

WASHINGTON TOWN BOARD
MINUTES
JANUARY 11, 2023

The Town Board of the Town of Washington held a special meeting on Wednesday, January 11, 2023, at the Washington Town Hall. Supervisor Ciferri called the meeting to order at 5:30 PM with the following present: Councilmembers Robert Audia, Michael Murphy, Joseph Rochfort and Leslie Heaney, Town Clerk Mary Alex, Highway Superintendent Joseph Spagnola and Highway Clerk Kathleen Velletri.

Also present were Dan Farnham and Pat Mulkern from Colliers Engineers, and residents of Killearn Road.

Supervisor Ciferri opened the meeting with the Pledge of Allegiance.

Councilman Rochfort introduced Mr. Farnham and Mr. Mulkern. He explained they are here to provide an overview of the report provided to the Town regarding Killearn Road. This is a workshop meeting for everyone to understand the findings. The Town Board will hold a public hearing in the future to hear comments from the community.

Mr. Farnham provided an overview of the project limits. Killearn Road is 3.29 miles long, with an assumed right of way width of 49.5'. It is one of about 20 gravel roads in town. The southern section is on the town line with Union Vale. There are 55 tax parcels fronting from Washington and 10 parcels from Union Vale. Colliers made multiple site visits during the spring and fall of 2022. When discussing the road, they are speaking north to south from Rt. 343 to the Union Vale end.

The findings of Colliers initial work is the main issue is poor drainage. There is no crown on the roadway. Geotechnical work was performed during the late summer and fall. The boring samples provided information that bedrock exists at a depth that prevents drainage. Water is coming off of adjacent properties onto the road. The water builds up speed and deposits somewhere it can find a place to drain.

There are several additional issues, one of which is the wear and tear of heavy vehicles. The rutting of the lanes and potholes, we are attributing to heavy traffic. We don't mean passenger vehicles, but large trucks like garbage and dump trucks. They have caused damage to the road over time.

There are also Geometric Limitations. It's an old, windy road, which was made up of original farm paths. It is not built like modern roads. The widest area is 25 feet, and the narrowest a generous 16 feet. It's basically a one lane road in that section. There are

limitations. We have to determine how much right of way does the town own? How much control is there for widening the road?

The soil borings have provided helpful information. The soil conditions are poor. It's been determined that the southern portion of the road by Union vale, there is a hill. The geotechnical evaluation shows this area has the worst underlying foundation. The soils are very poor causing frost heaves that give out. There is evidence of road failures. Seventy-three percent (73%) of the material is called fines. It is made up of silt and clay. The temperature differences created heaving and settlement. The softer the materials, the easier it is to give out. You want something strong for a foundation. We need to find ways to mitigate this over time.

Examples of structural deficiencies include collapsed roads, potholing and a number of areas where the shoulder of the road is higher than the edge of the road. The water has nowhere to go, which erodes away the edge of the road. This is a failure that needs to be repaired.

The report is based on a pacer rating system of 1 -5. The rating for the road a two (2). Mostly for lack of drainage and lack of a crown. 1 is the worst. There are potholes and rutting on more than 25% of the road. Based on the history of the road, summer is the good season. We weren't here for winter thaws or the early spring, which we understand is the worst time for the road. There are over 255 areas that have rutting. The two (2) rating is due mostly to the lack of drainage. It may be a one (1) in the worst season. Councilman Murphy speculates that if Colliers was to examine the road now, it would likely be rated a one (1).

Mr. Farnham provided recommendations for the board. He said whatever is selected we will put a plan together with a more detailed cost basis. Collier recommends the Town have a survey completed and determine the right-of-way. This is necessary to learn what the town owns and determine if there's a need for an easement or a purchase of land. We don't have that info available and it is needed to proceed.

A traffic study also needs to be done. This will guide us in the design parameters. How much traffic is on the road?

Kennels Road is posted at 10 tons. Mr. Farnham asked does the town have a permit process for vehicles larger than 10 ton or more tons? Any vehicles greater than that could damage the road. It was recommended that the Town embark on a permitting process.

Mr. Farnham discussed the Project Alternatives using certain addresses that identify specific addresses. The alternatives are categorized from minimum repair to greatest level of damage. The areas using address identifiers, which may vary 10 - 20 feet, places needing more than specific than just normal maintenance and grading.

Alternative 1 Performing Basic Repairs. The repair areas would be determined by the Town and Colliers. The town would repair all areas of surface rutting, improve the culvert crossings and the embankment erosion.

- Gravel surface rutting
- Settlement at existing culvert crossings
- Embankment erosion
- Culvert repair/replacements
- All potholes, rills and erosion encountered on the road by spot filled and compacted with a 10-ton roller
- Applying a layer of topping stone placed along the entire road and graded with crown
- Posting a weight limit on the road and establish a permitting process for larger vehicles

Alternative 2 – Drainage Ditches

- Install drainage ditches along majority of roadway length, on each side key to roadway's life cycle and operation
- Can lead to improved site and roadway conditions, while minimizing actual roadway repairs
- Helps to prevent future deterioration of the existing gravel road

It's important to determine what land you own. Installing drainage ditches pulls the water off the road and prevents water from getting onto gravel surfaces.

Alternative 3 – Mill and Fill with Drainage Improvements

- Gravel reclamation
- Revitalize the existing roadway without full reconstruction
- Uniformly compacts and reuses material already in the road section, reduces new material needed
- Most useful for portions of road experiencing collapse or failure

With this course of action, the town will grind up all of the material that exists and mix it with additives and additional material. This process revitalizes everything that exists. Topping stone is put down to finish the road. It was emphasized that the road would remain at the width it is now.

Councilman Audia stated if we did that, you would still have to maintain and grade every year. How do you grade a road and not get the lip? It was explained that a drainage ditch helps keep the edge from building up on the side. Rip rap would only be used in certain areas. Most areas would be grass.

Alternative 4 – Gravel Road Reconstruction

- Two (2) – 10 ft wide travel lanes with 2 ft wide shoulders
- Redefines crown and dimension of roadway

- Install new drainage ditches

This alternative would provide for a minimum slope to push water off the road.

Alternative 5 - Paved Road Reconstruction

- Two (2) – 10 ft wide travel lanes with 2 ft wide shoulders
- Redefines crown and dimension of roadway
- Install new drainage ditches

This option provides the optimal solution for stability, upkeep and maintenance.

The alternatives go from the very basic repairs to the Cadillac of improvements. Mr. Farnham provided the town with the associated costs for each alternative.

Costs

Activities		Alt 1	Alt 2	Alt 3	Alt 4	Alt 5
Construction	Highway	\$132,171	\$466,152	\$1,279,534	\$2,245,101	\$5,244,457
Costs	Field Change Item (5%)	\$6,609	\$23,308	\$63,977	\$112,255	\$262,223
	Mobilization (4%)	\$0	\$0	\$51,181	\$89,804	\$209,778
Total Construction Costs		\$138,780	\$489,459	\$1,394,692	\$2,447,160	\$5,716,458
Design Contingency (10%)		\$13,878	\$48,946	\$139,469	\$244,716	\$571,646
Construction Inspection (10%)		\$0	\$0	\$139,469	\$244,716	\$571,646
Total Alternative Costs		\$152,658	\$538,405	\$1,673,631	\$2,936,592	\$6,859,750

Councilman ROchfort asked if Colliers assessed the drainage during a storm event? Yes, they made a visit during a rainstorm, there were some water that occurred coming off of properties and the Highway Superintendent advised them of other locations in the area. The drainage report shows other areas that enter the road.

Supervisor Ciferri asked if there were any indications of all the gravel we poured in the road. Mr. Markham replied that the boring samples showed a majority of the materials were clay and silt. There are areas of gravel which is as shallow as 8 inches up to 24 inches. Everything underneath it is a clay loam.

Councilman Audia asked do we own a certain amount of feet from the center line. Mr. Markham deferred to the Town's legal counsel. A user road shows on a deed that the property owner owns to the center line of the road. The town has the ability to maintain the road.

Councilwoman Heaney commented that we have to address the drainage, no matter what.

Colliers will provide the Town with upfront costs vs projected costs for 10 years for Alternatives 1, 2 and 3. They were also asked to include a construction timeline for each of the options, so the residents will know the impact to them.

Mr. Farnham advised the Board that the costs were projected using NYSDOT item numbers and costs from October, 2022.

The next item discussed was possible Funding Sources. Killearn Road is classified as a local rural road and is not eligible for federal funding. This requires the Town to get creative for funding sources. The northern portion of the road is a sensitive class A stream for drinking water. The NYSDEC has funding up to a million dollars which a portion of the road could be eligible for, specifically the portion of the area that drains into the stream. They believe this grant is a rolling grant. Another possibility would be a federal agricultural program whereby we could highlight the agricultural use on the road. The Infrastructure Act has New York State slated for 15 billion dollars. This is expected to be rolled out over five years. The programs eligible for funding have not been written yet. Colliers will keep it on their radar.

One of the most common ways a municipality pays for such a project is to bond (borrow) the money over an extended period of time. Also, the town could utilize discretionary spending, lobbying everyone we can for funding and donations.

Supervisor Ciferri requested that Colliers make a site visit while the road is experiencing freezing and thaws, to experience the real problems. He asked that if needed they make any revisions to the report.

Councilman Audia asked if the Town selected alternatives 1 – 3, would the road would be safe for a firetruck or ambulance to travel the road? The answer was it will depend on conditions of the road. The rideability should be fine. The narrowness of the road is a safety issue. Councilman Audia is concerned that a fire truck may get stuck in the road and not be able to respond to a fire. The road must be safe.

Councilman Rochfort stated the road becomes difficult to drive on after a spring thaw. If the drainage is fixed by removing the water from the road, do we still have to surface the road? Mr. Farnham said you want the water off the road. Adding drainage will help. If the road is muddy or gives out, you need to look at those areas on a case by case basis. We may need to rebuild certain sections. Using gravel should be structurally fine as long as the water is removed from the road.

Councilwoman Heaney said if 1 – 3 aren't working, the town can progress to one of the other alternatives. She confirmed that widening the road is only included in option 4 and 5.

A discussion ensued about water flowing off of certain properties. Mr. Farnham explained that in the drainage design, whatever the current situation is, right now, the ditch has

to be wide enough and deep enough to fix the problem. New York State SPEDES permits, through the DEC have restrictions on what kind of water is leaving the site. The Town has to design to the current situation of water entering the road. In the future, if a subdivision is created for 20 lots, there cannot be additional runoff than the current situation. In their research, they came across one map with a drainage easement across the road to a natural stream. Finding those easements is part of the survey that the town needs to do.

Supervisor Ciferri reminded residents that this is an informational meeting based on the findings of the report. Residents' questions and concerns will be discussed at a later date.

The Board followed up on the traffic study. They would collect data such as speed and special conditions. In order to receive federal funding, the town has to do projections for different types of roadbase. We can do that depending on how the town proceeds. Will Colliers make recommendations based on the traffic? Yes. If there are 400 -500 trips per day on average, they will take that number and multiply it by the expected cost of repairs for a paved road or gravel road with upgrades. Using those figures, they then determine the best course of action.

Councilwoman asked about the time to complete the survey. Mr. Farnham said the Town might want to go to bid for the survey due to the time involved.

Councilman Murphy acknowledged this is a decision that has to be made. It will take time and money. Want to go quickly, but we want to go safely.

Councilwoman Heaney said she wants to proceed with signs and permitting for trucks. It won't stop all of the problems, but it will create awareness. Logging is a case in point. It doesn't mean you can't have service trucks.

Supervisor Ciferri thanked the residents for attending. The Board will have some discussions and decisions to make. There will be a future meeting for residents to express their thoughts.

Mr. Farnham discussed the grant application. Colliers did a traffic study, an evaluation of the structure and reviewed the hydraulic files. The prior studies with the background and history were well done and very helpful. The hydraulics were not previously done for a DOT study. Both consultants came up with a structure of an 18-foot culvert. Collier's says it requires a 38 foot span for the DOT structure. The cap for the grant is \$1.5 million dollars. A 38-foot culvert brings the cost of the project over the \$1.5 million dollar threshold. The cost came in at \$1.7 million. If the town will guarantee a local share of the money, bringing the cost down to \$1.5 million, it will allow the application to move forward. If we submit at \$1.7 million in funds needed there are heavier review standards for the grant. The Town Board authorized Colliers to submit with the funding request of \$1.5 million dollars. It is not unreasonable for the town to have a 10 – 20% matching funds for a project of this magnitude.

Mr. Farnham further explained the project timeline based on grant award. The engineer would prepare the plans which would be let for contractor review in October 2024. Real construction would begin in 2025.

The Board discussed possible funding sources for the local match, as well as taking out a BAN or Bond.

Councilman Murphy asked if this would require the town to encumber property owner land? Mr. Farnham advised, yes, this is a user road. The proposal calls for one easement and one fee taking.

Mr. Farnham said the Town had a positive response to their request for letters of support. Letters were received from the County Executive, Union Vale Town Supervisor, the Millbrook Fire Department, State Senator Hinchey and State Assemblywoman Barrett, as well as concerned citizens.

Supervisor Ciferri asked what would be the status of the road during construction. The road would be closed. There is an option for another method for a detour. We might be able to build a temporary bridge next to the current bridge. The grant funding is for a detour.

On a motion made by Councilman Murphy and seconded by Councilman Audia, the following resolution was offered:

WHEREAS, the Town of Washington is applying for a Culvert Improvement Grant located on Oak Summit Road; and

WHEREAS, the maximum grant amount is \$1,500,000.00; and

WHEREAS, the projected cost of the project is \$1,700,000.00; and

WHEREAS, the Town Board has committed \$200,000.00 in a local match; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board has authorized Supervisor Gary Ciferri to sign the grant application for \$1,500,000.00; and

BE IT FURTHER RESOLVED, that Colliers Engineering is authorized to submit the application on behalf of the Town of Washington.

The vote was as follows:

Supervisor Ciferri	AYE
Councilman Audia	AYE
Councilman Murphy	AYE
Councilman Rochfort	AYE
Councilwoman Heaney	ABSENT

A discussion ensued about working with the property owners about the existing conditions. Mr. Farnham said if there's existing conditions, it's possible some work can be done in the right of way. You can't force them to cooperate. If there's runoff from new construction, it should be addressed in your building permit. Drainage from a driveway can't go onto the road. You may need to adopt a new section to the code. If water is leaving the

roadway to an adjacent property, the answer would depend on highway law and he defers to an attorney for that answer. Getting easements from landowners can be helpful.

Underground utilities are a bit of an issue because they are in the roadway. Anything that is designed has to be code. The standards are created for safety reasons. There are ways to have non-conforming nonstandard issues. You may place signage all over the place, so that if it isn't up to standard, you are giving a warning to the motorist.

Alternative 1, the basic option can be completed by town forces. Alternative 2 and above needs the survey work. If there is another option for someone else completing a survey, you can go with another company to go ahead and get it done. You may find you own everything you need to. You may get a section where they own both sides of the road. We urge you to go to bid. Mr. Farnham said Colliers can prepare the bid specs for the survey.

There being no other business, on a motion made by Councilman Murphy and seconded by Councilman Rochfort the meeting was closed at 6:46 PM. The vote was as follows:

Supervisor Ciferri	AYE
Councilman Audia	AYE
Councilman Murphy	AYE
Councilman Rochfort	AYE
Councilwoman Heaney	ABSENT

Mary Alex, Town Clerk