

MINUTES

Harpers Ferry Town Council

Monday, December 12, 2005

Location: Harpers Ferry Town Hall, Washington Street

Present: Jim Addy, Mayor Marsha Mills, Recorder
Barry Bryan Bob DuBose
Freida Kidwell Dan Riss
Charlotte Thompson

Meeting called to order at 7:00 p.m.

1. Minutes of the following meetings were approved as presented:
November 14, 2005 regular Town Council meeting
November 28, 2005 special meeting on water tanks
2. The following Financial Reports were approved as presented:
General Fund – Checking
General Fund – Capital Reserve Account
General Court Fund - Income and Expense Report
Water Works - Checking
3. Vicki Faulkner-Sewer Treatment Problems
Vicki Faulkner raised the issue of sewer treatment problems in last month's council meeting and was put on the agenda for this meeting. Tonight, however, she said it was a mute point, as Jefferson County had already voted to move forward with their plan.
4. Planning / Historic Landmarks Commissions and Related Issues
Ralph Taylor - path / paper street to Root and Zachary Taylor Streets
Mr. Taylor desires access to some lots behind Bob DuBose's property to determine whether the lots are suitable for construction. He is requesting to create a "path" along Zachary Taylor (paper) Street large enough to accommodate a truck. As the Council is generally unfamiliar with the terrain and feasibility of access, Barry Bryan will meet with Mr. Taylor at the location and return to the January Council meeting with his findings.

Chad Gauthier - Block O, Parcel 26 (lot #2), garage door changes
Applicants previously met with Landmarks, who approved the requested changes to window and door arrangement. Barry Bryan moved to approve the changes as presented, Freida Kidwell seconded, **motion carried unanimously**. The Recorder signed and dated the revised plans.

5. Barry Bryan, Building Inspectors Report

Steve Sherry, 163 Public Way, Stop Work Order

Previously, due to lack of a building permit, a stop work order was issued for construction of an outdoor deck at 163 Public Way (Block CC Lot 29). A letter from Mayor Addy to occupants Greg Dean and Steve Sherry asked that they submit an application for a building permit. Greg Dean subsequently reported that the construction was a playground for his grandson, not a deck, and that he will submit his plans to Planning and Landmarks in May. Until his plans are approved, he agreed to honor the stop work order.

Loomis Construction, lack of business license

The Town requested that Loomis Construction, contractors for the train station renovation, get a town business license. However, there are conflicting viewpoints concerning business licenses for contractors working for the Park Service in Harpers Ferry. At present, Loomis will not obtain a business license and we are working with our attorney concerning collection of B & O taxes from Loomis. The importance of maintaining a good working relationship with the Park Service was emphasized.

Angler's Inn, 867 Washington Street, violation of ordinances

The Mayor sent the owners a letter requesting that they meet with both Landmarks and Planning concerning use of synthetic building materials in repair of their front porch and front steps. As these commissions did not meet this month, it is anticipated that the Kelley's will meet with them in January, 2006.

Don Alexander, new construction, Washington Street

The Council asked for a written statement from the Board of Appeals of their findings concerning the front door. Now the applicant is also appealing the council's decision concerning the garage door and hay mow. Barry Bryan spoke with Allegheny Power and reported that underground wiring from Potomac Street did not appear practical due to the excessive cost, although the exact cost was not stated.

6. Michael Castagnetto - underground wiring variance

The National Park Service would like to upgrade the electrical service to the train station. Allegheny Power recommended additional transformers in the vicinity of the train station to handle the additional power. These transformers may be either pole-mounted high in the air or on the ground on a concrete pad. Three alternatives were presented: (1) pole-mounted on an existing pole on the south side of Potomac (behind Secret Six), (2) pole-mounted on an existing pole on the north side of Potomac, or (3) overhead power to the north pole, then down the pole to a ground-mounted pad. Freida Kidwell made a motion to go with the first option, Charlotte Thompson seconded, **motion carried with Bob DuBose opposed.**

The Park has purchased the materials to proceed with replacement of the water line to Marmion way and will work with town during installation.

7. Todd Bolton - historical marker
The Mayor conveyed the request of Mr. Bolton who was not present at the meeting. In conjunction with the 2006 Niagara Movement Centennial Commemoration, the West Virginia Division of Culture and History will be casting a state historical marker. The proposed site is the south side of Fillmore Street just east of Storer College Place in the grass between the sidewalk and the street. The marker will be similar to that unveiled during the Lewis and Clark Bicentennial. The unveiling of this proposed marker will be next August, celebrating the first American meeting of the Niagara movement. Town approval is requested for this endeavor. Bob DuBose moved to support this, Charlotte Thompson seconded, ***motion carried unanimously***. The council requested that the Mayor obtain the text and a picture of the proposed marker.

8. WV Rural Water Association Presentation
We received correspondence from the West Virginia Rural Water Association asking for a contact person to aid in preparation of the Source Water Assessment and Protection Plan (SWAP). Mayor Addy submitted John Heafer's name as that person. During the meeting questions surfaced regarding previous council actions. For clarification, excerpts from previous minutes are presented below.

July 2005: The West Virginia Rural Water Association is planning a site visit to Harpers Ferry. As the purpose of this visit was not completely clear, the Council requested to meet with the representative for clarification.

August 2005: Presentation by Mr. Dalip Sarin, MS, PE, CSP, Source Water Protection Specialist. Mr. Sarin is with the West Virginia Rural Water Association (WVRWA), a nonprofit organization funded by the EPA. He addressed the council concerning the Source Water Assessment and Protection Area (SWAP) Plan. Essentially this plan identifies different sources of water, looks at the area to be protected, identifies contaminants, and develops a contingency plan. There is a nominal fee to join the WVRWA, after which development of the actual plan is free. The council requested more information: Mr. Sarin will send us an information packet and their website address is www.rwa.

September 2005: West Virginia Rural Water Association
We received a letter from Debbie Britt, Executive director, WV Rural Water Association, stating that Harpers Ferry has been a member since July 15, 1998. They are requesting to prepare a source water preparation plan for our water supply system, and currently doing this in Jackson and Berkeley Counties. The Council would like to see a sample of what was done for these counties as well as a copy of the EPA grant that is funding this program. The Mayor will try to get a copy of these documents.

October 2005: As a follow-up from last month's request for additional information, we obtained (1) a Source Water Analysis and Protection Program (SWAP) Plan for Berkeley County and (2) information concerning the grant to the National Rural Water Association

from the EPA. Bob DuBose moved that we proceed with the water source analysis, Dan Riss seconded, *motion carried unanimously.*

November: [not mentioned]

9. Police Department

For the month of November, there were 100 citations and 48 complaints. Officer Samuel Smith submitted his resignation effective December 23, 2005. He will be going to work in Charles Town. Chief Buracker had much praise for this fine officer, who will be missed and Mayor Addy accepted the resignation with much regret.

The council had a surprise visit from Dak, our new police dog, accompanied by his handler, Officer Dolan. Dak was quite entertaining, sporting his pacifier as he appeared to almost dance on his hind legs. Our K-9 policy is in effect, Dak is at work, and has already found some drugs. Council members found it difficult not to pet the playful and friendly 65-pound dog.

The town needs to buy at least one sound meter to enforce the new ordinance. Freida Kidwell made a motion to purchase a sound meter, Charlotte Thompson seconded, *motion carried unanimously.*

Chief Buracker reported some serious problems with our 911 service. There may be a long delay in getting emergency help when needed. Callers may have to give the same information multiple times before help is dispatched. Officers are not getting the assistance they need in a timely manner, and in some cases, officers have been given incorrect information. The addresses that correspond with incoming phone calls are sometimes not correct. Bob DuBose suggested that we be put on the agenda of the Jefferson County Commission.

10. Main Street Report

On December 21, Main Street Harpers Ferry will host Journey Through Hallowed Ground. This is a tri-state public/private sector collaborative effort to balance growth and economic development along US Route 15 from Gettysburg to Charlottesville. Olde Tyme Christmas had a terrific turn out. Our process of selection for the Potomac Street Beautification consultant was flawed and we will have to start the process over again. The restoration of the town staircase is in the final stages.

12. Water Report

John Heafer presented the yearly schedule of water testing in response to concern voiced by Bob DuBose. The frequency of testing ranges from daily, monthly, quarterly, or annually, depending on what is being monitored.

11. Council Reports

Mayor Addy: A Christmas dinner for council members and their spouses will be held on December 22nd with cocktails at 6:00 and dinner at 6:30. A special council meeting will be held on January 23rd at 7:00 p.m. to hear the results of the three water tank proposals. Our Christmas trees lost electrical power when the power supply was compromised.

Mayor Addy received a letter from the Mayor Gagner of Chatham-Kent, Chatham, Ontario. She reported that signage has been erected announcing the “twinning” of Chathan-Kent and Harpers Ferry.

Charlotte Thompson: Harpers Ferry owes Bolivar \$1,000 from the Christmas activities on December 10th. Charlotte Thompson made a motion pay Bolivar \$1,000 from the hotel-motel tax, Bob DuBose seconded, **motion carried unanimously.** Charlotte also informed the council that in January she is going to start looking at trail grants and locations for possible trails.

Freida Kidwell: the town office needs a new computer for Brenda and a battery backup and new scanner for Sherry, to be installed by Brian W. Clark. Brenda’s old computer will be put in the Mayor’s office. The estimated price is around \$1,800. Freida Kidwell made a motion to purchase, Charlotte Thompson seconded, **motion carried unanimously.**

12. Attendee concerns

Vicki Faulkner clarified that the Potomac River belongs to Maryland and that we are allowed to tap this water supply during drought conditions.

13. Executive session

Freida Kidwell made a motion to go into Executive Session, Marsha Mills seconded. Subsequently, Bob DuBose made a motion to end the executive session, Charlotte Thompson seconded.

Next Council Meeting Monday January 9, 2006, 7:00 PM