

**Status of Streetscape, State Park and NBRT Projects for Town Council  
Tuesday – November 21, 2023**

**STREETSCAPE**

**Phase V: Design & Construction**

- The Funding Agreement for Phase V Construction was approved by the Finance Committee and the Town Council completed the Resolution required by DOH. The Mayor signed the DOH Funding Agreement package and this was sent to DOH along with the Town Check for the Cash Match

**Phase VI Design Grant Application:**

- Streetscape Committee discussed lighting plans and adjustment to the contents of the planned Phase VI project to accommodate current fiscal situation and to try to get lighting into the final Phase VI project. Town has not yet advised if it will be awarded a TA Grant for design of this project. Grant Application was submitted in June 2023.

**Berkeley Springs State Park Project**

**Current Issues:**

The Town received an October 27, 2023 Notice of Violation (NoV) from WV-DEP. According to the date that package was stamped at the original Post Office – it was mailed to the Town on November 15<sup>th</sup>. Three violations were listed:

- *Failed to report the spill into Warm Springs Run*
- *Distinctly visible floating or settleable solids, suspended solids scum, foam or oily slicks*
- *Distinctly visible color*

A written response to the inspector was required within 20 days detailing the actions taken to abate this violation.

**Status as of this afternoon:**

- Copies of this NoV were distributed to Town Council on Monday afternoon (11-20-23). I got a copy Monday evening
  - I sent the NoV to DOH D5 and their on-site Rep (Josh White) later that night
  - The current DOH On-Site rep (Julie Hartman) also has the NoV and advised that the response was the responsibility of the DOH Contractor (Delauter) and that Delauter now had the NoV for action.
  - It is expected that Delauter and DOH will prepare the written response as required by the NoV
  - There will be an issue as to when the 20-day requirement will start. The 10-27-23 date on the NoV cannot be the start of the 20-day requirement when the mailing date of the certified letter to the Town was 11-15-2023. This info was sent to DOH at noon today – in order to rectify the actual due date.
  - The requirements as to Delauter's responsibility for erosion and sediment control are clearly spelled out in the solicitation and contract.
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- **Current Status:**
  - In advance of the expected rain, the Run has been cleared of sandbag cofferdams. The mortar repairs are essentially complete. The contractor also planned to remove the sediment control logs near the Fairfax St bridge.
  - The sidewalk color and stamping pattern were accepted by the Park and Park Foundation on Monday. The sidewalk forms are in place and the contractor is expected to begin the pouring and stamping in the next few days.
  - The abutments for the new southside bridge are in place and the stone/mortar wall areas at the abutments are complete

**NBRT**

- Nothing new to report on the NBRT Design/Build Solicitation by DOH. The official Letting date is still December 12, 2023 – with a Construction completion date of March 28, 2025.

**Parcel 1B Storm Water Management System**

- Construction of the stormwater control facility is Complete.
- Project reports are in process to CBT in order to obtain funds for the upcoming segments of the project
- The system is stabilized for the winter. Landscaping contracts will be let in the next month, which will allow us to tap into the second tranche of grant funding.

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