

TOWN OF BATH COUNCIL MEETING

Tuesday, June 21, 2022

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) Greg Forney (A) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Minutes of the Regular Meeting of June 7, 2022 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: Charles Trump, attorney for the residents of East Liberty Street, presented Council with an ordinance which explains and permits the transfer of this property to the adjoining residents. Councilman Weber inquired about the necessity of such an ordinance since the valuation of the entire property was under \$1,000.00. Recorder Webster was asked to relay this question to the Town's attorney, Richard Gay for clarification. Webster suggested that the First Reading of the ordinance proceed in the event that the ordinance was a legal requirement. MOTION: To accept Ordinance 2022-06-01 Vacating, Abandoning and Annuling the part of East Liberty Street not used for street purposes in the Town of Bath, Morgan County, West Virginia for a First Reading- Webster/Skinner- Carried. The Public Hearing on this property transfer will be noticed in the Morgan Messenger with the Hearing and Second Reading to be held at the July 19, 2022 Council meeting.
5. COMMUNICATION FROM MAYOR: The WV DOH has paved Washington Street through Bath. The improvement was much appreciated.

COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY: Colin Graham has supplied a resume' and application for appointment to the BDA, but was unable to attend this Council meeting due to prior commitment. MOTION: To appointment Colin Graham to the BDA- Chapman/Weber- Carried. Mr. Graham will be asked to attend a future meeting to meet Council.
2. PARKS & REC: Morgan County Partnership representatives Kristin Willard and Robin Langenstein informed Council that their organization had received grant funds that they used to buy 4 Vosker security cameras and 4 security lights. They offered these cameras to be used at the North Berkeley Park which is owned by the Morgan County Parks & Rec. MOTION: To approve support for the Morgan County Partnership's security cameras and lights offer for the North Berkeley Park and to defer acceptance of and action on such gift to MC Parks & Rec- Chapman/Jackson- Carried.
3. PLANNING COMMISSION: President Landon reported that the Commission had formed a sub-committee to work on the Comprehensive Plan.

4. RAIL/TRAIL: Committee Co-Chairman Pete Brown has submitted progress reports to the Town office (see attached).
5. STREETScape: Committee Co-Chair Pete Brown has submitted reports to the Town office (see attached). He presented Council with Resolution 2022-06-01 which is to authorize submission to the WV DOH the Transportation Alternative grant application for Phase VI. Discussion was held.
MOTION: To approve Resolution 2022-06-01- Webster/Chapman- Carried.
6. TRAIN DEPOT: The interior rehab construction of the Depot continues. Recorder Webster has contacted the President of Morgan County Historical and Genealogical Society, John Bohrer, who may arrange for the group to visit the Depot. She is also planning an Owner's Meeting of the Depot with the architect and contractor.
7. LANDMARK COMMISSION: No report at this time.
8. CLERK/RECORDER REPORT: No report at this time.
9. FINANCE: Chairwoman Webster presented the following bills for approval.
 - (a) Town of Bath \$18,225.43- Motion to approve: Webster/Chapman- Carried.
 - (b) BS Water \$54,529.04- Motion to approve: Webster/Chapman- Carried.
 - (f) Greenway Cemetery \$3,600.00- Motion to approve: Webster/Chapman- Carried
 Webster brought forward information concerning the Town's insurance policy premiums cost, loss history, carriers and agents. Councilman Chapman questioned possible conflict of interest issues if the Council moved to a local agency whose broker is a Morgan County Commissioner and brother is a Bath Councilman. Chapman volunteered to ask the WV Ethics Commission for an opinion on the matter. Discussion was held concerning a Special Meeting to learn the opinion and to resolve the issue. It was concurred that the meeting will be June 27, 2002 at 8am.
10. TREE BOARD: No report at this time.
11. PUBLIC SAFETY: The Mayor requested that the agenda be amended to move Public Safety to the end of the meeting.
MOTION: To move the Public Safety Committee report to the end of the Council meeting- Jackson/Chapman- Carried.
12. PUBLIC WORKS: Chairman Weber reported that the Labor Crew is losing a member and the Committee is taking applications for a replacement. Seasonal work continues.
13. ORDINANCE: No report at this time.
14. CEMETERY: No report at this time.
15. GRANT: No report at this time.
16. BERKELEY SPRINGS WATER WORKS: Chairman Chapman advised Council that the water line replacement project has no firm start date at this time. The next Water Committee meeting will be July 19.
PUBLIC SAFETY:
At this time the Mayor requested that Council go into Executive Session for Public Safety personnel reasons.
MOTION: To approve Council to go into Executive Session for Public Safety personnel reasons- Chapman/Jackson- Carried at 6:31pm.

MOTION: To approve Council to come out of Executive Session and resume the public meeting-Chapman/Jackson- Carried at 6:57pm.

No decisions were made in Executive Session. The Public Safety Committee will continue to work with Chief Link on acquiring new officers for the BSPD.

17. MOTION TO ADJOURN: Approved by Common Consent.

Attest:

Mayor Scott E. med

Recorder S/audster

**Status of Streetscape, State Park and NBRT for Town Council
Tuesday June 21, 2022**

STREETSCAPE

Phase V:

• Design Contract:

We are still working toward five documents:

1. The DOH/Thrasher "Scope of Work" Document. Have copy, working with Thrasher/DOH to finalize this plus obtain Thrasher Fee Proposal for the work.
2. A Town Task Order that will deliver that Scope. Thrasher provided a draft of this.
3. A formal Contract Document. See #2 above – Thrasher also provided a basic Task Order Agreement that will form the contract.
4. A DOH/Town/FHWA Design Funding Agreement. DOH is awaiting the Fee Proposal noted above. Current estimate is for a \$55K design cost (\$44K Grant and \$1K Town match). List of specific design corrections (from the 30% design) has been prepared and is ready to send to Thrasher once item #5 below has been received.
5. A formal "Notice to Proceed from DOH". This will follow the FHWA Grant funds authorization of #4 above.

Phase VI (DOH call for FY22 TA Grant Applications)

- Town's ITA for the Design Grant was submitted and approved by DOH for the full Application
- Design ITA and Grant Application will be for \$60,000 total (\$48,000 Grant and \$12,000 Town Match)
- Town Council Resolution for this Grant is on your Agenda for June 21st Session.
- Receiving Letters of Support from various organizations. Support letter is on the County Commission's Agenda for Wednesday Meeting. I plan to be there – Info Sheet for the Commission is included here.
- Application due by June 30th – on track.

NBRT

Parcel 1A:

- Nothing new to report.

Parcel 1B: Storm Water Management (SWM) Project (CBT Grant)

- Anticipate completion of this contract work by end of June, no-cost extension has been requested from CBT.

Berkeley Springs State Park Grant & Project

Status:

- Still awaiting FHWA Approval of the project – was sent to FHWA on April 8th
- DOH working off some issues with FHWA – will update this week.

Pete Brown
571-213-3687

**Information for Morgan County Commission
Meeting on June 22, 2022**

Requesting a Letter of Support for the Town of Bath submission of a FY2022 Transportation Alternative Grant Application for the Design of the Streetscape Phase VI improvements to several streets within the Town of Bath. Application is due: June 30, 2022.

Project Information: Streetscape Phase VI Engineering & Design only

Streets:

- Congress from Washington to Mercer Street – both South and North sides
- Congress from Mercer to Green Street – North side
- Union from Washington to Mercer Street – both South and North sides
- Mercer Street from Fairfax to Union Street – streetlights on West side

Improvements Planned:

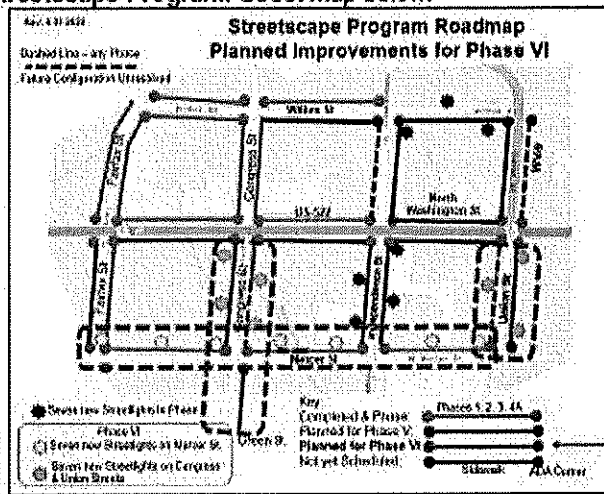
ADA-compliant sidewalks and curbs, improved drainage, new streetlights

Expected Timeframe: Design complete: 2023; Construction: 2024

Current Situation: Sample photo of Union St at Washington St:



Relation to the full Streetscape Program: Street map below.



Mayor
Scott Merki

Recorder
Susan J. Webster



Council Members
Elizabeth Skinner
Rick Weber
Chris Chapman
Rose Jackson
Greg Forney

Town of Bath

271 Wilkes Street, Berkeley Springs, WV 25411
Phone 304-258-1102 Fax 304-258-2638

Town of Bath

Resolution 2022 – 06

This resolution is to authorize submission to the West Virginia Division of Highway of a Transportation Alternatives Program grant application for Engineering and Design of streetscape infrastructure in the Town of Bath.

Whereas; the Town of Bath requires supplementary funds to rehabilitate and install sidewalks and associated safety features to provide for the economic resilience of the community, and

Whereas; the Town of Bath Streetscape Committee has been encouraged by WVDOH to apply for these supplementary funds,

Be it resolved by the Town of Bath Town Council that the Mayor of the Town of Bath is authorized to execute said application along with any agreements or documents on behalf of the Town of Bath to obtain these grant funds, and to plan and budget for the eventual installation of the project this grant will assist with funding its design.

Given under my hand and the Seal of the
Town of Bath, County of West Virginia,
In the Town of Bath this 21st day of June 2022.

By the Mayor of the Town of Bath

Scott Merki
Town of Bath Mayor