



CORPORATION OF HARPERS FERRY

Town Council

MINUTES

Regular Meeting **Monday, 9 January 2023** **7:00 p.m.**
Camp Hill-Wesley United Methodist Church, 645 Washington Street, Harpers Ferry, West Virginia 25425

The meeting was called to order at 7:00 p.m. by Mayor Vaughn.

Member	Title	Status
Greg Vaughn	Mayor	Present
Kevin Carden	Recorder	Present
Chris Craig	Councilmember	Present
Greg "Storm" DiCostanzo	Councilmember	Present
Laurel Drake	Councilmember	Present
Jerry Hutton	Councilmember	Present
Christian Pechuekonis	Councilmember	Present

The agenda was approved as received.

1. Mayor's announcements.

Chris Craig noted the recent passing of Ranson resident Clark Dixon, who assisted with a number of notable projects in the local community.

2. Public hearing on Ordinance 2022-04 Corrective and Amended Deed, authorizing the Mayor to execute the corrective & Amended Deed by and between the Corporation of Harpers Ferry and HF Hilltop LLC.

a. Opening of public hearing.

The public hearing was opened at 7:03 p.m. The Mayor presented the public hearing procedures and rules of conduct.

Town Attorney Kin Sayre pointed out minor changes to the ordinance with regard to the company name, but he feels these are not substantive changes from the text as approved during first reading for approval of the ordinance.

Comments were provided by seven members of the public:

- Carrie Gauthier spoke in support of the deed and ordinance.
- Barbara Humes stated that the ordinance needs corrective editing. She distributed a list of suggested corrections to the Town Council.

- George Owens noted that the corrective deed seems to transfer a lot of formerly public property to a new entity compared to the original (2021) deed.
- Bryan Gray spoke in support of the deed and ordinance.
- Pasha Majdi spoke in support of the deed and ordinance.
- Eddie Love, president of the Merchants Association, spoke in support of the deed and ordinance.
- David Simmons said that most of the problems identified in the recent Citizens' lawyer's letter have been corrected; however, he felt that some changes from the original deed are problematic.

b. Closure of public hearing.

The public hearing was closed at 7:23 p.m.

3. Discussion and action (if necessary) on the Corrective and Amended Deed by and between the Corporation of Harpers Ferry and HF Hill Top LLC.

Motion	Motion to approve Corrective and Amended Deed by and between the Corporation of Harpers Ferry and HF Hill Top LLC.
Motion by	Storm DiCostanzo
Second	Christian Pechuekonis
YES	7
NO	0
Result	MOTION APPROVED

4. Discussion and action on second and final reading for approval of Ordinance 2022-04 Corrective and Amended Deed, authorizing the Mayor to execute the Corrective and Amended Deed by and between the Corporation of Harpers Ferry and HF Hill Top LLC.

After the main motion below was seconded, Town Attorney Kin Sayre reviewed minor corrections made after the first reading for approval of Ordinance 2022-04. Most of these were amendments to read "Grantees", clarifying joint ownership by SWaN Hill Top Operating Partners LLC and HF Hilltop LLC.

Main motion	Motion to approve second and final reading for approval of Ordinance 2022-04 Corrective and Amended Deed, authorizing the Mayor to execute the Corrective and Amended Deed by and between the Corporation of Harpers Ferry and SWaN Hill Top LLC by title only.
Main motion by	Jerry Hutton
Second – main motion	Laurel Drake
Amendment	Motion to amend Ordinance 2022-04 to reflect the changes as presented.
Amendment by	Jerry Hutton
Second to amend	Christian Pechuekonis
YES – amendment	7
NO – amendment	0
Result – amendment	Amendment approved
YES – main motion	7

NO – main motion	0
Result	MOTION APPROVED as amended

5. Approval of minutes.

a. Regular meetings: 8 August 2022; 10 October 2022; 14 November 2022; 12 December 2022.

The 8 August 2022 minutes were approved as received. The 10 October and 12 December 2022 minutes were approved as amended. The minutes for the 14 November 2022 meeting were not available at this time.

6. Treasurer’s reports and approvals.

a. Review and approval of financial reports: November 2022.

The financial reports were approved as received.

b. Approval of invoices and purchases over Purchasing Threshold.

Motion	Motion to approve the invoices and purchases over the purchasing threshold as submitted.
Motion by	Storm DiCostanzo
Second	Chris Craig
YES	7
NO	0
Result	MOTION APPROVED

7. Town reports.

a. Police Department.

i. Police report for the month of December 2022.

A written report was received. For the month of December 2022, there were 108 citations, 83 incidents, four assists to other agencies, one call-out, and no accidents.

b. Ordinance Compliance Officer.

i. Report for the month of December 2022.

A written report was received from the Ordinance Compliance Officer.

c. Budget and Finance Committee.

Christian Pechuekonis reported that Budget and Finance will be working on the FY2024 budgets. Budget requests should be received by the end of the month.

d. Water Department.

i. General report from Public Works Administrator.

Stephen Paradis reported that the end of the water plant improvement project will take place at the end of this month. A tablet has been provided to the Water Works

employees for use in meter reading. Metered use for December 2022 was 2.8 million gallons. Average tank levels have been 80-85% for the month.

ii. General report from Water Commission.

Laurel Drake reported that the State has asked the Water Commission to keep them apprised of our survey of service lines for the Lead and Copper Survey. The Commission is also looking at the possibility of raising the water leak adjustment rate.

iii. Presentation and discussion on monthly Water Treatment Facility Improvements Engineer’s Report for the month of December 2022.

A written report was received from Chris Eckinrode.

iv. Discussion and action on Resolution #22 / Pay Application #21 for the Water Treatment Facility Improvements.

Motion	Motion to approve Resolution #22 / Pay Application #21 for the Water Treatment Facility Improvements in the amount of \$191,094.05.
Motion by	Storm DiCostanzo
Second	Chris Craig
YES	7
NO	0
Result	MOTION APPROVED

e. Planning Commission.

i. Planning Commission report.

Chris Craig reported that the Planning Commission will hold a Comprehensive Plan meeting on 31 January 2023.

ii. Discussion and action on appointment to the Tree Committee.

The following applicant was nominated for appointment as the Planning Commission’s representative to the Tree Committee:

Applicant
Paul Thomas

Nominated by
Chris Craig

Action	Appointment as Planning Commission representative to the Tree Committee.
Paul Thomas	Carden, Craig, DiCostanzo, Drake, Hutton, Pechuekonis, Vaughn
Result	Paul Thomas appointed as the Planning Commission representative to the Tree Committee.

iii. Discussion and action to refer Ordinance Article 133 to the Ordinance Review Committee for amendment as recommend by Comprehensive Plan expert consultants.

Motion	Motion to refer Ordinance Article 133 to the Ordinance Review Committee for amendment as recommended by Comprehensive Plan expert consultants.
Motion by	Chris Craig
Second	Jerry Hutton
YES	7
NO	0
Result	MOTION APPROVED

iv. Discussion and action to refer Ordinance Article 1104 to the Ordinance Review Committee for amendment as recommended by the Planning Commission.

Motion	Motion to refer Ordinance Article 1104 to the Ordinance Review Committee for amendment as recommended by the Planning Commission.
Motion by	Chris Craig
Second	Storm DiCostanzo
YES	7
NO	0
Result	MOTION APPROVED

f. Historic Landmarks Commission.

Christian Pechuekonis read the Historic Landmarks Commission’s report for the month on behalf of the Commission’s chair, Guy Hammer.

g. Parks and Recreation Commission.

i. Presentation of 2022 Annual Report.

Patti Morse presented the Parks and Recreation Commission's 2022 Annual Report.

ii. Discussion and action to refer Ordinance Article 140 to the Ordinance Review Committee for amendment to increase the number of Commission members.

Motion	Motion to refer Ordinance Article 140 to the Ordinance Review Committee for amendment to increase the number of Commission members to five.
Motion by	Storm DiCostanzo
Second	Chris Craig
YES	7
NO	0
Result	MOTION APPROVED

h. Board of Zoning Appeals.

i. Discussion and action on appointment to the Board of Zoning Appeals.

The following applicant was nominated for appointment to the Board of Zoning Appeals:

Applicant
Ed Wheelless

Nominated by
Christian Pechuekonis

Action	Appointment to the Board of Zoning Appeals.
Ed Wheelless	Carden, Craig, DiCostanzo, Drake, Hutton, Pechuekonis, Vaughn
Result	Ed Wheelless appointed to the Board of Zoning Appeals for the term expiring 31 December 2025.

8. Unfinished business.

None.

9. New business.

None.

Motion to adjourn by Storm DiCostanzo, second by Chris Craig. Meeting adjourned at 8:23 p.m.

The above minutes are true and correct, as approved.

Mayor: _____ Date: _____

Recorder: _____ Date: _____