



# Town of Malta

**Roger Crandall, Highway Superintendent**

Highway Department

2540 Route 9

Malta, NY 12020

Saratoga County

e-mail: [highway@malta-town.org](mailto:highway@malta-town.org)

(518) 899-2818

fax: (518) 899-9038

## **PERMIT FOR CONSTRUCTION OF UTILITIES TOWN OF MALTA HIGHWAY DEPARTMENT**

**Adopted November 7, 1990**

**Amended February 1, 2010 and July, 2010**

**Application to:** Highway Superintendent  
Town of Malta  
2540 Route 9  
Malta NY 12020

**Applicant:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Permission is hereby requested to construct the following utilities within the right-of-way of the Town of Malta, or within land owned by the Town of Malta, pursuant to Section 136 of Highway Law.

Town Road name: \_\_\_\_\_

(Please attach description and plan sketch of proposed work location.)

This work must be started in an expeditious manner and be completed within (1) 60 days from date of permit, or (2) no later than \_\_\_\_\_. The Town of Malta Highway Superintendent shall be promptly notified when the work is completed.

By my signature below, I certify that I have authority to represent the Applicant with respect to the placement of utilities, and that the Applicant will install all gathering lines with a minimum of 24 inches (610 millimeters) of cover (16 NYCRR §255.9), and that all service lines shall be installed with at least 18 inches (457 millimeters) of cover (16 NYCRR §255.361).

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

[www.Malta-town.org](http://www.Malta-town.org)

Special conditions are issued in addition to the Utility Permit Application entitled "Permit for Construction of Utilities, Town of Malta Highway Department".

These conditions apply to the right-of-way on roads owned and maintained by the Town of Malta. By submitting this application, you agree to comply with these conditions.

The intent of these special conditions is to address concerns, guidelines, and/or requirements which may or may not be addressed in the permit application described above. No exceptions to these special conditions shall be allowed unless approved by the Town of Malta Highway Superintendent.

- A. Two-way traffic shall be maintained and coordinated by flagmen in a manner that will cause no excessive delays to vehicular traffic.
- B. Fire hydrants shall be placed one foot within the property line unless approved by the Highway Superintendent or his representative.
- C. Erosion control measures shall be in conformance with New York State guidelines for urban erosion and sediment control manual.
- D. Sight distances at all town road intersections shall not be reduced or compromised due to excavation.
- E. The utility shall be placed in an area within the right-of-way that will minimize should damage and obstruction of private property.
- F. All pavement, restoration and site work shall be completed to the satisfaction of the Town of Malta Highway Superintendent.
- G. All back filling operations shall attain a minimum of 95% maximum dry density; ASTM D698. To verify these results, the services of an independent testing laboratory will be required. Copies of the testing results must be forwarded to the Town of Malta Highway Department.
- H. All costs incurred shall be paid by the applicant.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Town of Malta Highway Superintendent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



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The applicant agrees, in consideration of this permit, that any present or future injury to or disturbance of the highway, its slopes or gutters, caused by this work, shall be repaired by the applicant at his own expense and in accordance with instructions of the Town Highway Superintendent.

\_\_\_\_\_  
Malta Highway Superintendent

\_\_\_\_\_  
Date

This permit expires (1) in 60 days from date, or (2) in no event later than \_\_\_\_\_.  
(date)

In consideration of the granting of the within permit, the undersigned hereby accepts the same subject to their restrictions and conditions therein described (pages 5-8).

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date



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### **HOLD HARMLESS**

\_\_\_\_\_ hereby agrees to indemnify and hold harmless the Town  
(Name of Applicant)  
of Malta, its officers, employees and agents from and against any and all liability, claims, losses, damage or action arising or alleged to arise from the performance of the work or services provided by the contractor under the contract described herein to the extent permissible by law including, but not limited, to the cost of reasonable attorneys fees and the costs and disbursements incurred in defending against any such claims, etc. .

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

[www.Malta-town.org](http://www.Malta-town.org)

## CONDITIONS AND RESTRICTIONS

- A. This permit shall not be assigned or transferred without the written consent of the Town of Malta Highway Superintendent (hereinafter referred to as TOMHS).
- B. The work and locations authorized by this permit shall be performed under the supervision and to the satisfaction of the TOMHS or his representative.
- C. This work must be started and continued in an expeditious manner and be completed (1) within 60 days from date of permit, or (2) in no event later than \_\_\_\_\_. The TOMHS shall be promptly notified when the work is complete.
- D. The said applicant agrees to hold the Town of Malta harmless on account of damages of any kind which may arise during the progress and at all times thereafter as a result of the work authorized by this permit or by reason thereof.
- E. The Town of Malta will **require a Certificate of Insurance** covering work for the combined single limit liability (property and bodily injury) of \$1,000,000 for each occurrence and the Town of Malta shall be named as additionally insured submitted with this application.
- F. A **Workmen's Compensation** Form must also be submitted with this application.
- G. The applicant requesting this permit agrees to hold the town harmless from all liability and shall be required to sign the attached **Hold Harmless** form.
- H. Should any of the policies be cancelled before the expiration date thereof, the issuing company will mail 30 days written notice to the Town of Malta Highway Department by Certified Mail.
- I. The applicant agrees to pay all necessary expenses related to supervision and inspection by reason of the granting of such permit. Such payment will be made within ten days from the rendering of the certified account.
- J. Original copy of this permit must be furnished on demand by field representative in charge of work.
- K. Traffic shall be maintained on this section of this highway while the work is in progress and until its final completion. If the road must be closed, the applicant shall notify the TOMHS, Fire Company, Ambulance Corp, Sheriff Department, State Police, School District and the affected neighboring community as directed by the TOMHS.
- L. The Town of Malta reserves the right to revoke or annul this permit at any time should the said applicant fail to comply with the terms and conditions upon which it is granted.
- M. This permit is subject to such other consents as are required by law.

## **METHOD OF PERFORMING WORK**

- A. All pipes or mains crossing the highway pavements shall, wherever possible, be driven beneath the roadway without disturbance to the pavement.
- B. Such crossover pipes shall, whenever possible, be enclosed in sleeves or large pipes so that repairs or replacements may be made without further disturbance of the roadway pavement.
- C. A steel sleeve required for section bored, with ends sealed. End of steel casing at bore pit to be a minimum of ten feet from edge of pavement.
- D. Only if authorized after excavating and locating water main:
  - Excavation at water main for tapping sleeve and valve:
    1. back-fill with existing material if acceptable. If material is unacceptable, gravel approved by the TOMHS must be used
    2. no asphalt in trench or backfill material
    3. compaction in minimum of 6" lifts with mechanical compactor
    4. 12" of compacted rubble is to be used for sub-base
    5. 4" of asphalt concrete pavement, 2.5" base, 1.5" top course
    6. saw cut road at a minimum of 18" beyond edge of trench
- E. If pavement cut at water main is authorized, full-time inspection will be required with a certificate by a licensed engineer with back fill and compaction done according to the Town of Malta specifications and requirements.
- F. Contractor shall provide a two year bond for \$5,000 to cover possible future repairs.
- G. Back fill material shall be well graded, drainable gravel, placed in 6" layers and thoroughly compacted. All excavated material and rubbish shall be cleaned up and removed from the highway upon completion of the work day and the highway left in a neat and orderly condition.
- H. The applicant shall be responsible for repairing any deficiencies created by or arising from the work for which this permit is issued, for a period of 24 months after completion of the work.
- I. The applicant shall erect and maintain suitable guard rails or barricades around all trenches while work is in progress for the protection and safety of the public, and they shall be lighted at night to meet the NYSDOT standards. The work shall be carried on in such a manner that all excavations shall be back filled at end of each days' work unless otherwise approved by the TOMHS.
- J. Manhole frames and covers shall be of an approved weight and set according to Town of Malta Stormwater Management Conveyance System Standards.
- K. All gathering lines shall be installed with a minimum of 24 inches (610 millimeters) of cover (16 NYCRR §255.9). If conditions do not permit installation with this minimum cover, the Town Highway Superintendent may designate alternative installation in writing.
- L. All service lines shall be installed with at least 18 inches (457 millimeters) of cover (16 NYCRR §255.361). If conditions do not permit installation with this minimum cover, the Town Highway Superintendent may designate alternative installation in writing.

## **OPEN CUTS**

If the method of open cut is agreed upon, the following restrictions shall govern replacement of the pavement (this is the last resort in all situations):

- A. On concrete pavements, slabs partly undermined, or broken, shall be completely replaced to meet the Town of Malta Highway Standards.
- B. Bituminous Concrete Pavement: 12" rubble sub base, 2.5" binder course, 1.5" top course is required to meet Typical Highway Standards.
- C. On cross cut pavement openings, repairs to pavements shall extend a minimum of 2 feet beyond limit of disturbance.
- D. On longitudinal pavement openings, repairs to pavements shall extend at least a minimum of 1 foot beyond limit of disturbance.
- E. On all pavements where cutting is necessary, temporary repairs with cold patch or other acceptable type of bituminous patching must be placed as soon as the back fill is made. Section must be maintained to provide a smooth transition even with the surface of the existing pavement until such time as the back fill has settled sufficiently to permit permanent restoration of the pavement surface.
- F. On longitudinal trench excavation outside of pavement area, edge of trench shall not be closer than 4 feet to edge of pavement except under written authorization of the TOMHS

## **SUPPLEMENTAL CONDITIONS**

- A. Approval of this permit is contingent on the approval of other agencies involved with this project.
- B. This permit is approved for a specific proposal as submitted to the Town of Malta Highway Department. Any changes or additions affecting placement offsets, depths and locations, as originally approved shall **VOID** this permit unless such changes have been approved by the TOMHS or his representative.
- C. The TOMHS or his representative shall be notified 48 hours prior to commencement of proposed work as shown on this permit and may require a field inspection with the application before and after completion of proposed work.
- D. No open cuts or pavement disturbance will be allowed unless specifically approved by the TOMHS or his representative and shown on the proposal.
- E. When allowed, shoulder and highway pavements shall be saw cut through the full depth of pavement.
- F. Any part of applicant's equipment that has contact with the highway pavement shall have suitable rubber pads (such as outriggers, buckets, etc.). Any and all damage to the highway pavement resulting from the applicant's operations shall be repaired to the satisfaction of the TOMHS.
- G. All drainage ways, including ditches, ditch slopes, culverts, driveway pipes, drop inlets and storm sewers, must be kept clean. Original grade must be restored. Proper drainage must be maintained during construction.
- H. No underground drain pipes or other highway appurtenances shall be disturbed or

removed. When these facilities are encountered the TOMHS or his representative shall be notified. If disturbance or removal is approved, the facility shall be replaced in-kind and at the proper location to perform as originally intended.

- I. If guide rail or guide posts shall be removed, when removal is allowed, a sketch for replacement, conforming to NYSDOT standards, shall be submitted and approved before removal will be allowed.
- J. No signs or other appurtenances shall be removed or disturbed without **special** approval by the TOMHS or his representative. In the event approval is granted a log shall be kept showing type of sign or other appurtenance, exact locations, time removed, and time reset. Resetting shall be in exact, original locations. A copy of the log shall be submitted to the Town of Malta Highway Department.
- K. When highway shoulders are disturbed, for any reason, because of contractor's operations, restoration will be required. Typical sections, details, materials to be used and scheduling must be approved by the TOMHS or his representative.
- L. The TOMHS or his representative shall approve all back fill material. If excavated material is unacceptable, it shall be removed from the site.
- M. All disturbed areas outside of the shoulder edge shall be raked smooth and reseeded as specified in NYSDOT Item 610-2.03.
- N. The highway shall not be obstructed, in any part, greater than 1/2 the pavement width so that traffic shall be maintained with a minimum of delay and directed by flagmen. Dust control must be maintained and the highway swept clean at the end of each day's work.
- O. No material stockpiles will be allowed within the highway boundaries unless approved by the TOMHS or his representative.
- P. Mail delivery access must be maintained at all times.
- Q. Access to private drives must be maintained with minimal delay and restored to original condition or better.
- R. The Town of Malta may require acceptable photographs of the proposed work area prior to permit approval. These photographs shall remain the property of the Town of Malta.

### **CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN TOWN RIGHT-OF-WAY**

- 1. The responsibility for funding and constructing sidewalks lies with the developer.
- 2. The local municipality shall assume no liability and hold the town harmless against all claims.
- 3. The Town has no responsibility with regard to snow removal, including snow deposited as a result of plowing and roadway.
- 4. All sidewalk installations must be designed by a professional engineer whose plans must be approved by the Planning and Building Department or it's representative.