

moving FORWARD

WINTER 2008

A quarterly review of news and information about Pennsylvania local roads.

Vegetation Management Doesn't End in Winter Weather

Winter weather means you can finally stop worrying about vegetation control and focus municipal efforts on snow removal and winter maintenance. Right? Wrong.

What colder temperatures do mean is that, in addition to snow removal and winter maintenance tasks, you should now shift your vegetation control activities to inspection, risk management, equipment checks, land clearing, mowing, cleanup, and maybe even some winter spraying.



Inspection Suggestions

Early winter is an excellent time for municipalities to assess vegetation areas that their municipality is responsible for, and to determine the strengths and weaknesses of the past year's management program. First, determine the criteria for judging the health and appearance of the vegetation. You may want to set specific standards and compare them to what you wanted to accomplish in the past year. For example:

- **Safety.** Did you eliminate all sight distance issues and low overhanging vegetation?
- **Appearance.** Has your vegetation program resulted in good roadside appearance? Is dead vegetation piled away from the roadway to minimize the danger of fires and any hindrance to winter operations and drainage?
- **Weeds.** What is the ratio of weeds to desirable vegetation? Have new plant species taken root in your rights-of-way?

- **Mowing.** Has the vegetation been mowed to the proper height to maintain optimal plant health? Or has it been scalped, generally mowed too short, or allowed to grow too tall? Have sharp mower blades minimized torn and tattered vegetation?
- **Soil.** Have you tested your soil to determine if specific nutrients or amendments are needed to improve the growing conditions for desirable vegetation?

Planning for Improvement

Following inspections and evaluations of vegetation areas, municipalities should start scheduling actions for improving their vegetation control programs. If your program needs a total renovation, consider having workers spray this winter with a nonselective

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New Worker Visibility Regulations to Take Effect November 2008

Anytime highway construction or maintenance is conducted in your municipality, your highway workers are exposed to traffic and the risk of injury or death from accidents caused by inattentive drivers. Making sure your workers are highly visible is one of the most important steps you can take to protect them near moving vehicles or equipment. The sooner a worker in or near the path of travel is seen by a driver or equipment operator, the more time the driver or operator has to avoid an incident.

To support this safety concept, the Federal Highway Administration enacted regulations in November 2006 that will require workers to wear high-visibility safety apparel when working in the right-of-way of a federal-aid highway. This new requirement, which is to take effect November 24, 2008, is designed to decrease the likelihood of fatalities or injuries to workers on foot who are exposed either to traffic or to construction vehicles or equipment.

What Does the Regulation Require?

Under the new regulation, workers will be required to wear high-visibility safety apparel satisfying ANSI Class 2 or 3 standards when working in the right-of-way of a federal-aid highway.

But, even if your township, borough, or city does not perform work on federal-aid roadways, you should consider requiring your road crew and all personnel working within road rights-of-way to wear this safety apparel. It has been shown that workers wearing garments satisfying ANSI Class 2 and 3 standards are more visible to motorists than workers wearing nonANSI-compliant garments. You should strongly consider the use of these garments for all personnel working within highway rights-of-way. In addition, once this regulation takes effect for federal-aid highways, municipalities will have a difficult time justifying why their highway workers are not wearing at least a Class 2 vest while working on their roads (see figure 1).

Who Does This Regulation Affect?

This regulation applies to **all** workers who are exposed either to traffic or to construction equipment while working within the work area right-of-way of a federal-aid highway. These roadways, which are eligible to receive federal funds and to be placed on the Transportation Improvement Program, often include most state highways and some local roadways. If you want to know if you have federal-aid highways in your municipality, please contact your PennDOT District Municipal Services representative.

Highway workers included in this regulation are municipal public works crew, survey crews, utility crews, contractors, litter pickup volunteers, and emergency response personnel. Law enforcement officers are exempt from this requirement if they are engaged in law enforcement activities, such as traffic stops and the pursuit and apprehension of suspects. However, if they are performing duties that involve directing traffic, investigating crashes, and handling lane closures, obstructed roadways, and disasters, they are required to wear the high-visibility safety apparel when within the right-of-way of a federal-aid highway.



figure 1



figure 2

When Does the Regulation Take Effect?

This rule becomes mandatory on November 24, 2008, which should give agencies sufficient time to obtain garments that comply with the new standards. Make sure that all garments you purchase to comply with this regulation have the appropriate ANSI certification label (figure 2).

Where Can I Obtain Additional Information?

Contact LTAP for additional information or to schedule a Work Zone Traffic Control or Equipment and Worker Safety road show in your municipality. The final rule and all associated comments and interpretations may be found at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006_register&docid=E6-19910. ♦

Receive More Competitive Bids by Inserting Escalator Clauses in Municipal Paving Contracts

Municipalities are urged to insert an escalator clause into their paving and materials contracts for the new year, but they are advised to proceed with caution. An escalator clause allows pricing for asphalt materials to adjust up or down depending on market value. By using the escalator clause, municipalities typically receive more competitive bids from the asphalt industry since providers do not feel locked in at a flat unit price.

Municipalities should know that an escalator clause may not be necessary if they are covered by the bituminous price adjustment provided for under PennDOT's Publication #408. If paving or materials bids call for more than 100 liquid tons of asphalt, then municipalities must follow the bituminous price adjustment specifications found in PennDOT Publication #408, Section 110.04, which governs how liquid fuels funds are spent for paving and materials contracts.

However, if the paving and materials contract is for less than 100 liquid tons of asphalt, as most municipal bids are, then a municipality may want to consider adding the escalator clause provision, which can be found in PennDOT Publication #9, Appendix C—Act 655 of 1956. Under this provision, municipalities are given an extra contracting tool that's not available to PennDOT or to the Department of General Services to help them obtain the best possible bids for paving and materials.

The escalator clause must be inserted into the bid documents, and all prospective bidders must have the same opportunity to submit a bid with the escalator/de-escalator included. Keep in mind that only the municipality may initiate the escalator clause provision; the contractor may not insert it. Unlike the bituminous price adjustment found in PennDOT Publication #408, the escalator clause is strictly voluntary. The decision to include this clause in the bid documents must be made at a properly advertised public meeting of the municipality's board or council.

The language in the law states “. . . if, after reasonable inquiry, the municipality, by resolution at a public meeting, determines that it is unlikely that flat unit bids will be obtainable . . . [it] may insert an escalator clause in the bid proposal . . . [that] will increase or decrease [prices] over the bid price.” Simply stated, if the price of the raw product goes up, a municipality with an escalator clause will pay more, but if the price goes down it will pay less.

“Our members, who are the major hot-mix pavers in our state, have responded positively to this flexibility with very competitive bids,” says Ron Cominsky, the executive director of the Pennsylvania Asphalt Paving Association. “In this era of widely fluctuating liquid asphalt prices, it's very helpful to paving contractors to know that they won't need a crystal ball in preparing their municipal bids.”

Because the escalator clause is formula-based and modeled on the PennDOT Publication #408 specification, municipalities are urged to work closely with their PennDOT District Municipal Service representative when preparing bid documents.

John Davis, PennDOT District 5-0 municipal services supervisor, has had a lot of experience in preparing municipal bids that include an escalator clause. He offers the following advice: “Your municipal ser-



vices representative will be happy to review each bid that you develop and make recommendations on whether or not the escalator clause makes sense in your particular situation. The bottom line is, will the escalator clause help the municipality get a competitive real-time bid or not? That's the question we try to help you answer.”

The actual asphalt-based products that may be considered for an escalator clause are found in PennDOT's Publication #408. The following is a list of these products:

- Bituminous Concrete Base Courses (BCBC, Aggregate-Bituminous, Cold Recycled & Asphalt Treated Permeable)
- Superpave HMA (Base Course, Wearing Course, and Binder Course)
- Bituminous Wearing Course (ID-2, FJ-1, FJ-1C, ID-3, FB-2, and FB-1)
- Bituminous Binder Course (ID-2, FB-2, and FB-1)
- Bituminous Tack Coat / Prime Coat
- Heavy-Duty Membrane
- Joint & Crack Sealing
- Bituminous Seal Coat / Bituminous Surface Treatment
- Slurry Seal
- Paved Shoulders (Type 1, Type 3, Type 4, Type 6, and Type 7)
- Bituminous Binder/Wearing Course (FB-3 Modified) in Publication #447 ♦

Survey Alert!



One of the most effective ways LTAP can evaluate the program – workshops and tech assists – is to request evaluations from you, our customers.

LTAP has begun to use SurveyMonkey – an online survey tool – which creates emails to solicit evaluations. You may have already received one. When you see an email from LTAP with an evaluation request in the subject line, PLEASE click on the link and take a few minutes to answer the questions. It's easy!

We need your input in order to improve the program.

Thanks!

LTAP Staff

SurveyMonkey is an online survey tool that enables people of all experience levels to create their own surveys quickly and easily.

Buy and Sell Surplus Equipment Through Online Municipal Auctions

Pennsylvania's municipalities have an opportunity to purchase state surplus equipment and buy and sell municipal and confiscated items through the Internet, thanks to a strategic partnership between the state Department of General Services (DGS) and Asset Auctions.

Through this unique, state-of-the-art, online auction service, municipalities can participate in several DGS-hosted municipal-only auctions each year as well as conduct online transactions for municipal surplus, abandoned, and confiscated equipment and property at anytime.

Through Asset Auctions (www.asset-auctions.com/padgs), municipalities are able to list surplus items for sale and instantly view heavy equipment that other local governments and the state are selling as surplus. The Pennsylvania State Surplus Property Program offers dump trucks and off-road, bridge, and tow-behind equipment for sale to municipalities before these items are opened to the public.

"After reviewing the results of municipal-only auctions over the past two years, I believe that this service is a major benefit to controlling equipment costs for municipalities," says Clint Francis, the Asset Auctions coordinator. "Even smaller municipalities benefit greatly from this highly efficient service since they can quickly review listings of available equipment for purchase."

Mike Dutko, the PennDOT District 1-0 municipal services supervisor, has been tracking the online auctions since their inception. "These auctions maximize revenues for taxpayers, while offering a greater selection of inventory for municipalities to bid on," he says. "I

believe that the additional benefit of not having to transport items to Harrisburg has been helpful both to municipalities and PennDOT's equipment managers. Municipal buyers may review items offered for sale at their convenience on the Asset Auctions Web site without having to worry about weather problems and scheduling conflicts."

The initial registration process can be completed in just a few minutes by visiting the Asset Auctions Web site. Once registered, you may view all of the equipment available to municipalities, receive notices of upcoming municipal bid sales, and actually place bids. ♦

How to Get Started

During 2008, Asset Auctions plans to host municipal-only auctions, which typically include more than 200 pieces of equipment, in the spring, summer, and fall. Here's how to take advantage of this online auction service:

- Contact Asset Auctions at 724-630-6615 or cfrancis@asset-auctions.com to discuss your municipality's needs.
- Register your municipality with Asset Auctions at www.asset-auctions.com/padgs.
- If you have any questions or concerns, contact your PennDOT Municipal Services representative.

Upcoming Workshops

To Register:

PHONE: 1-800-FOR-LTAP (367-5827)

Web site: www.ltap.state.pa.us

(Look for weekly updates on the Web site)

February 26, 2008
Cumberland County
Risk Management/Tort Liability
PSATS Training Center
Enola, PA
8:00 AM – NOON

March 11, 2008
Adams County
Work Zone Traffic Control
Adams County
Emergency Services
Facility
Gettysburg, PA
8:00 AM – NOON

March 12, 2008
Adams County
Signing and Work Zone Rules for Local Governments
Adams County
Emergency Services
Facility
Gettysburg, PA
8:00 AM – NOON

March 18, 2008
Lehigh County
Traffic Signs
Macungie Institute
Macungie, PA
8:00 AM – 3:00 PM

March 18, 2008
Lycoming County
Asphalt Roads Common Maintenance Problems
Woodward Township
Fire Hall
Linden, PA
8:00 AM – NOON

March 26, 2008
Cumberland County
Work Zone Traffic Control
PSATS Training Center
Enola, PA
8:00 AM – NOON

April 15, 2008
Crawford County
Unpaved & Gravel Roads – Common Maintenance Practices
Vernon Township
Building
Meadville, PA
8:00 AM – NOON

April 17, 2008
Centre County
Bridge Maintenance
Patton Township
Municipal Building
State College, PA
8:00 AM – 2:00 PM

April 17, 2008
Erie County
Unpaved & Gravel Roads – Common Maintenance Practices
Washington Township
Building
Edinboro, PA
8:00 AM – NOON

April 28, 2008
Cumberland County
Roadway Safety Improvement Program
PSATS Training Center
Enola, PA
8:00 AM – 3:00 PM

May 1, 2008
Adams County
Asphalt Roads Common Maintenance Problems
Adams County
Emergency Services
Facility
Gettysburg, PA
8:00 AM – NOON

May 16, 2008
Northumberland County
Roadside Vegetation Control
Point Township Building
Northumberland, PA
8:00 AM – 3:00 PM

May 21, 2008
Lehigh County
Work Zone Traffic Control
Macungie Institute
Macungie, PA
8:00 AM – NOON

Vegetation Management.

continued from page 1

herbicide to kill existing vegetation. Remember that municipalities are required to use certified sprayers.

“Certification as a pesticide applicator is required of any municipal employee who applies pesticide to parks, playgrounds, and rights-of-way,” says Dave Scott of the Pennsylvania Department of Agriculture.

If you’re planning on seeding, keep in mind that seeding in the fall rather than the spring reaps more success because the soil is warmer, the evenings are cooler, and there is more moisture so that seeds germinate more quickly. Also, since many annual weeds die with the first frost, seeds face less competition for nutrients, sunlight, and moisture. Check the calendar before seeding to make sure that it is not too late in the season. A good rule is to seed 45 days before the average date of the first frost. If you’re looking for an early “green up” next spring, then consider applying an early winter fertilization.

When implementing selective weed control, try to schedule it for those times when the weeds are growing. If this step occurs too late in the winter and the plants are hardened, the control will be ineffective.

Other productive vegetation control tasks for the winter months include dormant pruning, mulching, cleaning and maintaining trucks and trailers, and installing landscape materials.

Personnel Issues

Use the down time in the winter, when the demanding summer workload and leaf collection duties are completed but before winter gets into full swing, to evaluate staff and staffing needs. Municipalities should encourage employees to set goals for personal and professional growth.

The winter months offer excellent opportunities for employees to update pesticide applicator certifications and to attend LTAP training classes. Applicator certification classes are held nearly every day somewhere in Pennsylvania. To locate a class near you, visit www.paplants.state.pa.us and look under Pesticide Programs—Certification Examination Locations or contact your county Cooperative Extension office. Exam study information is available at www.pested.psu.edu.

The Roadside Vegetation Control course provided by LTAP is approved by the Pennsylvania Department of Agriculture to provide credits for recertification in five different applicator categories. For information on this course and other LTAP training courses on maintenance and safety issues, visit www.ltap.state.pa.us.

Equipment and Supply Checks

During slow times in the winter, workers should inspect and repair vegetation-care equipment including mowers, tractors, booms, spreaders, sprayers, aerators, seeders, and even irrigation systems. If equipment needs to be fixed or replaced, the early winter months allow time for repairs to be made or research on new equipment to be conducted before the spring crunch arrives.

Also use the winter months to clean up old or stored chemicals. When handling, applying, and storing pesticides, abide by these four words: Always read the label. Please note that the Pennsylvania Department of Agriculture hosts a program known as CHEMSWEEP that will help you get rid of unwanted chemicals and

protect the environment by safely disposing of them. The program offers a variety of locations, rotating from county to county, year to year, for individuals to safely turn over old or unwanted pesticides to authorized personnel for safe disposal. To help keep empty pesticide containers out of landfills and incinerators, remember to recycle these containers appropriately through the Plastic Pesticide Container Recycling Program.

For more information on these programs, contact CHEMSWEEP at 717-772-5210 or www.pested.psu.edu/pdaprog and the Plastic Pesticide Container Recycling Program at 717-705-5858 or www.pested.psu.edu/pdaprog. ♦

Tips for Winter Spraying

The onset of winter brings colder temperatures and harsh weather conditions that may hinder vegetation management efforts. But, there are still several steps you can take in the winter to control weeds in roadside and utility settings. Following are some tips from Todd Horton of BASF Corporation, a worldwide chemical company:

What are the key challenges to winter applications?

Weather generally poses the biggest challenge for maintaining a solid vegetation management program. For example, finding the right weather conditions for spray days can be difficult in wintry months that frequently see lots of wind, rain, or both. Similarly, vegetation management resources in winter months are often directed toward other nonvegetation management activities, such as snow or ice removal—so keeping up a weed-control program can require some strong time-management strategies. The key is to create a schedule and set your priorities so that you maintain your focus on vegetation management.

What steps should we follow during the winter?

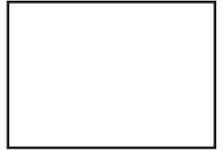
Early winter months can be a great time to clear brush encroaching on right-of-way areas. Through early winter, brushy areas can generally be trimmed by hand and then followed up with a cut-stump application. This will eliminate the need for later return trips to hand cut the same unwanted stems. If the brush is small and does not threaten or affect sight lines or aesthetics, then a basalbark herbicide application can be used to promote long-term brush control.

How does the winter affect fall-applied herbicides?

After applying herbicide in the fall, keep in mind that the winter weather will have some effect on herbicides that have residual activity and those that don’t. In the case of residual herbicides, mild, wet winters promote microbial breakdown of herbicides that can result in reduced activity in the spring and possibly require additional weed-control efforts. On the flip side, a cold, dry winter will reverse this effect. Mild winter weather also can have an effect on nonresidual herbicides. Germination of winter annuals can still occur in a mild winter, resulting in the need for additional vegetation management efforts in the spring.



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