

## **SPECIAL MALABAR TOWN COUNCIL MEETING MINUTES**

**FEBRUARY 25, 2019**

**7:00 PM**

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

### **A. CALL TO ORDER:**

Chair, Mayor Patrick Reilly called the meeting to order at 7:00 pm and led P&P.

### **B. ROLL CALL:**

CHAIR:

MAYOR PATRICK T. REILLY, Present

VICE CHAIR:

STEVE RIVET, Present

COUNCIL MEMBERS:

GRANT BALL, Present

BRIAN VAIL, Present

DICK KORN, Present

DANNY WHITE, Present

MATT STINNETT, Present

TOWN ADMINISTRATOR:

TOM MILIORE, Present

PW DIRECTOR:

TOWN ENGINEER:

MORRIS SMITH, Present

TOWN CLERK/TREASURER:

DEBBY FRANKLIN, excused

### **C. COUNCIL ACTION:**

#### **1. Decision on bid options to complete the Hall Road Drainage Project**

Mayor turned meeting over to Matt Stinnett, TA.

Stinnett – there are three bids with the lowest being Ken Farrington, Tractor & Land Clearing, Inc. - \$48,726.

Korn asked for clarification on what the bids / work entailed. Stinnett explained the scope of work was from Tillman Canal to Eastside of Flashy. Increasing the capacity for the area, ultimately connecting to Rollerson's ditch on to Cameron's creek. Morris Smith – addressed Korn's concerns re: Weber / Hall.

White - Bid says "provided pipe" – how much pipe have we already bought or how much more will we need to buy? Stinnett clarified we have already purchased the pipe. White is concerned this is a poorly conceived project. Stinnett said the bid respondents indicated ditch only vs pipe only would be approximately equal bids. Concerned we are going to spend \$50,000 and won't have fixed the problem and will have future additional expense. Mayor reminded we can only work one section at a time. Ball commented that in order to do the ditch only, we would first need to remove the existing pipe and then cut the ditch. Vail commented that we have made a commitment to the residents that they would have a culvert pipe. Once the pipe is correctly installed, it will result in a swale the resident will then be able to maintain themselves, saving the Town future maintenance costs rather than a ditch that would require continual cleanout and mowing / maintenance. White's concern is the original scope was only to fix the pipe that was wrong and ditch the rest. Vail responded this is the agreement we made with the resident - we need to finish this project and then if this comes up again we would revisit and determine if this was successful enough to warrant doing it again. White commented that the promise was between two parties and to his knowledge the resident hasn't complied with their part of the agreement. Stinnett clarified there was no written agreement, it was a verbal agreement between the resident and the prior TA. Resident clarified (from the audience) there was email correspondence between he and the prior TA offering the ditch vs culvert option. He chose the culvert option with payment to be made at completion of the project.

Mayor turned the time over to Engineer Smith to address whether this project will get us to the Town's ultimate goal. Smith said yes, it would eventually put the stormwater where the Town can manage it without running across private property where we have no control. Discussion as to whether code still requires water be moved from the rear of a property to the front to be carried off by ditches.

Gene Cioffi – 1560 Gilmore Street – says there is still code that requires ditches on both sides and a swale so all water was directed to the front of the property to the ditch. Gave examples from his property.

Mayor asked for additional discussion or motion.

**Motion:** Rivet / Vail to accept the Farrington bid as read. Discussion:

White raised concerns that we are paying more than required by the project. \$8,000 of the \$48,000 estimate is repairing the culverts in question. How much is the pipe cost in relation to the rest of the project? Is this something we want to do again with another resident? His vote would be no. Mayor – this project entails fixing two culverts and an approximate additional 575 feet. Vail – reiterated that we (Council) need to take a hard look if we are ever asked to do this again. This particular project was a test project and will help us go forward to learn and improve. Korn – this project, if done right, will benefit the residents along Flashy as well. Additional Council Members agreed it will also benefit additional residents as well. White wanted to make sure we know that he feels this was a “screw up” and understands we should look at this as a model. Do we continue to go forward? What would be the cost to just rip up what is there? If we don’t continue we will never know if it would have worked which is the only reason he’s agreeing.

Jim Roulston - 2480 Malabar Road – we have x feet of plastic pipe going in the ground. We already have some that has popped up, when the water table comes up, is it going to pop up again? Should it have been concrete instead of plastic? Miliore clarified the new pipe will have more than 22” of coverage – the original problem was the pipe was too large allowing it to pop up.

Smith – addressed White’s concern about pulling out the existing pipe and going with ditch – that would require repairing 3 driveways at a cost of \$8,000 each which is why the contractors bid it being cheaper to lay pipe than do ditch. White said he wasn’t talking about pulling out any existing pipe, just going forward by repairing the popped pipe and continuing with ditch. According to the bid, it is \$8,000 to fix the popped pipe and \$40,000 to add additional culvert.

Korn suggested we not put pipes down Flashy Lane and keep the rest to what is already there.

Keith Kessler – 460 Hall Road – concerning extension of ditches along Flashy heading north, it appears the road has shifted to the west significantly. The ditch was enlarged in 2002/2003 and the grade of the property is caving into the ditch. If the ditch is enlarged any more, the grade will cave into the ditch and his fence will fall. He feels that is one of the reasons we were looking at culvert instead of ditch.

Resident – wants to know where the dirt went and how soon will this be fixed. Was supposed to be done previous September.

**Vote of Motion** to accept the Farrington bid for \$48,726: Ayes, 5; Nay, 0. Motion carried.

#### **D. ADJOURNMENT:**

There being no further business to discuss and without objection, the meeting was adjourned at 7:45 PM.

BY: original signed  
Mayor Patrick T. Reilly, Council Chair