



CORPORATION OF HARPERS FERRY

Town Council

MINUTES

Regular Meeting

Monday, 13 March 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	Absent
Greg "Storm" DiCostanzo	Councilmember	Present
Laurel Drake	Councilmember	Present
Jerry Hutton	Councilmember	Present
Christian Pechuekonis	Councilmember	Present

The agenda was approved as amended. Item 4.c.vii. was moved before 4.c.i.

Two members of the public had comments:

- Wayne Bishop spoke in opposition to the proposed amendments to the Tree Conservation Ordinance, with specific concern about public trees being removed with no notice to adjacent neighbors.
- David Simmons spoke in opposition to the promontory overlook remaining closed.

1. Mayor's announcements.

- Mayor Vaughn commended Financial Officer Deb Kelly for her diligent work on several highly-important projects lately with close deadlines.
- The Mayor updated the public on the recent major water leak under US 340.
- Mayor Vaughn sent a letter to the Federal Railroad Administration regarding concerns about hazardous materials travelling through Harpers Ferry. He requested a safety inspection of the railway, especially along the curve.
- Park Superintendent Tyrone Brandyburg has retired after 39 years of service.

2. Approval of minutes.

a. Regular meeting: 13 February 2023.

The minutes for 13 February 2023 were approved as received.

3. Treasurer’s reports and approvals.

a. Review and approval of financial reports: January 2023.

The financial reports for January 2023 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	Christian Pechuekonis
YES	6
NO	0
Result	MOTION APPROVED

4. Town reports.

a. Police Department.

i. Police report for the month of February 2023.

Chief Brown reported that for the month of February 2023, there were 127 incidents, 69 citations, four assists to other agencies, one accident, and no call-outs.

The officers have done a walk-through of Shipley Elementary School to familiarize themselves with the facility in the event of an active shooter situation.

b. Ordinance Compliance Officer.

i. Report for the month of February 2023.

None.

c. Budget and Finance Committee.

i. Discussion and action regarding FY 2023 General Fund Budget Revision #3.

Motion	Motion to approve the FY 2023 General Fund Budget Rev #3 as presented. (ROLL CALL VOTE).
Motion by	Christian Pechuekonis
Second	Storm DiCostanzo
YES	Carden, DiCostanzo, Drake, Hutton, Pechuekonis, Vaughn
NO	none
Result	MOTION APPROVED

ii. Discussion and action regarding public library annual disbursement.

Motion	Motion to approve disbursement of \$4,500.00 from Line Item 916 Library to the Bolivar-Harpers Ferry Public Library for FY 2023.
Motion by	Christian Pechuekonis
Second	Storm DiCostanzo
YES	6
NO	0
Result	MOTION APPROVED

iii. Discussion and action regarding public library reimbursement.

Motion	Motion to approve disbursement of \$790.00 from Line Item 906 Arts & Humanities to the Bolivar-Harpers Ferry Public Library for reimbursement of arts programs.
Motion by	Christian Pechuekonis
Second	Storm DiCostanzo
YES	6
NO	0
Result	MOTION APPROVED

iv. Discussion and action regarding public transit annual disbursement.

Motion	Motion to approve disbursement of \$4,500.00 from Line Item 759 Public Transit and \$3,000.00 from Line Item 402 Economic Development to Eastern Panhandle Transit Authority for FY 2023.
Motion by	Christian Pechuekonis
Second	Storm DiCostanzo
YES	6
NO	0
Result	MOTION APPROVED

v. Discussion and action regarding funding for 2023 Easter egg hunt.

Motion	Motion to approve up to \$250.00 from Line Item 906 Arts & Humanities to support the 2023 Easter Egg hunt.
Motion by	Christian Pechuekonis
Second	Storm DiCostanzo
YES	6
NO	0
Result	MOTION APPROVED

vi. Discussion and action regarding funding for 2023 Music on the Ridge.

Motion	Motion to approve up to \$3,000.00 from Line Item 906 Arts & Humanities and up to \$3,000.00 from Line Item 402 Economic Development for the 2023 Music on the Ridge event.
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Motion by	Christian Pechuekonis
Second	Laurel Drake
YES	6
NO	0
Result	MOTION APPROVED

vii. Discussion and action regarding FY 2023 funding for Harpers Ferry-Bolivar Historic Town Foundation.

Storm DiCostanzo recused himself from discussion on this item, as he is a member of the Foundation's Board of Directors.

Motion	Motion to approve up to \$5,500.00 from Line Item 906 Arts & Humanities to assist in the historic preservation of the First Zion Baptist Church.
Motion by	Christian Pechuekonis
Second	Jerry Hutton
YES	5
NO	0
Result	MOTION APPROVED

viii. Discussion and action regarding reconditioning of the 2008 Crown Victoria for Town use.

Motion	Motion to approve up to \$4,500.00 to recondition the 2008 Ford Crown Victoria for Town use.
Motion by	Christian Pechuekonis
Second	Storm DiCostanzo
YES	5
NO	1
Result	MOTION APPROVED

ix. Discussion and action regarding assignment of FY 2024 Committed and Assigned fund balances.

Motion	Motion to remove \$32,550 from 298 Committed Fund Balances and apply them to the new 297 assigned fund called Stormwater and Streetscape Project, effective 1 July 2023 for FY 2024.
Motion by	Storm DiCostanzo
Second	Christian Pechuekonis
YES	6
NO	0
Result	MOTION APPROVED

Motion	Motion to assign \$20,000 to the new 297 assigned fund, IT Infrastructure, for the FY 2024 General Fund Budget.
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Motion by	Storm DiCostanzo
Second	Christian Pechuekonis
YES	6
NO	0
Result	MOTION APPROVED

x. Discussion and action regarding FY 2024 General Fund Budget approval.

Motion	Motion to approve FY 2024 General Fund Budget as presented. (ROLL CALL)
Motion by	Storm DiCostanzo
Second	Christian Pechuekonis
YES	Carden, DiCostanzo, Drake, Hutton, Pechuekonis, Vaughn
NO	none
Result	MOTION APPROVED

d. Water Department.

i. General report from Public Works Administrator.

Stephen Paradis reported that billing for the month of February was estimated due to the number of other projects ongoing at the time. A total of 6.6 million gallons of treated water was produced in February. Mr Paradis presented a timeline of the recent major leak under US 340 at Union Street and all the hard work that was required to repair and replace the pipeline. There is another leak along Union Street that will need attention very soon.

ii. General report from Water Commission.

Laurel Drake reported that the Water Commission discussed the water sources and recommended that the utility place air release valves on the pipe coming from the spring. A public hearing will be held on the leak adjustment policy that is proposed at this evening's meeting.

iii. Discussion and action regarding FY 2023 Water Budget Revision #4.

Motion	Motion to approve FY 2023 Water Budget Revision #4 as presented.
Motion by	Storm DiCostanzo
Second	Laurel Drake
YES	6
NO	0
Result	MOTION APPROVED

iv. Discussion and action regarding payment for emergency repair at Union Street and US 340.

Motion	Motion to approve Invoice #23-023 to Greenridge Contractors in the amount of , from the Renewal & Replacement Account.
Motion by	Laurel Drake
Second	Storm DiCostanzo
YES	6
NO	0
Result	MOTION APPROVED

v. Discussion and action on reappointment to the Water Commission.

vi. Discussion and action on appointment to the Water Commission.

Items 4.d.v. and 4.d.vi. were taken up together.

The following applicants were nominated for appointment to the Water Commission:

<u>Applicant</u>	<u>Nominated by</u>
Mack McCarty (for seat 5, 31 Dec 2025)	Laurel Drake
Michael Rock (for seat 6, 31 Dec 2025)	Laurel Drake

Action	Appointment to the Water Commission.
Mack McCarty	Carden, DiCostanzo, Drake, Hutton, Pechuekonis, Vaughn
Michael Rock	Carden, DiCostanzo, Drake, Hutton, Pechuekonis, Vaughn
Result	Mack McCarty appointed to the Water Commission, Seat 5, for the term expiring 31 Dec 2025. Michael Rock appointed to the Water Commission, Seat 6, for the term expiring 31 Dec 2025.

e. Planning Commission.

i. Planning Commission report.

A written report was received from the Planning Commission, which was read aloud by the Recorder.

f. Historic Landmarks Commission.

i. Historic Landmarks Commission report.

Guy Hammer reported that the welcome letter has been sent out; he thanked Christian Pechuekonis and Virlissa Breeden for their work on distributing that. Landmarks is meeting with the NAACP and Weaver family on the property at Boundary and Washington streets. There was some discussion by Landmarks on a proposed tiny house and whether such homes are appropriate for Harpers Ferry. There was also some discussion on secondary structures in relation to the historic registry. State and federal tax credit programs may be available for upkeep of

structures, both interior and exterior. Landmarks is reviewing amendments to Appendix A.

g. Parks and Recreation.

i. Parks and Recreation Commission report.

Pat Morse reported on upcoming events, including the Easter Egg hunt and Music on the Ridge. A Zoning Compliance Permit application has been submitted to the OCO for work at the Children’s Park. Asphalt in the park will be removed this month. Two grants have been applied to for offsetting costs for renovations at the Children’s Park. Volunteers are sought to work on this project on 22 April 2023. The Commission will be working with the Women’s Club on some FY 2024 projects.

ii. Discussion and action regarding an appointment to the Parks and Recreation Commission.

There was a suggestion to appoint a member to the Parks and Recreation Commission who is under the age of 18. Mayor Vaughn consulted with the Town Attorney, whose opinion is that the underage person may serve as an ex-officio, non-voting member; cannot count toward a meeting quorum; and requires the presence of a parent at all times.

h. Ordinance Review Committee.

i. Discussion and action on second reading for approval of Ordinance 2023-01 Planning Commission, providing for compliance with West Virginia Code.

Motion	Motion to approve second and final reading of Ordinance 2023-01 Planning Commission.
Motion by	Storm DiCostanzo
Second	Jerry Hutton
YES	6
NO	0
Result	MOTION APPROVED

ii. Discussion and action on second reading for approval of Ordinance 2023-02 Tree Conservation, renaming the Tree Committee and establishing the Tree Commission’s role as a free and separate deliberative body of Town government.

Motion	Motion to approve second and final reading of Ordinance 2023-02 Tree Conservation.
Motion by	Kevin Carden
Second	Jerry Hutton
YES	6
NO	0

Result	MOTION APPROVED
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iii. Discussion and action on second reading for approval of Ordinance 2023-03 Parks and Recreation Commission, increasing the number of members on the Commission.

Motion	Motion to approve second and final reading of Ordinance 2023-03 Parks and Recreation Commission.
Motion by	Storm DiCostanzo
Second	Christian Pechuekonis
YES	6
NO	0
Result	MOTION APPROVED

iv. Discussion and action on first reading for approval of Ordinance 2023-04 Water Tariff, increasing the water leak adjustment rate.

Motion	Motion to approve first reading of Ordinance 2023-04 Water Tariff.
Motion by	Storm DiCostanzo
Second	Laurel Drake
YES	6
NO	0
Result	MOTION APPROVED

i. Parking Committee.

Christian Pechuekonis reported that the Parking Committee now has guest parking permit placards, which will be required and available for purchase effective the 1st of April.

j. Town Council.

i. Updates or announcements from Town Council members.

Storm DiCostanzo reported that the draft of the Green Infrastructure and Stormwater Conceptual Master Plan is nearly complete. Input is being incorporated from members of the steering committee, who represent Harpers Ferry, Bolivar, and the National Park Service. After that is complete, a final steering committee meeting will take place, followed by a public open house.

5. Unfinished business.

a. Discussion and action on restoration of the Office Operations Committee.

Jerry Hutton presented a vision and outline for a restored Office Operations Committee which would provide general oversight for personnel management, including recruitment, candidate interviews, employee evaluations, and the like. The Committee

would be composed of three members, including one member of the Town Hall office staff. Storm DiCostanzo recommended renaming the restored body as a “panel” instead of a committee. Mayor Vaughn advised Mr Hutton of a couple of West Virginia Code provisions that should be carefully considered. Mr Hutton and Chris Craig will meet in the near future to discuss these recommendations further.

6. New business.

a. Discussion and action regarding Town Council endorsement of WV Attorney General opioid settlement agreement with Walgreens.

Motion	Motion to approve endorsement of WV Attorney General opioid settlement agreement with Walgreens.
Motion by	Storm DiCostanzo
Second	Christian Pechuekonis
YES	6
NO	0
Result	MOTION APPROVED

b. Discussion and action regarding Town Council endorsement of WV Attorney General opioid settlement agreement with Bypass Pharmacy, Rhonda Pharmacy, The Pharmacy, Clendenin Pharmacy, and Fruth Pharmacy, Inc.

Motion	Motion to approve endorsement of WV Attorney General opioid settlement agreement with Bypass Pharmacy, Rhonda Pharmacy, The Pharmacy, Clendenin Pharmacy, and Fruth Pharmacy, Inc.
Motion by	Storm DiCostanzo
Second	Christian Pechuekonis
YES	6
NO	0
Result	MOTION APPROVED

Motion to adjourn by Laurel Drake, second by Storm DiCostanzo. Meeting adjourned at 8:51 p.m.

The above minutes are true and correct, as approved.

Mayor: _____ Date: _____

Recorder: _____ Date: _____