

TOWN OF BATH COUNCIL MEETING

Tuesday, December 15, 2020

1. CALL TO ORDER: @ 5:30pm by Mayor
2. ROLL CALL: Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X) Elizabeth Skinner (X) John Bohrer (X) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Meeting minutes of December 1, 2020 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: None at this time.
5. COMMUNICATIONS FROM MAYOR: The Mayor reminded all of the Bath snow removal ordinances and that adherence is important for safe and effective clearance. Additional Christmas Angel awards have been presented to Caleb Barker, Nelson Gaither, Gary Harshman, Joe Farris, Ronald Gladhill and Randy Stotler. Appreciation was expressed for their efforts.
Resolution 2020-12-02 concerning joining with surrounding local governments in their endeavor to encourage the construction of an exit on Interstate 70 which would promote local economic development opportunity was presented (see attached).
MOTION: To approve Resolution 2020-12-02 as presented- Webster/Bohrer- Carried.

COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY: The next meeting is January 6, 2021. President Stine will present the PR Platinum report on the North Berkeley Project at the January 5, 2021 Council meeting.
2. PARKS & REC: The next meeting is December 16th at 7pm.
3. PLANNING COMMISSION: No report at this time.
4. RAIL/TRAIL: Co-Chair Pete Brown reported again that there has been no response to the letter sent to the WV DOH by the Mayor and Commission President Joel Tuttle. Brown's project progress report is available in the Town office.
5. STREETSCAPE: Committee Co-chair Pete Brown presented the status of Phase 4A to the Town office. The project construction company, MCI, is addressing issues with ADA corners, pavers and the reset of parking meters.
6. TRAIN DEPOT: Project information and documents are being gathered for Senator Trump's assistance effort.
7. LANDMARK COMMISSION: No report at this time.
8. CLERK/RECORDER REPORT: Traffic Court will be held December 16th.
9. FINANCE: Chairman Bohrer presented the following bills:
 - (A) Town of Bath \$15,394.09- Motion to approve: Bohrer/Weber -Carried
 - (B) BSWW \$10,777.19- Motion to approve: Bohrer/Weber- Carried
 - (C) NBRT \$2,256.00- Motion to approve: Bohrer/Weber- Carried
 - (D) Streetscape \$4,159.00- Motion to approve: Bohrer/Weber- Carried
 - (E) Police Depreciation Account \$21,759.86: Bohrer/Weber- Carried

10. TREE BOARD: No report at this time.

11. GRANT: No report at this time.

12. PUBLIC SAFETY:

(A) Permits: No report at this time.

(B) Police Report: Chief Link explained the expense for new radios for the Department. He emphasized the importance of the Bath snow removal ordinances for clearance of streets and sidewalks. Notices will be placed on vehicles and the Town's website. The new BSPD officers are progressing well.

13. PUBLIC WORKS: Due to inclement weather predictions Chairman Weber discussed the Town Labor Crew's action plan. Holiday trash pickup schedules will be posted.

14. ORDINANCE: Chairman Webster presented for second and final reading Special Ordinance 2020-12-01 (see attached).

MOTION: To approve Special Ordinance 2020-12-01 for second and final reading - Webster/Weber- Motion carried.

Chairman Webster presented for Council's consideration a draft ordinance concerning the Town's transfer of property to the WV DOH. The first reading of this ordinance is planned for January 5, 2021.

15. CEMETERY: Chairman Skinner reported on Committee activity including mausoleum status, the maintenance corporation bylaw amendment work and regular business. The next meeting is December 22nd.

16. WATER WORKS: Chairman Chapman encouraged property owners who have received notification of the required right of ways through their properties for Phase IV of the Water Line Replacement Project to respond to the BSWW soon.

BSWW officials have not had satisfactory communication from the company that was hired to paint the Fairview Drive water tower. The Committee has decided to seek additional bids for this project.

17. MOTION TO ADJOURN: Webster - Carried.

Attest:

Mayor Scott E. Muz

Recorder Suzanne Webster

Town of Bath
Special Ordinance 2020-12-01

(Amending Chapter 26 of the Town of Bath Code)

The Mayor and Council of the Town of Bath hereby adopt the following election calendar to be used during regularly scheduled municipal elections:

Town of Bath Election Ordinance Calendar

- | | |
|---|---|
| 1. First day to receive application for absentee ballot from military and overseas voters | Jan. 1 st (all election years) |
| 2. First day to receive applications for absentee ballots from all voters | 3 rd Tue. of March |
| 3. Candidate filing period | April 1-12 (all election years) |
| 4. Deadline for write-in candidate to file | 3 rd Tue. of April |
| 5. Election officials and alternates appointed | 3 rd Tue. of April |
| 6. Deadline to withdraw | Last Friday of April |
| 7. Uniform drawing for ballot positions | 1 st Tue. of May |
| 8. Morgan Messenger produces ballots for Ballot Commissioner's inspection | 2 nd Tue. of May |
| 9. Last day to register to vote | 3 weeks prior election |
| 10. Deliver absentee ballots to Recorder | 3 weeks prior election |
| 11. Mail absentee ballots | 3 weeks prior election |
| 12. Mandatory training of election officials | Within 30 days of election |
| 13. Last day to receive absentee ballot application | Last Wednesday of May |
| 14. First day of early voting | Last Saturday of May |
| 15. Emergency absentee voting period | First Tue. of June thru election day |
| 16. Ballot published in the Morgan Messenger | First Wed. of June |
| 17. End of early voting | First Saturday of June |
| 18. Last day to receive absentee ballots | 2 nd Monday of June |
| 19. Election Day | 2 nd Tue. of June |
| 20. Canvas begins; results declared at the end of canvas | 6 days after election day |
| 21. Certify results | 48 hours after results declared without a recount request |

1st Reading Dec 9, 2020
2nd Reading Dec 15, 2020
Adopted Dec 15, 2020

Mayor Scott E. Merki Date 12-15-20

Recorder Susan Webster Date 12-15-20

RESOLUTION NO. 2020-12-02

RESOLUTION OF THE TOWN OF BATH TO DEMONSTRATE SUPPORT FOR
THE NEW INTERSTATE 70
INTERCHANGE TO SERVE THE ORCHARD BUSINESS PARK

The Town of Bath Mayor and Council express support for a new Interstate Highway Interchange in southern Fulton County, PA serving Bethel Township and Fulton County, PA, Morgan County, WV, the Town of Hancock, Washington County, MD and surrounding areas; We adopt the following Resolution this 15th day of December, 2020:

RECITALS:

Whereas, the commercial development of the Orchard Business Park and adjoining properties will economically support the entire region to include Morgan County and the Town of Bath, WV, Fulton County, PA as well as Washington County, and the Town of Hancock, MD and

Whereas, this development will bring much needed capital investment and jobs to the entire region, and

Whereas, the Town of Hancock, MD is committed to providing the needed water and sewer infrastructure to the Orchard Business Park to encourage this commercial investment which will directly benefit the residents of the Town of Bath and Morgan County, WV, and

Whereas, this area already has electricity and natural gas utilities to support this commercial development, and

Whereas, a new Interstate 70 interchange would also serve, Berkeley Springs, WV, Southern Pennsylvania and Western Maryland and

Whereas, a new Interstate 70 interchange just north of the Orchard Business Park in Bethel Township, PA will greatly encourage the commercial development of the region not limited to the Orchard Business Park, and

Whereas, this new highway interchange will divert commercial truck traffic away from the Village of Warfordsburg, off of Warfordsburg Road eliminating the current disruptive noise and damage to the infrastructure such commercial truck traffic causes, and

Whereas, this project will require the cooperation, collaboration and coordination between all jurisdictions that will benefit from the new I-70 interchange, and

Whereas, serving Bethel Township, Western Maryland and the Town of Hancock, the Berkeley Springs area and Fulton County, PA, this interchange will attract further funding opportunities from the Federal Government programs and resources; and

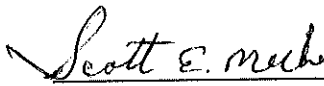
Therefore be it resolved: The Town of Bath, support the project to construct a new Interstate 70 interchange in Bethel Township, PA and request state leaders in Maryland, West Virginia and Pennsylvania; transportation officials on the local, regional and state levels; and Governor Justice of WV, Governor Hogan of MD and Governor Wolfe of PA to consider the opportunities and commercial development resulting from this new interchange; increased revenues; possible Federal funding opportunities; expanded access to Western MD, Southern PA and across the Eastern Panhandle of WV; increases job opportunities, and

Be it further resolved, the Town of Bath Mayor and Council requests a copy of this resolution to be sent the Fulton County, PA Commissioners, Honorable Governor of Maryland Larry Hogan, the Honorable Governor of West Virginia Jim Justice and the Honorable Governor of Pennsylvania Tom Wolfe; the area Legislative Delegations of WV, MD and PA; and Transportation officials in MD, WV and PA.

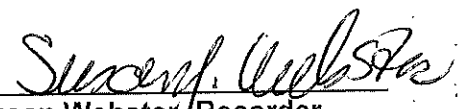
NOW, THEREFORE, BE IT RESOLVED that the Town of Bath Mayor and Council do hereby approves and confirms this Resolution and supports the construction of a Interstate Highway 70 Interchange to Bethel Township, PA 17267 this 15th day of December, 2020.

ATTEST:

TOWN OF BATH
BERKELEY SPRINGS
MORGAN COUNTY, WV



Scott Merki, Mayor



Susan Webster, Recorder