

# TOWN OF BATH COUNCIL MEETING

Tuesday, March 16, 2021

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) John Bohrer (X) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Meeting minutes of March 2, 2021 and the Special Meeting of March 9, 2021 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: Vince Chinchello asked about the use of left over yellow street pavers. He was informed that they will be used for future public projects.
5. COMMUNICATIONS FROM MAYOR: The Berkeley Springs Farmers Market is set to begin April 4<sup>th</sup>. The Mayor commented on seasonal work including street cleaning.

## COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY: The next meeting is April 7<sup>th</sup>.
2. PARKS & REC: No report at this time. The next meeting is March 17<sup>th</sup>.
3. PLANNING COMMISSION: No report at this time.
4. RAIL/TRAIL: The next meeting will be March 24<sup>th</sup>. Co-Chairman Pete Brown presented a project update which has been received by the Town Clerk's office. The Morgan County Commission is awaiting their funding agreement with the WV DOH.
5. STREETSCAPE: The next meeting is March 25<sup>th</sup>. Co-chair Pete Brown informed Council that the lighting has been installed on the Congress Street project. The funding needed for the planter repairs on N. Washington Street must come from the current DOH budget for the project.
6. TRAIN DEPOT: Recorder Webster reported that more documentation has been received indicating the DOH intention to restart the project to rehabilitate the interior of the Depot.
7. LANDMARK COMMISSION: The next meeting is March 23<sup>rd</sup>. Council previously agreed to attend this meeting per common consent.
8. CLERK/RECORDER REPORT: Recorder Webster presented the Town of Bath budget for FY 2021/2022 and requested authorization to sign and send this budget to the WV Auditor's office for approval.  
MOTION: To authorize the Recorder to sign and send the Town of Bath budget to the WV Auditor's office for approval- Webster/Chapman- Carried.
9. FINANCE: Councilman Bohrer presented the following bills:
  - (A) Town of Bath \$14,938.34- Motion to approve: Borher/Weber -Carried.
  - (B) BSWW \$17,090.54- Motion to approve: Borher/Weber- Carried.
  - (C) NBRT \$1,469.00- Motion to approve: Borher/Weber- Carried.
  - (D) Greenway Cemetery \$86.00- 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 has received complaints on the Farmer's Market street closure and associated parking. He requested that the Farmer's Market officials be advised to contact surrounding EMS Units on these issues. Recorder Webster volunteered to contact the organization President.

The Chief informed Council that the BSPD has been awarded the Governor's Highway Safety Grant which will fund related overtime and equipment. He reported on vehicle maintenance and repairs in progress.

13. PUBLIC WORKS: The next meeting will be April 6<sup>th</sup>. Chairman Weber reported that seasonal work is progressing.

14. ORDINANCE: Chairman Webster presented Special Ordinance 2021-03-01 for discussion and decision. The following amendments were suggested and accepted:

a. Replace the words 'need be' with 'must' in the last line of first paragraph.

b. Change fine schedule to reflect first offense as \$10.00, second offense as \$50.00 and third offense as \$100.00.

MOTION: To approve Special Ordinance 2021-03-01 for First Reading as amended- Webster/Skinner- Carried. See attached.

A meeting is being arranged with the Dilapidated Building Agency.

15. CEMETERY: Chairman Skinner has met with Town Attorney Richard Gay regarding his review and recommendations in regard to modifications to the Cemetery Corporation's bylaws. His advice is also to petition the Circuit Court to amend the Trust agreement which holds and regulates the Perpetual Care Greenway Cemetery assets. His opinion is that the Perpetual Care Fund is designated for repairs and capital improvements in the cemeteries and not regular maintenance such as grass cutting.

Chairman Skinner has volunteered to organize the Make It Shine program with May 8<sup>th</sup> being the clean-up day with May 15<sup>th</sup> to be held as the rain date. Appreciation was expressed for her efforts.

16. WATER WORKS: Chairman Chapman informed Council that acquiring the ROWs necessary for the Phase IV Water Line Replacement Project is advancing with 27 now in hand. The next meeting will be April 4<sup>th</sup>.

17. MOTION TO ADJOURN: Webster – Carried.

Attest:

Mayor Scott E. Merkle

Recorder [Signature]