

TOWN OF BATH COUNCIL MEETING

Tuesday, February 5, 2019

1. CALL TO ORDER: @ 5:30pm by Mayor
2. ROLLCALL: Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X) Elizabeth Skinner (X) Andy Swaim (X) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Meeting of January 22, 2019: Common Consent to approve.
4. PERSONS BEFORE COUNCIL: Bill Clark, Executive Director of Region IX Planning and Development Council, updated Council on the BSWW Phase IV Water Line Replacement Project and the resolution requirements of the Small Cities Block Grant process.
MOTION: To approve Resolution 2019-01 as presented to fulfill the Small Cities Block Grant requirements for Phase IV Water Line Replacement Project of the Berkeley Springs Water Works – Chapman/Jackson – Carried.
5. COMMUNICATION FROM MAYOR: The status of the LaVelle property ordinance was discussed and the calendar of requirements was explained by the Mayor. The Public Hearing on the issue will be held at the next regular Council meeting on February 19th. The first reading of the ordinance is anticipated after the Public Hearing.
The Mountain State Cruisers have submitted their car show event dates for Council's approval. The dates requested are the first Friday of each month from May through October and Father's Day.
MOTION: To approve the Mountain State Cruisers event dates with clarification of street closures – Webster/Weber – Carried
The WV Make It Shine information has been provided by the DEP. Recorder Webster volunteered to help organize the event.

COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY: President Cindy Bodin was in attendance and presented financial data along with activities of the group including a donation to the Christmas decorating fund, work on organizational listing and assistance to property owners with vacant buildings.
2. PARKS & REC: Town appointee Melissa Bartley reported on Soccer and Little League work for the upcoming season and information availability on their website.
3. PLANNING COMMISSION: President Rebecca MacLeod reported that the group's Annexation Committee will meet on Thursday, February 7th at 8:30am.
4. RAIL/TRAIL: The Brownfields quarterly report has been submitted. The next meeting will be Wednesday, February 6th at Town Hall.
5. STREETSCAPE: Committee member Rebecca MacLeod requested approval to sign the DEP award for the \$17,000 grant.

MOTION: To sign DEP grant award as presented – Webster/Chapman – Carried.
ADA Easement status was discussed. The next meeting is February 21st at 4pm.

6. TRAIN DEPOT: The Mayor reported on the project in progress.
7. LANDMARK COMMISSION: Commission member David Abruzzi presented the wish of the Commission to have Councilor Rose Jackson appointed to the nine-member board.

MOTION: To appoint Councilor Rose Jackson to the Town of Bath Historic Landmark Commission – Webster/Chapman – Carried.

8. CLERK/RECORDER REPORT: Hotel/ Motel Tax Grant Fund applications and election information are available on-line or in the office.
9. FINANCE: The next meeting will be February 19, at 8:30am.

(A) Town of Bath \$4,760.92- Motion to approve: Swaim/Weber –Carried

(B) BS Water \$50,055.45- Motion to approve: Swaim/Weber – Carried

(C) Greenway Cemetery \$305.91- Motion to table invoice for clarification of process from the Berkeley Springs Water Works – Skinner/Weber – Carried.

Chairman Swaim presented the formalized Community Garden Agreement. Liability waivers are required.

MOTION: To approve the Community Garden Agreement for 2019 – Swaim/Jackson – Carried.

10. TREE BOARD: The next meeting will be February 27th at 2:30pm.

11. PUBLIC SAFETY: The next meeting is February 19th at 5pm. Recorder Webster informed Council that she would hold the question of a possible Executive Session until the end of the meeting.

(A)Permits: Danielle Swope presented a permit for the Fairfax Street Coffee House.

MOTION: To approve the first reading of the Fairfax Street Coffee House – Webster/Swaim – Carried.

(B)Police Report: No report at this time.

12. PUBLIC WORKS: Chairman Weber reported that he had received a positive response from Ford Motor Company concerning the poor repair record of the Town's F550 dump truck. Weber will communicate further with the company as necessary.

The Public Works Department received billing from the Berkeley Springs Water Works for snow plowing during the last storm. Chairman Weber requested that the bill be referred to the Finance Committee for clarification of process.

Progress has not been made on the issue of the accident on Lee Circle between the Town's snow plow truck and a privately-owned trailer.

The incident involving the garbage truck repair from being hit at LCS land fill has not been resolved. Further communication with the insurance carriers is necessary.

Chairman Weber is concerned about the Public Works budget.

13. ORDINANCE: The Committee is hopeful that the signed retainer from the Land Use and Sustainable Development Law Center of WVU will soon be received. The next meeting is February 11th at 4:15pm.

14. CEMETERY: Chairman Skinner reported on the estimate for the repair of the Mausoleum doors in Greenway Cemetery. It was requested that more estimates be

obtained.

Skinner plans to obtain advice from the Town's attorney on the status of the management corporation financial organization and obligation.

15. GRANT: No report at this time.

16. BERKELEY SPRINGS WATER WORKS: Chairman Chapman reported on the decision concerning the BSWW charging the Town for assistance. More discussion is necessary.

The Chairman reported on the annual sanitary survey conducted by the WV Board of Health.

The Mayor apprised Council of the decision to intermittently shut off water service to US Silica due to US Silica's long term, serious leak problem.

MOTION: To go into Executive Session on a personnel matter – Webster/Skinner. The Mayor requested a poll vote.

Weber: Yes

Swaim: Yes

Jackson: No

Skinner: Yes

Chapman: No

Webster: Yes

Motion carried. Council went into Executive Session at 7pm.

MOTION: To come out of Executive Session at 7:18pm – Webster/Weber – Carried.

No decisions were made in Executive Session.

17. MOTION TO ADJOURN: Webster - carried

Attest:

Mayor

Scott E. Mebi

Recorder

Severin Webster