

TOWN OF BATH COUNCIL MEETING

Tuesday, July 5, 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 (X) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Minutes of the Regular Meeting of June 21, 2022 and Special Meeting of June 27, 2022 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: Garrett Oursler, Berkeley's Backyard Education Committee Chairman, attended to request that this organization be permitted to clean-up the lot adjacent to Town Hall which was previously established as a community garden. His group is under the auspices of the Morgan County Association for Food and Farms (MCAFF). The proposed rehab of the lot would be for the purposes of agricultural education and providing fresh produce for the community. Discussion was held concerning liability insurance, this season's plans and future development.
MOTION: To approve the Berkeley Backyard Education Committee Chairman Garrett Oursler's request to manage the redevelopment of a community garden on the lot adjacent to Town Hall with Town cooperation- Jackson/Webster- Carried.
5. COMMUNICATION FROM MAYOR: The Mayor responded to Councilman Forney's request to assume the Mayor's position on the Region 9 Planning & Development Council. Councilman Forney is eager to learn about opportunities available through this Council and would be able to attend meetings. The Mayor declined to relinquish his position with this Council, but is agreeable to Councilman Forney's attending meetings in his stead.

COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY: The next meeting is August 3, 2022.
2. PARKS & REC: Those interested in serving on this board are encouraged to contact the Town. Volunteer applications are on line or available at Town Hall.
3. PLANNING COMMISSION: President Landon invited Council to walk the northern section of the developing Rail/Trail which he has recently mowed. He also commended the BSPD for their assistance with security at St. Vincent de Paul Catholic Church.
4. RAIL/TRAIL: Committee Co-Chairman Pete Brown has submitted progress reports to the Town office (see attached). The next meeting is July 27, 2022.
5. STREETScape: Committee Co-Chair Pete Brown has submitted reports to the Town office (see attached).
6. TRAIN DEPOT: The interior rehab construction of the Depot continues. The Owner's meeting will be July 6, 2022 with the Building Systems, The Mills Group

and Town representatives. All of Council is invited. The meeting will focus on restoration efforts and funding. Owner's Meetings will be held every two weeks until project completion.

7. LANDMARK COMMISSION: Discussion was held concerning a letter sent to the State Historic Preservation Office (SHPO) informing that office of the Town's inaction on amending the Town's ordinance on the HLC membership and minimum meeting requirements. Recorder Webster presented an ordinance she wrote correcting the problems and reported that she has talked and written to SHPO. She explained that Bath does not want to lose Certified Local Government Status and SHPO is happy to assist the Town in this endeavor. The Mayor thought the ordinance amendment had been passed. Efforts to rectify the situation will continue.
8. CLERK/RECORDER REPORT: No report at this time.
9. FINANCE: Chairwoman Webster presented the following bills for approval.
 - (a) Town of Bath \$20,058.05- Motion to approve: Forney/Weber- Carried.
 - (b) BS Water \$7,360.59- Motion to approve: Forney/Weber- Carried.
 - (c) Greenway Cemetery \$3,600.00- Motion to approve: Forney/Weber- Carried.
 - (d) Hotel/Motel Distributions \$25,058.41-Motion to approve: Forney/ Weber-Carried.
10. TREE BOARD: No report at this time.
11. PUBLIC SAFETY: The Chief reported that the new Officer has started and doing well. Vehicle repairs are needed.
12. PUBLIC WORKS: Chairman Weber reported that interviews for the Labor Crew vacancy will be Friday. Seasonal work continues.
13. ORDINANCE: Councilman Chapman reported that work is ongoing to create an ordinance and forms to satisfy State, County and Bath needs on property improvement notification, State Building Code adherence acknowledgment and information collection.
14. CEMETERY: Chairman Skinner reported that the next committee meeting is July 12. Items for attention include tree work at the shop, mausoleum repair and grave clean-up.
15. GRANT: Chairman Forney reported that the Ad Hoc ARPA Fund Committee will arrange a meeting soon concerning the second round of ARPA funds available to the Town.
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 20, 2022.
17. MOTION TO ADJOURN: Approved by Common Consent.

Attest:

Mayor Scott E. Weber

Recorder Suzanne Webster

**Status of Streetscape, State Park and NBRT for Town Council
Tuesday July 5, 2022**

STREETSCAPE

Phase V: Design Contract:

Some progress on the five documents in the last couple of weeks:

1. The DOH/Thrasher "Scope of Work" Document. We have the final version of the Scope of Work along with the Thrasher Fee Proposal for that work. It totals the \$55,000 as planned (\$44K Grant and \$11K Town Match). That \$55,000 is what DOH calls a "Lump Sum Fee" and is essentially a fixed-price.
2. A Town Task Order that will deliver that Scope. Thrasher provided a draft of Task Order #1 for this.
3. A formal Contract Document. See #2 above – Thrasher also provided a basic Task Order Agreement that will essentially be the "contract" when signed. I prepared several pages of comments, questions and changes to that draft Agreement and Task Order #1 for the Phase V design work. This was sent to Town and Streetscape Committee members for their review. Planning to send back to Thrasher late this week or early next week. Also planning to brief the Town Finance Committee at its next meeting: July 18th. Looking toward a formal Agreement between the Town and Thrasher by late July. A preliminary list of specific design corrections (from the 30% design) was sent to Jeff Gola on June 21st. It was for Information Only – no work was authorized since the Town does not yet have a "Notice to Proceed". Issuing Task Order #1 and starting the Thrasher work can only follow the receipt of Item 5 below.
4. A DOH/Town/FHWA Design Funding Agreement. DOH has the Scope of Work and the Fee Proposal noted above. They are in the process of finalizing the Funding Agreement document based on the current estimate of \$55K design cost (\$44K Grant and \$1K Town match).
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 was for \$60,000 total (\$48,000 Grant and \$12,000 Town Match)
- Town Council Resolution for this Grant was approved at the June 21st Session.
- Letters of Support were received and included in the submission
- Application was submitted on June 28th and receipt was confirmed by DOH on June 29th.

NBRT

Parcel 1A:

- Nothing new to report.

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

- No-cost Extension was approved through July 15. The design will be completed and delivered by then. Final report will be completed as soon as all invoices are received and approved.

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 & Advisory Council on Historic Preservation (ACHP).

Pete Brown
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