

**TOWN OF NEWBURGH
STORM WATER MANAGEMENT BOARD
MINUTES AUGUST 17, 2015**

MEMBERS PRESENT: Dana Grace; Greg Bailey

ADMINISTRATIVE PRESENT: Bill Kavanaugh, Town Council Liaison; Alonzo Moore, Streets Commissioner; Chris Wischer, Town Attorney; Cynthia Burger; David Hynes, Town Engineer

Guests: Morrie Doll, Attorney; Debbie Rhodes; Bill Bivens and Aaron Doll

CALL TO ORDER

Mr. Grace called the meeting to order at 6 p.m. and asked for roll call.

MINUTES

Mr. Bailey moved to adopt the minutes as presented. Mr. Grace seconded and the motion carried.

REPORTS

Streets

Mr. Moore said the street maintenance crew has finished a drainage project at East Main and Cypress. A French drain and some new piping was installed, he said.

Town Engineer

Mr. Hynes said the Jennings Street project encountered some unexpected problems with culvert replacement and the estimated \$75,000 estimate has now increased to \$128,000, which is well over the available funding. He said he should know tomorrow how much money is available for the project and carry out what can be done, according to the priorities.

UNFINISHED BUSINESS

Drainage plan for the Country Store

Attorney Morrie Doll spoke on behalf of the Country Store owners, Debbie and Larry Rhodes. He said they were asking for a waiver under section 19 of the ordinance from having to complete a full-fledged drainage plan because they will be installing a French drain and a container. He said they are adding only a slight amount of water over the usual runoff and will not have water running on top of the ground to the street.

Also, much of the water that will be drained from the property is coming from Main Street, which Mr. Doll said is a problem for the town to remedy.

He said the plan is to collect storm water through a series of drains and direct it to a collector at the corner of the parking lot.

Mr. Doll said they were requesting a variance because they were basically draining the same amount of storm water as before any new drainage was installed. He said it was more a matter of maintenance rather than disturbing the soil. He mentioned several times that storm water draining onto the property from Main Street was damaging the building and had destroyed the garage which was recently demolished.

Bill Bivens said the coefficient of runoff was only slightly above the current measure.

Mr. Hynes said he had written Mr. Bivens, the Rhodes' engineer, a formal letter that asked for several things to be fixed in their proposal. He said they have not been altered.

Mr. Wischer said the purpose of the drainage plan is so the Storm Water Management Board, through advice from the Engineer, can discern if the plan will have an adverse impact on other property.

One of the concerns, surface water from the east side of the building, has been addressed, Mr. Doll reported.

Mr. Wischer asked if a revised plan could be submitted for Mr. Hynes' review. Mr. Hynes assured them he would review any plans immediately.

Mr. Grace reminded Mrs. Rhodes and her representatives that at last month's meeting the board was clear in its statement that all that was necessary was to submit a drainage plan. He said he even offered to schedule a special meeting if needed. Mr. Rhodes, at that time, said he would not need a special meeting, that he had other things he could do in the mean time.

Mr. Wischer reported that he had emailed Mr. Rhodes 10 days ago that Mr. Hynes had not received a drainage plan. Mr. Rhodes indicated that he was having trouble reaching Mr. Bivens.

Mr. Grace again offered to schedule a special meeting to review the plans when they are submitted and reviewed by Mr. Hynes.

Mr. Hynes said significant changes to drainage have been made in the work already completed. Mr. Hynes said if there is no drainage plan, and a drainage issues arise, there is nothing in the record to show the design. He said he noted 10 issues that were at odds with the drainage ordinance in his letter to Mr. Bivens.

One of the comments, Mr. Hynes said, was about a retention area for storm water. He said that issue has not been addressed.

Mr. Wischer said it would not be the first time a variance was granted for a drainage plan.

Mr. Doll asked the board to grant the variance contingent on the drawings of the changes being submitted.

Mr. Grace said the process is that the engineer reviews the plan and makes a recommendation to the Storm Water Management Board, which then votes to accept the plan or sends it back for more changes.

Mr. Wischer said if the board approved the drainage plan contingent on Mr. Hynes reviewing them, then there would be no opportunity for discussion if Mr. Hynes has objections to portions. He said the board needs to meet and discuss the plan before adopting it.

Mr. Grace said the board would not vote on the variance request tonight.

Project List Update

Ms. Burger insisted that the Project List be on the monthly agenda because the MS4 report must show a project list and completion date. She said she is going back 2.5 years to check which projects have been completed for the upcoming report.

MS4 Update

Ms. Burger said she needs information from 2013 for the MS4 report. Meg Dill is going to check newspapers for MS4 articles for 2014 and 2015. Marking inlets needs to be completed and she needs to come up with the cost of supplies and man hours for projects completed.

She said there were several issues noted in the 2013 audit, such as illicit discharges. The board voted to have Commonwealth complete the mapping in October 2013 and it is just now being done.

Mr. Hynes is collecting data for the recent EDIT sidewalk/drains project for the annual report.

The audit is about three things, Ms. Burger told the board. The Town contracted with Commonwealth to complete these five tasks for an estimated \$36,000. Ms. Burger said she will do tasks 3,4,5 with Mr. Hynes' help, so that should reduce the cost. Commonwealth will need to do the other two tasks and be here for the audit, she said.

She will do the storm water management plan and most of the Part C update. She will collect the data for item four and Commonwealth will interpret it.

She will do the annual report for November 2013 to November 2015 and have Commonwealth review it before it is submitted. That should save some money, she said.

She has reinstated the complaint log, in which any complaint is taken is referred to someone for action.

Other things to complete that she is working on include the quarterly report for all facilities. She needs 2014 inspection records.

Wastewater has been completed, so she needs Parks/Pool, Fire Dept. and the Street Dept. The department heads have reported in to Meg the last three or four days, as per needs.

Parts of the MS4 are funded by storm water monies. She suggested the town will be in trouble for the audit. For the Rural 13, there is a schedule for 2010 -2015. Most of the work has not been done. She will do her best to get the reports together for the audit.

Ms. Burger said she is on contract currently to gather data for the MS4 audit. She is creating an action plan for the new Town Manager when that person is hired.

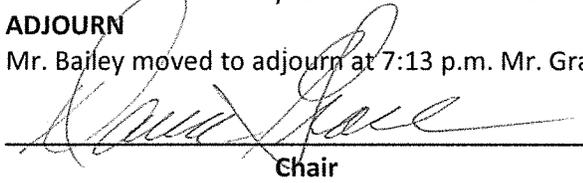
Mr. Grace asked where the project is on Forest Park. Mr. Hynes said he has a call in to Bob Dale to show him the town plan. Once Mr. Dale agrees, Mr. Hynes said he will meet with the County Drainage Board.

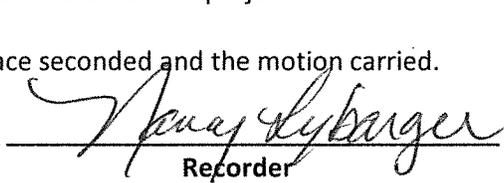
Mr. Grace asked what the board needs to do at this time. Mr. Hynes said the county wants a commitment that the town will do its share of the project. However, if the funding is not available at this time, the town portion can wait.

Mr. Grace asked Mr. Hynes to send him the cost estimates for the project.

ADJOURN

Mr. Bailey moved to adjourn at 7:13 p.m. Mr. Grace seconded and the motion carried.


Chair


Recorder

9-21-2015