

**CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY**  
**Tuesday, September 28, 2021, Meeting Minutes**  
**Via Zoom Western Maryland Railway Station, Third Floor Conference Room**  
**Cumberland, Maryland**

Pursuant to notice distributed to members of the Canal Place Preservation and Development Authority, posted in the main entrance of the Western Maryland Railway Station, and circulated to the press, a meeting of the Authority was held via Zoom at the Western Maryland Railway Station, 3<sup>rd</sup> Floor Conference Room, Cumberland, Maryland, on Tuesday, September 28, 2021.

**Authority Members Present:** Janice Keene, Chair; Stuart Czapski, Al Feldstein, Ray Morriss and Jeremy Bender.

**Staff Present:** Deidra Ritchie, Executive Director; Paul Cucuzzella and Nicole Gray, Administrative Specialist/ Financial Officer.

**Others Present:** Greg Larry, Cumberland Times-News; Melinda Kelleher, Downtown Development Commission; Bill Atkinson, ECO Atkinson; and Ed Huber, Huber Michaels Co.

**I. CALL TO ORDER & CHAIRMAN'S REMARKS**

Mrs. Keene called the meeting to order at 1:35 PM.

**II. HUBER MICHAELS & CO. FY18 AUDIT REPORT**

Mrs. Keene introduced Mr. Ed Huber who presented the findings of the FY18 audit. Mr. Huber discussed the documentation that pertained to the audit which were: Financial Statements of June 30, 2018 (**Attachment #1**), Independent Auditors' Report on Internal Controls (**Attachment #2**), and, Letter of Communication (**Attachment #3**). Mr. Huber began with the Financial Statement and referred to page 2 of the report which states that "in our opinion the financial statements referred to above present fairly, in all material respects the respective financial position of Canal Place", which he explained is an unqualified opinion and Huber Michaels takes no exceptions with regard to the financial statement presentation. Mr. Huber then covered information on the Balance Sheet of Governmental Funds and the Statement of Revenues and Expenditures found within Attachment #1. From the Report on Internal Controls, Mr. Huber noted that there was only one finding which was that the report was filed late; there were no findings with regard to internal controls or compliance. Finally, Mr. Huber noted the Letter of Communication which summarizes various aspects of the audit. There were no questions from the board members present.

The following motion was offered by Mr. Czapski:

**RESOLVED, that the audit for FY18 as presented by Mr. Ed Huber of Huber Michaels be accepted as presented.**

The motion was seconded by Mr. Feldstein and unanimously approved.

### III. REVIEW/APPROVAL OF MINUTES AND FINANCIALS

The following motion was offered by Mr. Bender:

**RESOLVED, that the open session minutes of the July 27, 2021 open session (Attachment #4) be approved as submitted.**

The motion was seconded by Mr. Czapski and unanimously approved.

The following motion was offered by Mr. Feldstein:

**RESOLVED, that the closed session minutes of the July 27, 2021 closed session (Attachment #5) be approved as submitted.**

The motion was seconded by Mr. Bender and unanimously approved.

Miss Gray reviewed the Revenue sheets (**Attachment #6**) and the monthly Financial Expense reports (**Attachment #7**). Miss Gray reported that the expenses for July included the annual repayment for the SALP loan of \$13,496.20, which is included on the utilities line and for August there were payments to Huber Michaels for the FY18 audit and to SB & Company for the FY19 totaling \$15,260. For revenue, Miss Gray noted that the Footer Development annual payment had been received in July and that four tenants were paid ahead.

The following motion was offered by Mr. Feldstein:

**RESOLVED, that the Financial and Revenue statements for July and August of FY22 be approved as distributed.**

The motion was seconded by Mr. Bender and unanimously approved.

### IV. EXECUTIVE DIRECTOR'S REPORT

Ms. Ritchie highlighted her Executive Director's Report (**Attachment #8**), by stating:

- Congratulations to Al Feldstein for being sworn in for a second, four-year term for the Maryland Historical Trust to the Board of Trustees.
- Announced that Nicole Gray will be assuming the Financial Officer position and a replacement will be sought for filling the current vacancy.
- The Passages of the Western Potomac Mini Grants are due by October 4, 2021. These grants can be used for qualifying entities within the heritage area boundary for non-capital projects and events. Up to \$5,000 is available per applicant from now until December 31, 2021. Funds may also be used for covid related projects/operations.

- Presented “Canal Place, Then and Now” at the C&O Canal World Conference in Hagerstown.
- Please come and visit “A Mazing City” now located on the Canal Place Festival Grounds. This project was created by local artists and the Allegany Arts Council. We are pleased to display this amazing art on the Festival Grounds.
- Continue to work and meet with city and county on the river park.
- Attended the CEDC’s Cumberland Strategic Plan update meeting.
- Met with Department of General Services personnel regarding replacement of HVAC units at the Shops at Canal Place.
- Participated the Appalachian Forest National Heritage Area Planning meeting.
- Participated in the Heritage Areas Coalition display booth at the MACO Conference.

#### V. NATIONAL PARK SERVICE UPDATE

No representative from NPS was present for the meeting and therefore no report was given.

#### VI. OLD BUSINESS

- **Grant Writing/Administrative River Park RFP Ratification**

Ms. Ritchie stated that a Request for Proposal for Grant Writing/Administrative work for the river park was posted on July 1<sup>st</sup> and reposted on July 23<sup>rd</sup> which resulted in only receiving one bid from M2M Ventures. Ms. Ritchie stated that an email was sent to board members on August 13, 2021, requesting that members vote on the decision to choose M2M Ventures; a majority vote was received. At this time Ms. Ritchie requested a ratification of that vote. Mrs. Keene stated that online vote received “yay” votes from six board members: Mrs. Ruppert, Mr. Czapski, Mr. Feldstein, Mr. Morriss, Mrs. Cappetta, and herself. Mr. Czapski asked if any of the conditions for the bid had changed. Ms. Ritchie responded that nothing had changed.

The following motion was offered by Mr. Czapski:

**RESOLVED, that the Canal Place Preservation and Development Authority approved the ratification of the RFP for Grant Writing and Administration and award the grant to M2M Ventures.**

The motion was seconded by Mr. Feldstein and approved unanimously.

- **Boundary Survey River Park RFP Ratification**

Ms. Ritchie stated that a Request for Proposal for Boundary Survey for the river park was posted July 15, 2021, and multiple bids were received. After reviewing the bids, it was determined that Civil and Environmental Consultants, Inc. (CEC) was the lowest bidder. For this reason, as well as being a company familiar with Canal Place and the project, they were chosen to be awarded

the bid. Ms. Ritchie stated that an email was sent to board members on August 13, 2021, requesting that members vote on the decision to choose CEC and a majority vote was received. At this time Ms. Ritchie requested a ratification of that vote. Mrs. Keene stated that online vote received “yay” votes from six board members: Mrs. Ruppert, Mr. Czapski, Mr. Feldstein, Mr. Morriss, Mr. Bender, and herself.

The following motion was offered by Mr. Bender:

**RESOLVED, that the Canal Place Preservation and Development Authority approved the ratification of the RFP for Boundary Survey and award the grant to Civil and Environmental, Inc. (CEC).**

The motion was seconded by Mr. Morriss and approved unanimously.

- **Washington Street Bridge Ratification**

Ms. Ritchie reminded the board that at a previous meeting two members of the Washington Street Association spoke in regards to signing a letter of support for the installation of a new bridge based on the physical disconnect of the heritage area. The City of Cumberland also had a representative from the engineering department who spoke on the current bridge situation. On August 24, 2021, an email was sent to board members to vote on sending a letter of support and a majority vote was received indicating approval to draft such a letter of support. At this time Ms. Ritchie requested a ratification of that vote. Mrs. Keene stated that online vote received “yay” votes from five board members: Mrs. Ruppert, Mr. Czapski, Mr. Bender, Mr. Morriss, and Mr. Feldstein.

The following motion was offered by Mr. Bender:

**RESOLVED, that the Canal Place Preservation and Development Authority approved the ratification of writing the letter of support for the Washington Street Bridge.**

The motion was seconded by Mr. Czapski and approved unanimously.

## **VII. NEW BUSINESS**

- **River Park**

Mr. Atkinson updated the board on the River Park project by thanking the board for their approval of the RFP ratifications. Mr. Atkinson further stated that M2M Ventures has already identified several areas where federal and state funding may be available and have submitted an abstract for funds up to ten million dollars. A meeting is set for early October to discuss the potential for this funding coming through for the project. Mr. Atkinson stated that CEC is also doing some preliminary ground work and is drafting documentation for the Army Corps of Engineers. Mr. Atkinson is hopeful that the area to be covered for mitigation credits will be able

to be extended to Montgomery County, which will make the project more valuable for those involved in selling credits. Should everything run on time, Mr. Atkinson anticipates some ground breaking in November 2022 with completion by late 2023. Support letters from both Maryland and West Virginia representatives are being asked for and are being received. Mr. Atkinson did note that a letter was needed from the City of Cumberland formerly accepting ownership of the dam before October 8, 2021. Mrs. Keene asked Mr. Morriss, Mayor of Cumberland, if there was an issue with signing such a letter. Mr. Morriss indicated that he was of the impression that it had been signed but assured Mr. Atkinson that he would receive the letter showing the city taking ownership of the dam by the date in question.

### **VIII. PUBLIC COMMENT**

Greg Larry stated that the Cumberland Times News has been getting inquiries about the removal of the dam and the resulting water level due to that removal. Mr. Atkinson responded that the removal of the dam will restore the river to its natural state and the water level will match the current downriver level of water. Mr. Larry followed up by stating that the water level is quite low in the summer when rain is not as plentiful and asked how that would affect the ability to kayak or have white water. Mr. Atkinson responded that at times the water level will be low, as is natural, but these are aspects that will be looked at in detail during the creation process.

### **IX. NEXT MEETING DATE**

The next meeting of the Canal Place Authority is scheduled for Tuesday, November 30, 2021 at 1:30 PM.

### **X. ADJOURNMENT**

Mr. Feldstein offered a motion to adjourn the open session.

The motion was seconded by Mr. Czapski and unanimously approved. The meeting adjourned at 2:12 PM.

Respectfully Submitted,  
Janice Keene,  
Chair