

TOWN OF BATH COUNCIL MEETING

Tuesday, May 16, 2023

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 May 2, 2023 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: Scott Collinash, President of Berkeley Springs Pride, attended to address any concern that Council may have concerning the Pride in the Park event meter parking request letter (attached) presented at the May 2 Council meeting. Council had no concerns and formalized their approval.
MOTION: To approve the Pride in the Park meter parking request as presented and to produce a letter of this confirmation for the group- Chapman/Webster- Carried
5. COMMUNICATION FROM MAYOR: The recent Chamber Food Truck Festival and Master Gardeners Plant Fair events were discussed and appreciation was expressed for the sponsor's efforts to bring activities to downtown Bath. The May Faerie Festival will be held in the Berkeley Springs State Park May 20-21. The Trail Depot business Grand opening will be May 28 from 11am until 6pm. The paving of north Wilkes Street is on schedule for May 19. Recorder Webster added project history and that it would be fitting to have a Wilkes Street Block Party after work is completed to celebrate the improvement to the neighborhood.

COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY (BDA): The next meeting is June 7 in the Courthouse. No report at this time.
2. PARKS & REC: The next meeting is May 17 in the Courthouse.
3. PLANNING COMMISSION (PC): President Landon reported that the working group was unable to meet last week. The next meeting is June 1 at Town Hall.
4. RAIL/TRAIL: The progress report has been submitted to the Town office (attached).
5. STREETSCAPE: Committee Co-Chair Pete Brown has submitted reports to the Town office (attached). The next meeting is May 18.
6. TRAIN DEPOT: Chairman Webster reported that she had met with John Mason, President of the HLC and John Bohrer, President of the MC Historic and Genealogical Society on this day to discuss future Depot plans and improvements.
7. LANDMARK COMMISSION (HLC): The next meeting is August 4, 2023.
8. CLERK/RECORDER REPORT: Clerk Corrick presented in-house Budget revisions for the current fiscal year (attached). These changes are made within departments and do not have to be received and approved by the State Auditor.
MOTION: To approve the budget revisions as presented-Webster/Skinner- Carried
Corrick also presented budget revisions which do require WV State Auditor approval and the accompanying Resolution 2023-05-01 (attached) requesting such.

MOTION: To approve Resolution 2023-05-01 as presented- Skinner/Webster-
Carried

The Clerk reminded all that the last day to register to vote in the upcoming Bath Election is May 17.

9. FINANCE: Chairwoman Webster delivered the following bills for approval.
 - (a) Town of Bath \$19,865.09- Motion to approve: Weber/Chapman- Carried
 - (b) BSWW \$59,180.42 – Motion to approve: Weber/Chapman- Carried
 - (c) Cemetery \$4,244.99- Motion to approve: Weber/Chapman-Carried
 - (d) Depot \$272.92- Motion to approve: Weber/Chapman- Carried
10. TREE BOARD: Member Skinner expressed appreciation for the success of the Day of Mulching to the working volunteers and Bath Labor Crew.
11. GRANT: No report at this time.
12. PUBLIC SAFETY: Chief Carper reported that he had sold the 2012 Police Cruiser for \$2,200.00. Applications are being accepted for Administrative Assistant for the BSPD.
13. CEMETERY: Chairman Skinner advised that the pre-construction meeting for the repair of the mausoleum is set for May 24 with the bid opening on June 4.
14. PUBLIC WORKS: Cemetery Chairwoman Skinner asked that the truck in the Greenway Cemetery garage be checked for repair and maintenance issues and considered for use in the Town if needed.
15. ORDINANCE: No report at this time.
16. BERKELEY SPRINGS WATER WORKS: Chairman Chapman reported that the Phase IV Water Line Repair Project will be substantially completely on May 27 and will reach total completion on June 27. The paving work on Cornelius Street will be done May 22. The next meeting is June 19.
17. MOTION TO ADJOURN: Approved by Common Consent.

Attest:

Mayor Scott E. Mark

Recorder Susan J. Webster

**Status of Streetscape, State Park and NBRT Projects for Town Council
Tuesday May 16, 2023**

STREETSCAPE

Phase V: Design Contract:

- Thrasher has about a 1-week delay in releasing the 30% Drawings. This is primarily due to having to shift work from Phase V to re-work of the Park drawings (see below). Drawing likely after May 18th.
- I plan to cancel the May 18th Committee Meeting and once we have the 30% Drawings have a special review with the Committee in advance of the DOH Preliminary Field Review (PFR) which will occur in Town later in May or early June
- Successful completion of the PFR will trigger a payment to Thrasher from the Town's Streetscape Account. I'll provide the scheduled date for the PFR when available.

Phase VI: Design Grant Re-Application:

- Intent to Apply (ITA) application was submitted to DOH on May 9th and was approved as "Eligible" on May 12th. Final Application is due by June 15th
- Plan to submit same basic Phase VI street/sidewalk package for Design Grant Funds as applied for in 2022
- DOH is expecting a Design Phase Application in FY23 and a Construction Phase Application in FY24

Berkeley Springs State Park Grant & Project

Status:

- Bid opening occurred as planned on April 9th; apparent low bid exceeds the Project budget: (Financials below are generally from DOH)

Bid Price:	\$578,717
Required DOH 13%:	\$ 75,233
Total Required to Award:	\$653,950
Total Current Budget:	\$476,000
Shortfall to Award:	-\$177,950
If funded at 80/20 Share:	
New Grant Funds:	\$142,360
New Share Funds:	\$ 35,590

Note: The Park Foundation and the Town of Bath Council have a formal agreement regarding the responsibility to provide the 20% Cash Match for this Project. That Agreement was met with the provision of the 20% Cash Match by the Park Foundation and the signing of the Project Funding Agreement by the Town and DOH in Feb 2022. If new funds are to be provided, that Agreement would need to be extended.

- Working with Thrasher, Park & Foundation and DOH on a two-alternative strategy to determine best possible outcome:
 - Alt 1: Find funds to support an Award (Time critical due to est. 30-Day Bid validity)
 - Alt 2: Reduce the project content to stay within current Budget of \$476K
- Waiting on DOH response to several questions on each Alternative; (Bid valid date...etc)
- Park Foundation and Park have been asked about additional funding possibility for Alt 1 above.
- Thrasher working on de-scoped Project Content - Priorities are:
 - Repair the walls of the Run
 - Repair/replace the bridge
 - New Sidewalks (some are ADA improvements)
- As of Monday AM, Thrasher did not yet have the Bid Data from DOH that will permit them to assess where the high bid items differ from the cost estimates. This is needed to properly construct the de-scoped package

RFP for Repairs to the Cemetery Mausoleum

- Contract was advertised for bids in May 3rd and May 10th Messenger
- Job Showing is May 24th at 4 pm. Sealed Bids due June 6th by 4 pm.

NBRT

- Latest project update from Mark has the package in review at the DOH Right-of-Way office
- **The NBRT is not** in the scheduled monthly Lettings for June 13th or July 11th, but these may not yet be complete

Pete Brown
571-213-3687

Internal Changes

Budget Revision for Judges Office

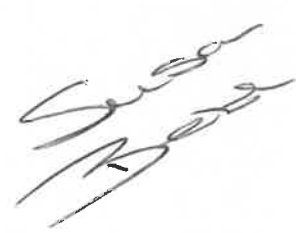
5/16/2023

Account	Description	Change	Budget
1 416 218 00	Municipal Postage	\$ 10.00	\$ 210.00
1 416 221 00	Municipal Training	\$ (230.00)	\$ 270.00
1 416 223 00	Pros Attorney Fee	\$ 120.00	\$ 620.00
1 416 341 00	Municipal Supplies	\$ 100.00	\$ 350.00
		\$ -	

Budget Revision for Town

5/16/2023

Account	Description	Change	Budget
1 440 459 01	Train Depot	\$ 790.00	\$ 4,550.00
1 440 459 00	Equipment	\$ (270.00)	\$ -
1 440 222 00	Dues & Sub	\$ (700.00)	\$ 800.00
1 440 211 00	Telephone	\$ 850.00	\$ 6,350.00
1 440 218 00	Postage	\$ (140.00)	\$ 760.00
1 440 219 00	Equip Rental	\$ (400.00)	\$ 2,800.00
1 440 341 00	Supplies	\$ (130.00)	\$ 515.00
		\$ -	



Budget Revision for BSPD

5/16/2023

Account	Description	Change	Budget
1 700 345 00	Uniforms	\$ 2,000.00	\$ 5,000.00
1 700 105 00	Health Ins	\$ (2,000.00)	\$ 9,500.00
		\$ -	

Budget Revision for Street

5/16/2023

Account	Description	Change	Budget
1 750 103 00	Wages	\$ (2,000.00)	\$ 51,880.00
1 750 106 00	Retirement	\$ 1,500.00	\$ 6,500.00
1 750 108 00	Overtime	\$ 200.00	\$ 700.00
1 750 226 02	Workers Comp	\$ 300.00	\$ 13,300.00
		\$ -	

Budget Revision for Garbage

5/16/2023

Account	Description	Change	Budget
1 800 104 00	Fica	\$ 800.00	\$ 4,500.00
1 800 108 00	Overtime	\$ 1,500.00	\$ 2,500.00
1 800 217 00	Repair	\$ 3,300.00	\$ 28,000.00
1 800 226 02	Ins	\$ 5,800.00	\$ 20,800.00
1 800 459 00	Equipment	\$ (2,500.00)	\$ -
1 800 230 00	Contract Svc	\$ (8,900.00)	\$ 45,100.00
		\$ -	

RESOLUTION 2023-05-01

At a regular session of the municipal council, held (Month, day and year) May 16, 2023, the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) of the Town of Bath. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices the municipal council does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number 3 for fund 1 a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Beth, and duly seconded by Debra the vote thereon was as follows:

<u>Scott Merki</u>	<u>Yes</u> or No
<u>Susan Webster</u>	<u>Yes</u> or No
<u>Chris Chapman</u>	<u>Yes</u> or No
<u>Greg Forney</u>	Yes or No
<u>Rick Weber</u>	<u>Yes</u> or No
<u>Rose Jackson</u>	<u>Yes</u> or No
<u>Elizabeth Skinner</u>	<u>Yes</u> or No

WHEREUPON, The Town of Bath, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the Town Clerk Sharron Corrick is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

Ora Ash, Deputy State Auditor
 West Virginia State Auditor's Office
200 West Main Street
 Clarksburg, WV 26301
 Phone: 627-2415 ext. 5114
 Fax: 304-340-5090
 Email: lgs@wvsao.gov

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
 Fiscal Year Ending: **2023**
 Fund: **1**
 Revision Number: **3**
 Pages: **1 of 1**

Town of Bath
 GOVERNMENT ENTITY

Person To Contact Regarding Request:
 Name: **Sharron Corrick**
 Phone: **304-258-1102**
 Fax: **304-258-3638**
 Email: **Townofbath@wvdsi.net**

271 Wilkes St
 STREET OR PO BOX
 Berkeley Springs WV 25411
 CITY ZIP CODE

Municipality
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
304	Excise Tax on Utilities	60,000	1,000		61,000
305	Business and Occupation Tax	46,000	15,400		61,400
320	Fines, Fees & Court Costs	15,000		5,000	10,000
342	Parking Meter Revenues	28,000		2,500	25,500
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 8,900

Explanation for Account # 378, Municipal Specific:
Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
418	City Auditor	3,200	100		3,300
438	Elections	3,000		100	2,900
800	Garbage Department	179,478	8,900		188,378
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures 8,900

APPROVED BY THE STATE AUDITOR
 BY: _____ Date _____
 Deputy State Auditor, Local Government Services Division

AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

Budget Revision for Judges Office

5/16/2023

Account	Description	Change	Budget
1 418 000 00	Auditor Fees	\$ 100.00	\$ 3,300.00
1 438 000 00	Election Fees	\$ (100.00)	\$ 2,900.00
1 304 000 00	Excise Tax	\$ 1,000.00	\$ 61,000.00
1 305 000 00	B&O Tax	\$ 15,400.00	\$ 61,400.00
1 800 230 00	Contract Svc	\$ (8,900.00)	\$ 54,000.00
1 320 000 00	Fines & Forefetures	\$ (5,000.00)	\$ 10,000.00
1 342 000 00	Park Meter Rev	\$ (2,500.00)	\$ 25,500.00

\$ -

TOWN OF BATH

EXPENDITURES AND ENCUMBRANCES

BATCH DATE	5/16/2023	YEAR:	2023		
VENDOR ACCT #		AMOUNT	DESCRIPTION	Budget Balance	5/5/2023
1 700 343 00	Chuck Hess	\$48.55	Gas for Ram Truck (No C/C yet)	\$	3,515.62
1 700 223 00	Mike the Computer Guy	\$35.00	Computer in Chiefs Truck	\$	1,852.21
Various	PEIA	\$3,476.70	Towns Portion Health Ins		
1 800 217 00	Ricks Welding	\$2,281.90	Freightliner	\$	366.13
1 225 000 00	WV Mountaineer Flexible Benefits	\$209.32	Employee Paid		
Various	USBank	\$ 617.50	Carper April 2023		
Various	USBank	\$ 2,310.98	Steiner April 2023		
Various	USBank	\$ 7,234.34	TOB Master April 2023		
Various	USBank	\$ 3,650.80	BSPD Master April 2023		
			Totals:		\$19,865.09

5/16/2023

	ACCT #	VENDOR	AMOUNT	DESCRIPTION
400-650-800		US BANK	\$467.80	JAMES CLOSE
		US BANK	\$108.57	BRADLEY DUCKWALL
		US BANK	\$839.22	RON JAININEY
		US BANK	\$2,565.37	MASTER ACCT
		US BANK	\$102.38	JASON POWELL
		TOB	\$2,500.00	RENT/ADMIN
400-603/641-800				
400-125-300		RESERVE FOR DEBT	\$27,581.00	
400-125-200		REPAIR & REPLACE	\$13,750.00	
400-125-100		DEPRECIATION ACCT	\$1,500.00	
400-675-600		TOB	\$3,909.46	PEIA
400-675-600	WA23-1630	MISS UTILITY	\$58.90	MESSAGES
	30WECAC7YZU	HARTFORD	\$1,607.50	INSURANCE
		CORE & MAIN	\$3,540.00	METERS
400-620-600		MIKE THE COMP GUY	\$237.50	RON'S COMPUTER
400-675-200	INV#74880	G.H.S	\$340.00	EXCAVATION SERVICE
		TOB	\$72.72	BENEFITS
			\$59,180.42	

