develop/ draft policies
September 2015	Adopt policies
June – November 2015	Conduct research for electric consumption baseline
June – November 2015	Develop plans
December 2015 – January 2016	Select project/seek MEA project approval
December 2015 *(Three deliverables must be completed by Dec. 31, 2015 to receive full project funding)*	
February – April 2016	Procure and complete approved project

May 15, 2015	Approved project must be completed by this date.

27. Assistance from MEA: MEA can provide MSEC participants with a limited amount of technical assistance related to the achievement of the MSEC goals. What form of technical assistance would be most useful for your municipality as you work on the three deliverables for each of the goals? Technical assistance may be used to: collect and organize community energy information, compile baselines, create plans, develop an energy advisory committee, formulate a workable timeline, review policies for adherence to the program, assist with energy project ideas, among other activities. Technical assistance may not be used for advocacy or lobbying activities.
The City of Cumberland would benefit primarily from technical assistance for the beginning of this program should we become a Maryland Smart Energy Community. Our greatest need would be in the 1) collection and organization of energy information to compile baselines and 2) during the creation of Energy Efficiency and Transportation plans.

Energy Efficiency

This section is mandatory if you are pursuing the energy efficiency policy.

28. How many public buildings are owned by your local government (including water and sewage treatment facilities, but excluding school buildings)?	**29. Are there any additional public facilities, which the community rents/leases AND pays electrical utilities for? Please list the properties.**	**30. Do you track public building energy consumption using ENERGY STAR Portfolio Manager, or an equivalent method? If yes, please note how many buildings are currently tracked.**
8 Facilities (w/ office buildings & fire stations) including: Water Filtration Plant (9 pump stations & 6 other buildings) and Wastewater Treatment Plant (3 pump stations & 11 other buildings). Additionally: Recreation buildings: 11 Parking garages: 2 Flood control: 3 pump houses Various restrooms, pavilions, & tanks are owned by the City in addition to those listed above.	**NA**	☐ Yes ☒ No If yes, how many buildings are tracked?

31. How many energy audits have been performed on buildings owned by your community since 2010? Please list all buildings that have received an energy audit and to what extent the recommendations have been implemented.
NA
32. (a) Please provide the name and contact information of the person responsible for keeping electricity consumption records and/or utility bills.

Sarah Gyger, Accounts Payable, City Finance Department **57 N. Liberty Street, Cumberland, MD 21502** **301-759-6403** **sarah.gyger@cumberlandmd.gov**
32. (b) Please list each of the electric utility companies servicing your local government (i.e., all utilities that send regular invoices).
Potomac Edison in Maryland and West Penn Power in Pennsylvania (both First Energy Company)** ****Our local government owns and operates a water filtration plant in Bedford County, PA**
33. Describe, in detail, all existing policies related to energy efficiency. Include links to or copies of existing policies, resolutions, ordinances, laws, etc.
NA

Renewable Energy

This section is mandatory if you are pursuing the renewable energy policy

34. Describe, in detail, all existing policies related to renewable energy. Include links to or copies of existing policies, resolutions, ordinances, or laws.
NA
35. Are there any renewable energy technologies currently installed on your local government facilities? If so, please describe what type (e.g. solar, wind, geothermal, biomass) and its capacity (e.g. kilowatts of installed solar).
NA

Transportation

This section is mandatory if you are pursuing the transportation petroleum reduction policy

36. Describe, in detail, all existing policies related to transportation petroleum reduction. Include links to or copies of existing policies, resolutions, ordinances, or laws.
NA

37. Describe your fleet in general (vehicle numbers, type of use, etc.). Are all vehicles owned by the municipality or do you have contracted vehicles/services?

The City manages and provides maintenance of about 200 vehicles over 3 fleets including Police, Fire, & Public Works Departments. These include fire apparatus, ambulances, and cruisers. Public Works has excavating equipment, dumps, pickup trucks, and a variety of staff cars. The City does not have any leased vehicles at this time.

38. Please provide the name and contact information of the person responsible for keeping transportation fuel records.

Dave Penrod, Equipment Maintenance Coordinator
Mailing address: 57 N. Liberty Street, Cumberland, MD 21502
Office location: 215 Bowen Street, Cumberland, MD 21502
301-759-6627
dave.penrod@cumberlandmd.gov

Project Approval

This Section is Mandatory.

39. MEA's funding must be used for energy efficiency, renewable energy, or transportation petroleum reduction projects. We have up to $2.79 million in program funding available for fiscal year 2015. Of this, up to $1.45 million must be used for energy efficiency projects (of which $1 million is reserved for projects benefitting low-to-moderate income Marylanders) and up to $1.34 million must be used for renewable energy and/or transportation petroleum reduction projects. What type of projects do you eventually intend to pursue with your grant funding? This will help MEA properly allocate our funding.

☒ A project focusing on energy efficiency (i.e., a lighting upgrade, adding insulation, etc.)

☒ Will any or all of your energy efficiency projects benefit low-to-moderate income Marylanders? [If so, your local government may be eligible for a larger grant award].

☐ A project focusing on renewable energy/transportation petroleum reduction (i.e., adding solar panels to your roof)

40. Potential Project Ideas: Please provide a list of potential projects to be funded under this program. This list is not binding, but will help MEA have an idea of the types of projects needed by municipalities. Please ensure that your project ideas are consistent with the type of project you've indicated in question 39. Please note: All projects must be approved by MEA prior to spending grant funds. A minimum of 70% of the funds must go towards direct costs associated with an energy project, but communities will be allowed to spend up to 30% of funds on indirect costs including: pre-project activities, staff time, project design, feasibility studies, and energy audits.

If your proposed energy efficiency project will benefit low-to-moderate Marylanders, please clearly identify this information in the list below. If so, your local government may be eligible for a larger grant award.

Cumberland may intend on seeking funds for the continuation of lighting improvements within government owned buildings; however, more/different projects may be introduced upon the completion of energy/transportation policies and action plans.

- **Public Safety Building Interior lighting Energy Efficiency Upgrades**
- **Municipal Service Center Interior lighting Energy Efficiency Upgrades**
- **City Hall Interior lighting Energy Efficiency Upgrades**
- **Minor Municipal Parks Energy Efficiency Lighting Upgrades**
- **City Owned Street Lights (select areas only) Energy Efficiency Lighting Upgrades**

- **Replacement Lighting Upgrades at the WWTP (lower wattage LEDs)**

The City of Cumberland is considered to be comprised of just over 60% low/moderate income households (according to the US Census).

Return this application no later than January 26, 2015 to:
MSEC.MEA@maryland.gov

MARYLAND SMART ENERGY COMMUNITIES

PROGRAM OVERVIEW AND NOTIFICATION OF FUNDING OPPORTUNITY

$3 million available for new and existing communities next year!

Accepting applications for existing communities from September to December, and new communities from November to January

Program Mission

The mission of the Maryland Smart Energy Communities (MSEC) program is to have local governments adopt policies and commit to them for the long term, leading to sustained energy savings and additional opportunities for renewable energy development.

Program Benefits

Local governments participating in the Smart MSEC program become eligible for grant funding from MEA to be used for energy-related projects. Approximately **$7 million** in grant funding has been awarded over the first two years of MSEC with communities receiving between $35,000 and $500,000 .

Becoming a Smart Energy Community will result in:

- Funding for energy-related projects
- Reduced utility and fuel expenses
- Support of local sustainability
- Greenhouse gas emissions reduction
- Statewide recognition

Program Eligibility

Any Maryland local government (city, town, or county) can become a Maryland Smart Energy Community.

Communities currently in the program are encouraged to apply under the existing community track - additional funding is available for innovative and impactful energy projects.

Becoming a Smart Energy Community

To be designated as a Smart Energy Community, a Maryland local government must:

1. Adopt two of the three policies specified by the Maryland Energy Administration (MEA)
2. Submit an energy and or transportation baseline
3. Develop an action plan towards the selected policy goals

For Additional Information

Go to: http://energy.maryland.gov/Govt/smartenergycommunities/

Or email: Devan Willemsen devan.willemsen@maryland.gov

Maryland Energy ADMINISTRATION

Powering Maryland's Future

Local Governments must adopt two of the three policies:

Energy Efficiency

Reduce energy consumption of city/town of county owned buildings by 15% within five years of their community's selected baseline year.

Renewable Energy

Increase community's renewable energy capacity to meet 20% of their locally owned government buildings' electricity demand by 2022.

Transportation Petroleum Reduction

Reduce petroleum fuel consumption for all local government vehicles by 20% within five years of their community's selected baseline year.

- Order -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE:** __January 6, 2015__

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

THAT, the Mayor be and is hereby authorized to execute an application to seek grant funds through the Maryland Smart Energy Communities (MSEC) Program for technical assistance through MSEC to aid in the collection and organization of energy information to compile consumption baselines and to create Energy Efficiency and Transportation Policies.

_____

Brian K. Grim, Mayor

Regular Council Agenda
January 6, 2015

Description

Order authorizing the execution of an application to seek grant funds through the Maryland Smart Energy Communities (MSEC) Program for technical assistance for collection and organization of energy information to compile baselines and to create Energy Efficiency and Transportation Policies

Approval, Acceptance / Recommendation

The Engineering Division recommends that the Maryland Smart Energy Communities: "New Communities" application be submitted to MEA for Energy Efficiency and Transportation tracts of the program.

Staff is requesting technical assistance from the program for 1) collection and organization of energy information to compile consumption baselines and 2) creation of Energy Efficiency and Transportation plans.

By submitting the Maryland Smart Energy Communities: New Community application the City of Cumberland will be considered for technical support and grant funding through the Maryland Energy Administration for the development of energy efficiency policies and energy efficiency improvements. Announcements of New Communities in the program are expected in April 2015.

If accepted as a New Community in the program, Cumberland will be required to complete and submit three deliverables by the December 31, 2015. 1) Adoption of city specific energy consumption policies for government owned buildings and transportation fleet: • Energy Efficiency Policy- Establish an energy consumption baseline and develop a plan with the goal of reducing electricity consumption of city/town or county-owned buildings by 15% within five (5) years of the baseline year. • Transportation Policy- A local government must establish a petroleum consumption baseline for all local government vehicles, and put in place a comprehensive program designed to reduce the baseline by 20 percent within five (5) years of the baseline year. 2) Develop electric and fuel consumption baselines for government owned buildings and vehicles 3) Develop action plans for achieving reductions in electric and fuel consumption related to government owned buildings and vehicles

The City of Cumberland will be required to show a good faith effort towards the achievement goals and objectives that lead to energy and fuel consumption improvements as per the development of policies and action plans in order to qualify for funding though the Maryland

Smart Energy Communities programs.

☐ Budgeted

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

Value of Award (if applicable)
NA at the time of the program application

Source of Funding (if applicable)
NA

December 29, 2014

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

Dear Mr Rhodes,

This letter is to request permission to hold the First Annual ACAS Howards 25K Run on August 16, 2015 at 8am.

This run is to benefit the Allegany County Animal Shelter and the Lucky 33 dogs that were rescued June 13, 2014. Howard was one of the early adoptees and gained much notoriety in the Wahl Dirty Dogs contest, taking second place and earning prize money for the shelter. I am in communication with Becky McClarran.

The race will start at the Frostburg Depot and will run on the Great Allegany Passage into Cumberland and finish at the Canal Place. The race is a 15.5 (25K) point to point race. There will be a four hour time limit.

I have been in contact with Captain Leake of the Cumberland Police Department and they are on board with us. I will be in contact with Bobby Dick too for the use of the passage. I have worked with both of these gentlemen and also the City of Cumberland for the Gulf War Memorial 5K run that I direct also. I have been in contact with Nicole with the Canal Place as well. If there is any other contacts please let me know.

We appreciate your consideration in this, which we think will be a very successful event for the animal shelter and are very excited to raise money to help them.

If anything else is needed please contact me. I can be reached by email: sellsworth24@atlanticbb.net or 301/729-6451.

Sincerely,
Sharon Ellsworth
Sharon Ellsworth
Co-Race Director

Regular Council Agenda
January 6, 2015

Description

Letter from Sharon Ellsworth, Co-Race Director, requesting permission to hold the First Annual ACAS Howards 25K Run on August 16, 2015, to benefit the Allegany County Animal Shelter and the Lucky 33 rescued dogs. The race will start at the Frostburg Depot and run on the Great Allegany Passage into Cumberland and finish at Canal Place.

Approval, Acceptance / Recommendation

The Police Department has reviewed this request and has provided their approval for the event.

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)