

TOWN OF SELLERSBURG
REGULAR TOWN COUNCIL MEETING
316 E. UTICA STREET SELLERSBURG, INDIANA 47172

Agenda for
May 26, 2026, at 6:00 p.m.

- 1) Call to Order;
- 2) Roll Call;
- 3) Prayer / Moment of Reflection;
- 4) Pledge of Allegiance;
- 5) Adopt / Amend Agenda as Presented;
- 6) Approval of Minutes;
- 7) Communications (if any):
 - a. Council Member Comments
 - b. Town Manager
 - c. Town Attorney
 - d. Chief of Police
 - e. Clerk-Treasurer
 - f. Engineer of Record
- 8) Approval of Allowance Claims (if any);
- 9) Comments from General Public on Agenda Items Only;
- 10) Ordinances and Resolutions;
- 11) Old Business:
- 12) New Business:
 - a. Discussion: Right-of-Way Permitting Process
- 13) Miscellaneous Business;
- 14) Adjournment.

1. Permit Requirement(s). Any and all work in the right-of-way ("ROW") that is not included in the limits of an otherwise permitted construction project shall require a permit from the Town Engineer or this Council's designee.
2. Stop Work Order. A project that requires and does not have a ROW permit shall be subject to a stop work order and fee of \$400.00. Any work completed after the stop work order is delivered shall incur a fee of \$500.00 per day which shall be satisfied before the permit is issued. The Town may also issue a stop work order for violation of any provisions of this permit. Upon the second stop work violation the town shall issue a fine of \$500. In the event of excessive permit violations, the Town reserves the right to revoke any permit for just cause.
3. Permitted Work Hours. No boring company shall operate to install new infrastructure within the Town right of way between the hours of 12pm Friday through 6am Monday. No boring company shall operate on Town Observed Holidays. A list shall be provided upon request.
4. Resident Notifications. The permit holder shall notify all impacted neighboring parcels of any work to be completed prior to 14 business days of the start of permitted project. Notice shall include the name of the Company doing the work and subcontractor if any, purpose of the work, and direct contact phone and email of the company and/or subcontractor foreman of the project. A copy of notifications shall be provided to the Town.
5. Visual Verification of Utilities. All perpendicular crossings of water, wastewater, and storm infrastructure of the Town by any permit holder shall be visually verified prior to crossing. In the event Sellersburg infrastructure cannot be visually confirmed, the permit holder shall immediately contact the Town of Sellersburg then allow the appropriate utility opportunity to locate within 72 hours. Any road cuts shall require a separate road cut permit.

6. Clearance from all Sellersburg Owned Utilities/Infrastructure. There shall be a minimum of 18" clearance from all Sellersburg owned infrastructure within the right of way for all perpendicular crossings or parallel installation of additional utility. The permit holder shall verify all parallel installation of utility within the Town right of way every 100ft to ensure proper clearance is maintained within the permit area.

7. Lane Restriction(s). Any ROW permit requiring lane restrictions shall require the contractor to supply a traffic maintenance plan per INDOT traffic control standards and in compliance with the Indiana Manual on Uniform Traffic Control Devices with the application to the Town Engineer or this Council's designee by email no later than ten (10) days prior to the lane restriction activity.

8. Backfill. All ROW excavation within five (5) feet of the right-of-way shall be backfilled with flowable fill or any other suitable material as directed by the Town Engineer or this Council's designee.

9. Asphalt Pavement Repair and Road Potholing. Asphalt pavement shall be neatly saw cut on each side two (2) feet wider than the trench opening. The pavement and base material shall be replaced with flowable fill material to within 6" of road grade, a 4" concrete cap, then 2" of HMA asphalt. All HMA asphalt seams must be cleaned and tack-coated to provide a seamless joint to the town owned pavement. No cold patch shall be used except for temporary patching which will be maintained by the contractor for the duration until HMA pavement can be installed. No Certificate of Occupancy shall be provided to a permitted new construction project until any road cuts as part of project are finalized.

10. Concrete Paving. Concrete pavement shall be neatly saw cut and the whole disturbed panel shall be removed and replaced. There will need to be

at least 2 feet of undisturbed soil on each side of the excavation to allow the concrete patch to bridge the excavation. The new concrete patch shall be installed using Class A concrete. The finish is to match the existing finish of the surrounding pavement. All concrete patches shall be treated with a curing compound.

11. Ditches. Ditches disturbed by excavating shall be properly graded, seeded and blanketed to allow for positive drainage. The blanket needs to be approved by the Town Engineer.

12. Grass. Grass areas that are disturbed shall have a minimum of 6" of aggregate free soil installed and seeded (equal to or better than existing grass). The stabilization needs to be completed within 14 days from the date of completion of the install and/or repair.

13. Final Inspection. Upon completion of all installations or repairs, the application is required to schedule a final inspection with the Town Engineer. If all work and stabilization are completed to the sole satisfaction of the inspector and stabilization has been maintained for no less than 21 days, the inspector shall sign off on the release of the permit. The release of the permit does release the contractor from the settling and germination requirements of 70%.

14. Right to Withhold Release. If the inspector deems the craftsmanship or quality of work to be questionable, the Town reserves the right to withhold the release for up to one (1) year from the date of final inspection.

15. Larger Surety. The Town reserves the right to require a larger surety if unusual conditions exist which may dictate higher than usual damages.

16. Responsibility of Work. The Town shall hold the applicant directly

responsible for all work performed under the permit.

17. Notification. The Town Engineer's office shall be notified a minimum of four (4) hours prior to starting all pavement repairs so that an inspector may observe the placement of the new patch material. Failure to notify the Town Engineer shall result in removal and replacement of such material with applicants responsible for the costs. Hours for this inspection shall occur during regular business hours.

18. Liability. The application shall indemnify, defend, and hold harmless, the Town of Sellersburg, Indiana, its employees, agents, and representatives against any and all claims, demands, judgements, losses and expenses, related, directly or indirectly, or which may arise from any injury to person or persons and damage to property resulting or caused from or by the work of any condition created by such work in the street, public place, or ROW by the applicant.

19. Moving of Utilities. Applicants agree to move/relocate its utilities within ninety (90) days upon written notice by the Town of Sellersburg, Indiana should it be necessary for the Town to perform work in the street, public place, or ROW. Failure to move the utilities within ninety (90) days after receiving notice will result in a fine of \$1,000.00 per day.

In addition, Applicant, by accepting a ROW permit, agrees to move any preexisting utilities in the public ROWs in the Town of Sellersburg in the same manner and process described herein.

Schedule of Fees, Costs, and Fines

Activity Permit Filing Fee	\$50.00
Surety Requirement	\$2,000.00 per location \$10,000.00 blanket bond
Open Cut Maintenance Bond	\$10,000.00 per location

ROW Boring	\$50.00 + \$0.75 per lineal foot
ROW Open Cut	\$300.00 + \$5.00 per sq. ft.
Stop Work Reinstatement Fee	\$400.00 each time
Work Completed During Stop Work Order	\$500.00 per day
Failure To Relocate Utilities	\$1,000.00 per day after 90-day notice
Failure To Verify Utility Crossings	\$1000 per event
Failure To Verify Parallel Installation	\$200 per 100ft.
Failure To Notify Residents	\$100 per parcel not notified

*ROW fees do not apply to repairs to existing sidewalks.

**Surety may include any of the following: Bond, Letter of Credit, or Certified Check