BAY VIEW ESTATES ROAD RESTORATION MEETING
July 15, 2017 10:00 AM
Bohemia Manor High School
2755 Augustine Herman Hwy.
Chesapeake City, MD 21915

Attendees:

AECOM: Chris Rogers, Jerry Katzmire, Rich Lekberg

Bay View Estates (BVE) Residents: Dave Heacock, Joy Heacock, William J. Fischer, Mary Ann Fischer, Kathy Zawatski, Sandy Stake, John Sobon, Bill Haines, Wayne Dulaney, Ken Cowley, Norine Haines, Laura Oliver, Shane West, Bob Fitzner, Wilma Fitzner, John Cronin, Paul Cuccinello, Felicia Cuccinello, Tracy Dale, Mary Coyle, Pat Coyle, Linda Racine, Gene Racine, Jeanie Matthews, Brian Cronin, Stacy Sanders, John Sanders, Wayne Kline, Dee Blair, John Blair

Cecil County Council: Bob Meffley

Congressman Harris's Office: Mary O'Keeffe

Maryland Environmental Service (MES): Kristen Keene, Christine Holmburg

Maryland Department of Transportation's Port Administration (MDOT MPA): Kristen Fidler, Chris Correale

Town of Cecilton: Mary Cooper

West View Shores (WVS) Residents: Valerie Woodruff, Marion Bowman

1.0 Welcome & Introductions **Kristen Fidler, Chair**

Ms. Fidler welcomed the attendees to the meeting and gave a brief overview of the meeting objectives regarding the road restoration of Bay View Estates (BVE). Ms. Fidler reviewed the agenda items, including road restoration background and methodology, review of current road conditions, previously existing road conditions, current project status, definitions of "substantially complete", punch list items", and the different phases of the road restoration. Ms. Fidler informed the attendees that findings from an independent road evaluation will be discussed as well.

2.0 Scope/Project Overview **Chris Rogers, AECOM**

Mr. Rogers clarified the role of the various agencies and their partners involved in the project. Maryland Department of Transportation Maryland Port Administration (MDOT MPA) is funding the waterline project, which includes road restoration due to waterline installation; AECOM is the Town of Cecilton's (the Town's) consulting engineer and have been providing planning and engineering services for the Town for 15 years; and Maryland Environmental Service (MES) is acting on behalf of the MDOT MPA as a consultant.

Regarding the history of the waterline, when the US Army Corps of Engineers, Philadelphia District (CENAP) proposed to reactivate the Pearce Creek Dredged Material Containment Facility (DMCF), the Maryland Department of the Environment (MDE) required them to address the situation of the degraded groundwater and MDOT MPA assisted in evaluating how to provide potable water to the affected area. During the process to identify a viable solution, the Town agreed to provide a water source to the residents. The Town entered into an agreement for MDOT MPA to provide funding (through MES) for the Town to conduct planning, preliminary engineering, and cost estimates to ensure that the waterline project was feasible.

Upon determining that the waterline installation to provide potable water from the Town to the affected area was feasible, the Town and MDOT MPA entered into a Grant Agreement, which was the vehicle that guaranteed the funding for the future water system project. The Town was obligated by the Grant Agreement to bid the project, hire the contractors, and to oversee the installation of the water system. The Town contracted AECOM to conduct those services; MDOT MPA is funding all activities. All invoices, contractors' pay requests, deliverables, plans, and bid documents are reviewed by MDOT MPA and MES.

The Grant Agreement was executed in early 2015; in January 2015 the Pearce Creek Implementation Committee (PCIC) was formed to keep stakeholders informed and updated on project status and to provide feedback. In January 2016, AECOM, on behalf of the Town, advertised for bids for the two phases of the project: the Transmission Main and the Distribution Main.

The Distribution Main project details the road restoration within the communities. The original plans and specifications for road restoration required that the single lane where the pipeline was installed would be restored to its original condition and any other damage was the responsibility of the contractor at no cost to the Town. At the pre-bid meeting on January 29, 2016, contractors raised serious concerns regarding the unknown risk of the provision that they would be responsible for any other damage. The contractors stated that the adjacent roads would be damaged by the pipeline installation activities and construction equipment, and they could not provide an accurate estimate and requested a more comprehensive road restoration specification. AECOM evaluated various alternatives to address the contractors' concerns. In regards to BVE, the solution was that the full width of all roads will be milled down 3.0 inches and the millings hauled away. In WVS, the full width of all roads would be milled down 3.0 inches and replaced with two layers of asphalt equaling 3.5 inches since the WVS original road condition consisted of asphalt. The millings from WVS would be placed in the previously milled areas of BVE, graded, compacted and overlaid with two layers of tar and chip. The cost for this added work would be an additional $345,000, which was approved by MDOT MPA. On February 12, 2016, AECOM issued an addendum to the plans and specifications that the road restoration would be the full-width of all the roads in the communities.

3.0 Road Restoration Background and Methodology **Gerald Katzmire, AECOM**

Mr. Katzmire, the Construction Services Manager for AECOM, stated that AECOM met with the contractor, Reybold Construction, and their paving subcontractor, American Paving, to discuss the road restoration in BVE prior to beginning the project. The paving subcontractor did not recommend putting tar and chip on top of the 3.0 inch millings due to observing how granular the millings material was in the field. The paving subcontractor stated that the petroleum from the tar and chip would not adhere to the millings and would instead seep to the bottom; other options were investigated. The contractor, with the approval of AECOM, decided to use a road reclaimer, which pulverizes material to obtain an appropriate grain size. Bramble Construction, a well-known and experienced paving contractor completed the road restoration work, not Reybold. This "change in plan" now involved spreading the millings from WVS on top of the existing tar and chip, and then the road reclaimer mixed the existing BVE tar and chip road with WVS millings about 8 inches deep and pulverized the material; this blend became the base for the final tar and chip layers. A road grader was brought in to shape the road and the roads were then rolled to compact the tar and chip. Mr. Katzmire stated that the tar and chip was laid down in two layers: the first layer had 3/8 inch stone and the second layer had ¼ inch stone. Bramble

used all the proper equipment and it was a professional tar and chip job. The tar and chip was rolled and compacted after each layer.

4.0 Review of Road Conditions **Gerald Katzmire, AECOM**

Meeting attendees were shown a video of the tar and chip installation at BVE, as well as video of before and after conditions for the road restoration project. Mr. Katzmire stated, regarding correspondence from residents received by AECOM stating that there were chunks in the road, the photos and videos show that there are no existing chunks. It is AECOM's position that the subgrade of the road has been enhanced by reclaiming both the millings and the existing tar and chip into the existing bank-run base, and by reshaping and compacting it. There were other concerns submitted to AECOM that the road had been widened in some areas by as much as six feet; the post-construction survey determined that the road was widened by four feet in one location. AECOM will request that the contractor remove the extended tar and chip in that location to bring the road back to its original width.

Regarding the term "substantial completion" - this means the point at which the project can be used for its intended purpose. Once the contractor states that the project is "substantially complete," a "punch list" of remaining items that still need to be completed is then triggered. Currently, the project has not yet been deemed officially "substantially completed" because the *waterline* currently cannot be used for its intended purpose due to the fact that the flush tests and potability testing remain underway. Once the water in pipeline is considered potable, this part of the project will be deemed "substantially completed" and a punch list will be created; at that time the contractor will have 30 days to complete the items on the punch list, upon which the project will reach "final completion." Concerns submitted by residents to AECOM regarding trenching, road widening, etc. are considered punch list items. On one of the roads, some settling has occurred in the trench area. The trench settling will either be addressed by the punch list if it becomes a nuisance, or the one-year warranty on this phase of the road restoration – the one year period begins at the point of "final completion" of the Distribution Main contract. Mr. Katzmire reminded the meeting attendees that there will also be a final application of tar and chip layer after the completion of the third and next phase of the project (i.e. road restoration subsequent to completion of the on-lot hook-up phase of the project; there will be a one year warranty on that as well, commencing at "final completion" of the on-lot contract). Mr. Katzmire noted that roads that did not have any pipeline installed were also restored to match the rest of the community. MDOT specification speed humps were also installed, and now BVE has two more speed humps than were originally present, as requested by the residents.

5.0 Current Project Status **Gerald Katzmire, AECOM**

Mr. Katzmire recapped: 1) The punch list for the project has not been triggered yet, so there are remaining, outstanding repairs yet to be completed as part of the punch list work (specific examples of punch list items include: repairing settled trenches, replacing damaged roadway signs, repairing the end of driveways, etc.); and 2) an additional road restoration effort will occur at the end of the on-lot contract (phase 3). There will be 10,000 square yards of tar and chip added, restoration of any damages, and a fog coat/seal applied, which will paint the top layer black to help bind the gravel.

6.0 Independent Road Review **Mark Wolcott, MES**

Ms. Fidler stated that MDOT MPA shares the goal and commitment of the communities for a quality end product. MDOT MPA reached out to a roadway construction expert, Mark Wolcott, with MES, who is unaffiliated with the project. Mr. Wolcott has worked for MES for the past year as a Senior

Engineer in a separate department from the MES staff that works on the Pearce Creek Project. During this past year he has worked with the MDOT State Highway Administration (SHA) on the replacement of aging drainage pipes in Western Maryland. Previously, he worked for MDOT SHA for 29 years completing testing and quality control of materials, as well as serving as the Director of the Office of Materials and Technology. Mr. Wolcott visited the BVE neighborhood and the Pearce Creek project site to familiarize himself with the job.

Mr. Wolcott stated that listening to the feedback of contractors at pre-bid meetings is important and benefits making good decisions regarding the bid documents and road specifications. Based on the site visits, there are still some minor items to be completed, but it is not a completed product yet. Mr. Wolcott concluded that the crown that is present in the restored roads is not excessive and is a good component of any road; the roads are within good standards of road construction. Regarding the reclaiming, Mr. Wolcott believes that it provides a good base for a finished product, and the reuse of millings from WVS supports beneficial reuse of materials, which is a priority for MDOT SHA and across other government agencies; he believes that the communities should be proud of this component of the project. Mr. Wolcott stated that he will still be present as the project continues and will listen to ongoing comments and concerns.

7.0 Community Feedback **Community Members**

A resident expressed a concern regarding the placement of chunks of material down the middle of the road. Mr. Katzmire stated that the chunks observed were millings from WVS asphalt, which ranged in thickness; however, the asphalt was then pulverized via the reclaimer to reduce the size. The millings were placed down the center of the road to help create the crown, then reclaimed, graded, spread out, and rolled; tar and chip was then placed on the subgrade. A resident asked what the depth of the asphalt was when it was milled from WVS. Mr. Katzmire replied that the depth of the WVS millings was about 2-2.5 inches and some dirt was included.

There was a concern that the original road was milled down three inches and removed along with the base material creating a substandard subgrade. Ms. Fidler stated that in the original specification, prior to the decision regarding enhancements, the original road was going to be completely removed and the material taken off-site; the changed specification called for the reclamation of the existing road along with millings from WVS. Another resident raised a concern regarding the quality of the material used as well as a concern regarding Chesapeake Circle where the tar and chip was placed on top of dirt. Mr. Katzmire replied that all of the material used came from WVS; the road strength of a subgrade can be scientifically proven and the BVE subgrade was enhanced.

Mr. Haines stated that there has been poor communication during this process and that the WVS millings were always too chunky. Mr. Haines also stated that the crowns were not needed and that some of the crowns are not in the center of the road. Mr. Haines expressed concern that the roads have ripples in them and that snow plows will not be able to drive over them during the winter. Mr. Haines explained that previously there were 57 years of compacted dirt roads and 20 years of existing tar and chip that was milled. Mr. Haines expressed a preference for the original roads, not the improved roads. Mr. Katzmire stated that the roads are better than the original roads, but it was done in a different manner than was originally planned/intended and communicated.

Mr. Cowley stated that he moved to BVE in 1989 and there was a 30-year old dirt road. Residents would pull plows to level the road and most homeowners wanted to keep it dirt. A homeowner put down two coats of tar and chip, and pot holes were addressed by a contractor. Mr. Cowley expressed concern that the contractor went down too deep and destroyed the "good" subgrade. Mr. Rogers stated that there were many ruts and drainage problems and that the subgrade had been compromised. Mr. Katzmire stated that the tar and chip was ¾ inch thick; he reminded the attendees that tar and chip is very different than asphalt as a roadway surface material and was originally used as a way to minimize dust from dirt roads.

A resident thanked all parties for their continued stamina on the project and stated that at the Maryland Drive and Chesapeake Circle intersection, with the large amount of dirt in the base, the tar is not attaching and it is lifting and creating a seam. There is a concern that future traffic will make it worse. Mr. Katzmire reiterated that the dirt has always been present and now includes angular gravel. Mr. Katzmire also reminded the attendees that tar and chip is not a structural road surface and is subject to damage; however the pre-construction roads in BVE were tar and chip. Mr. Wolcott confirmed that tar and chip is not a structural road and stated that tar and chip is a surface treatment. Ms. Correale stated that all jobs have blemishes on them and reminded the attendees that the punch list is still to come. Ms. Correale recommended adding the road lifting concern at the Maryland Drive and Chesapeake Circle intersection to the punch list. Mr. Haines reiterated his concern that the snowplow will remove the road and BVE did not get the road base that they were promised. Mr. Katzmire replied that there are skids and runners on snow plows to prevent snowplows from tearing up the road.

Ms. Fidler stated, regarding the communication issue, that the PCIC meetings provide project updates and also stated that the original road restoration plan and specifications were not implemented due to the engineering constraints that were previously mentioned. There could have been better communication to the communities regarding these changes. The original promise was that the roads would be restored to their pre-existing conditions and the contractor conveyed that they could not put the roads back to pre-construction levels from an engineering stand point. Ms. Fidler committed MDOT MPA to improve and increase communications with the residents moving forward.

Mr. Sanders asked how long the road is expected to last. Mr. Wolcott stated that roads have a regiment of cycles of rehabilitation and maintenance. Tar and chip could last 8-15 years before maintenance is needed; however, the lifespan is dependent on traffic, etc. Mr. Sanders requested a warranty of longer than one year and also requested MDOT MPA to consider installation of an asphalt road since the community has had 1.5 years of inconvenience. Mr. Sanders also requested assurances that the road will be repaired if it drastically deteriorates. Mr. West stated that the roads look improved, but that there is a concern that when the material was milled into the dirt, the tar will stick to the sand and then will be pulled up since tar does not bind well to sand. Mr. Rogers (AECOM) stated that if the millings did not make it to the edge of the roadway, then the reclaimer pulverized the existing tar and chip; there was an on-site inspector looking for problem areas throughout the process.

Ms. Fitzner expressed a concern on the poor communication regarding the roadway specifications changing. Ms. Fitzner stated that BVE was willing to share roadway restoration expenses with MDOT MPA. The road in front of Ms. Fitzner's property is now sinking and will likely be a punch list item. Ms. Fitzner is appreciative of the information that there will be a punch list to take care of the smaller items, as well as another layer of tar and chip once the next phase is completed. Ms. Fitzner asked for

clarification regarding the warranty of the road. Mr. Katzmire stated that there is a one year warranty from the final completion of the Distribution Main contract. Ms. Fitzner raised a concern regarding the road not holding up to its expected lifetime.

Councilman Meffley stated, regarding the road restoration concerns, that the water system is a great asset, and the residents should focus on the water. Councilman Meffley suggested investigating if delivery trucks damage the edges of the roads to determine if the roads will hold up. Mr. Katzmire stated that AECOM will move forward with conducting a test of the sides of the roads by proof-rolling the surface. Currently hundreds of trucks have been traveling along Old Barn Lane and the roads there are holding up. Mr. Cowley was very appreciative of MDOT MPA's efforts to accommodate the residents. Mr. Cowley requested a solution to making the road better based on its current condition and to investigate the effects of two additional coats of tar and chip rather than one.

Ms. Fidler reminded the meeting attendees that the next PCIC meeting will be held on Friday, August 18, 2017 at 10am at the Parklands Buildings and it will include a follow up to the concerns and suggestions received at this meeting. Ms. Fidler stated that even though the project should be completed by May 2018, the MDOT MPA and the PCIC will still be active, focused on maintaining communications and an open dialogue with the communities and the stakeholder advisory committee will continue to meet until the communities and partners deem them no longer necessary.

Mr. Haines reiterated his concern that the road is rippled and the ripples will need to be filled before the next tar and chip layer is placed. A resident asked why an asphalt road was not used and asked about the possible cost of an asphalt road. Mr. Katzmire stated that AECOM was charged with restoring the roads to existing /present condition, which was a tar and chip road. Mr. Katzmire stated that asphalt would be very costly.

Ms. Woodruff stated a disappointment of WVS being slated to receive in home water system hook-ups at the end of September and requested that rescheduling strongly be considered.

Adjourn - Noon **Kristen Fidler, Chair**