

**PaTHs 4 Bethlehem  
Meeting Summary  
May 24, 2011**

Present: Dan Lewis, Henry Peyrebrune, Alan Via, Ann Mullaly, Kristin Legere, Mark Jordan,  
Scott Lewendon, Caleb Wistar, Anne Benware  
Town of Bethlehem Staff: Rob Leslie, Jason Gallo

**Comments on May Meeting Summary**

Rob announced that an email, with a choice of dates (via Doodle), would be sent out to committee members regarding participation in the RPI Lighting Study, scheduled for sometime in June.

Jason asked for an update from the committee members who distributed the Safety Tip Palm Cards.

Almost everyone was able to distribute to the locations assigned/requested. Additionally, Caleb volunteered to bring some to the Bethlehem Children's School, Anne said she would distribute to the Delmar Farmer's Market and the High School, and Rob said he would give some to the coordinator of the AARP Defensive Driving course, which is held monthly at Town Hall.

Fran Stevens (president of BCPS) confirmed that they would pay for more reproduction of the safety tip palm cards.

**NYSERDA Grant – Bicycle and Pedestrian Program Component**

Rob explained how the Town was awarded funds from NYSERDA through the American Recovery and Reinvestment Act (ARRA), in the amount of \$178,000 with a town match of approximately \$20,000. The purpose is to measure and address green house gases (GHG) within the Town facilities (i.e. sewer plant, water plants, Town Hall, Town Park, etc.). The Town recognizes its roadway infrastructure also impacts GHG emissions. Since a goal of the project is to reduce GHG emissions from Town buildings and facilities, accommodations for alternative modes of transportation including bicycling and walking along Town roadways is an important element of any Town-wide energy management program. PaTHs will serve as the Study Advisory Committee for the Bike/Pedestrian component. Our goal, with the assistance of the consultant, would be to develop a Bicycle and Pedestrian program, which provides an outline/schedule of monthly tasks. One of the recommendations built into the grant was a bicycle route pilot project to identify a project/location in Town and recommend an approach for improvements (signage, widened shoulder, shared lane markings, etc.).

Anne – There may be some readily available GHG emission estimates from CDRPC, which would allow more money from the grant to do projects, thus not spending it on calculating/obtaining this data.

Rob – It has been recognized that a Regional Coordinator to help Towns with technical resources would help all the municipalities that have adopted the Climate Smart Community Resolution. CDRPC applied for a NYSERDA grant to be the Regional Coordinator. GHG emission numbers could be obtained from this Coordinator.

Scott – Is it measuring all roadways or Town owned roadways only?

Rob – All roadways within the Town.

Alan – Would this consultant take a look at the school busses and their fleet's emissions?

Rob – Only Town facilities, items that we (Town) have control over.

Caleb – I think we should maximize as much money as possible from the grant funds for bicycle/pedestrian infrastructure.

Rob – By September/October we should have the consultant attending our meetings.

**Discuss Pathway Funding Practices of other New York State Municipalities**

A compiled list of practices from other municipalities (5) was distributed for all to review. This list was put together based on the information researched by Town staff and Committee Members.

Rob – Henry & Kristin sent a list of potential grant opportunities /programs. Grant funding is one component of potential funding.

Rob – The **Town of Penfield** created a Primary Sidewalk System Map. If a proposed development has roadway frontage on the Primary Sidewalk System, the developer must construct a sidewalk. The developer is also required to construct sidewalks on both sides of the streets within the subdivision. The

developer has the option to apply for a waiver if sidewalk construction is not desired. If a waiver is applied for, earth work and design work would be completed and a fee of \$500 per dwelling unit would be paid to the Town's Sidewalk Fund. If sidewalks are built within the development, a Sidewalk District is set up and \$25 per unit per year is paid by the homeowner. This sidewalk fund is used to pay for maintenance of those sidewalks (subdivision sidewalks are not plowed during the winter season). An existing residential neighborhood could apply to the Town to create a Sidewalk District (special assessment district). A minimum of 75% of all resident owners and 75% of assessed valuation within the proposed district shall agree to form the district. For commercial development (in the event a sidewalk is not immediately needed), the total cost of the sidewalk is calculated and paid to the Town's Sidewalk Fund.

Caleb – I think that Penfield Bonded for the protection of open space.

Rob – Bonding is another option for the improvement/development of facilities.

Caleb – Special Districts seem to be a good idea as those paying into it would be motivated to see what they get out of it.

Caleb – How would a District be set-up for old Delmar?

Rob – Someone would have to approach the Town and petition neighbors that would be included in the special district.

Dan- We should be aggressively asking the Planning Board in Town to require whenever possible new developers to put in sidewalks.

Jason – The Planning Board should be using the Bike/Ped map priority network when considering projects.

Rob – The new zoning revisions will require in the zoning code the review of the Bicycle and Pedestrian Priority Map when projects come up that are on the map.

Rob – In the **Town of Colonie**, if a site doesn't make sense at the time for a sidewalk but it is anticipated that it will in the near future, they require the developer to build the sub base and put topsoil over it. Once a project makes sense, money that was allocated (in escrow) by the developer to the Town for this specific use is then used to complete the project. There is a 3 year sunset on the money owed by the developer for the completion of the project.

Alan – You may be better off striking when the iron is hot versus potentially losing out on the money because of the sunset.

Anne – Sometimes DOT says it is not a logical termini and thus a sidewalk cannot be built, forcing one to take the payment with sunset.

Scott – Right now when a developer comes in we require him to put sidewalks on the only on the arterial.

Rob – That is typically the first approach, but the layout ultimately dictates if additional sidewalks are warranted.

Scott – Wouldn't it be practical to have a sidewalk fee like a Park land set aside fee?

Rob – The question is does the Town have the authority to do this. Through State/Town Law the Town can conduct the Park Land set-aside fee. No current State/Town Law is currently established to allow this for sidewalks.

Scott – How does Penfield do this?

Rob – Good question, this has to be a follow up with Penfield.

Scott – Every new development that is within 1 mile (subject to change) from a roadway designated on the map should have to build the sidewalk or pay the fee.

Kristin – You may encourage developers to move their projects to locations that are outside the zone where this wouldn't be required.

Anne – Our priority map does cover most of the Town that is zoned residential.

Kristin – The number one complaint that builders have are the impact fees. Builders inform the owners that this is why the purchase fee is driven higher and higher.

Jason - So it is safe to say that the State does not give authority to set up a sidewalk set-aside like the Park set-aside?

Rob – I agree. I reached out to the Department of State land use program, with that specific question, and they could not identify any municipalities that were. So the question is how Penfield is doing this.

Rob – If we did set up some sort of set-aside we would need to somehow back into a value of what that waiver fee would be.

Henry – Is there anything that allows or prohibits the use of Highway funds for the building or maintenance of sidewalks?

Jason – I am not sure.

Henry – I believe and have heard from others that the repaving schedule/program is excessive. Perhaps as part of that repaving cycle, a sidewalk maintenance project could be substituted. Maybe we could find out what legal impediments there are to using those funds for sidewalk maintenance. And what system they use for assessing roads, which could possibly be used for sidewalks.

Rob – Language in the highway law states that sidewalks must be maintained by the Highway Department. Not sure if that language reads that highway budget funds could be used for sidewalks. Currently any sidewalk money comes from the Town general fund.

Henry – When they replace a bad patch of sidewalk I doubt that money is coming from the highway fund.

Rob – Correct, but that is maintaining existing sidewalks. So what is the definition of maintaining and if replacement is allowed under highway law as part of maintenance then it becomes a priority preference.

Dan – The other question is what does the term sidewalk really mean, having curb cuts versus a painted line like on Adams.

Rob – The Town is looking at starting a Capital Plan, as part of a recommendation from the office of State Comptroller. If/when this happens; if we have some projects prioritize we could recommend bike/ped projects to the Capital Plan. So by this time next year we should have as a goal a top 5 projects list with associated costs.

Henry – Any idea what a Town wide sidewalk maintenance program would cost based on the likes of sidewalk we have?

Rob – That would be another question for Gregg.

Rob – Bond Notes and Bond Referendum are two ways that the **Town of Clarence** has funded their projects.

Caleb – They have two Rail Trails and they did not pay for them out of the bonding. The bonds are for open space, and use the money for open space to leverage the connections. When they actually buy the property they use a Bond Anticipation Note.

Rob – The Town does Bond Anticipation Notes all the time. A Bond Anticipation is a good way to lock in an interest rate.

Rob – The **Town of Reinbeck** has recommendations to use a point of sale as part of code compliance during the home closing process. Another recommendation they have is a three year sidewalk assistance program with a 50% match from the Town. Thus the home owner does the maintenance for sidewalks in front of their homes.

Rob - The **Town of Canandaigua** – They identify funding options from federal and state programs as well as special bonds and tax revenues.

Generate in lieu of fees to used for parks and other recreational purposes, as a trails fund.

Anne – What is the definition of Park land.

Rob – The Town has criteria in the Town Code that outlines what the Park Land set-aside funds could be used for.

Dan – When talking about connectivity and green space, linear Parks should be considered and explored when considering park land set-aside funds.

### **Discuss Role of School District with Regards to Outreach Ideas and Participation**

Tabled until June Meeting.

### **Albany County Rail Trail Update**

Scott – It is basically a done deal. Agreements have been signed by all parties and they are somewhere in the County law Department. A ribbon cutting ceremony is scheduled for June 2, the location not yet confirmed. The Town has done a fantastic job with general maintenance and drainage.

Dan – I walked most of the stretch after one of those rain storms and there was no standing water.

Ann – How is it coming along with stop crosswalk on Adams?

Rob – It is scheduled. The Highway Dept. provided a curved approach from the trail to align with the crosswalk location on Adams Street.

Scott – We may have to ask Gregg to place a yield to pedestrian's bollard by the Adams and Hudson Crossing.

Dan – Jill Knap and Scott are the reason why this ribbon cutting is finally happening. The Town, Sam and Gregg have also been phenomenal in making this happen. And I think some of that is in coordination with the ground work that this committee has done.

Scott – There is also grand opening festivities planned for Saturday, June 4, Being put together by FORT.

Jason – Dan Rain asked if we could have someone there from our committee for that day.

Dan – I will already be there that day so I can hand out information and safety tip palm cards.

Scott – It is currently open for pedestrians only. We do need to raise some money for barriers for the steep slopes.

Alan – Do additional sections that will open on the Rail Trail have to be contiguous?

Scott – Actually the next section that we targeting is in Voorheesville, so no it does not have to be contiguous.

Scott – When looking at the work done to this point I came up with a value of \$7,500 spent, through in kind services, no real out of pocket costs. It costs about \$400,000 per mile to build a trail these days, thus 750,000 to build this portion. This means that it cost 1/100 of the true cost to get this open to the public.

#### **New Business**

None

#### **Public Comment**

None

#### **Adjourn**

8:33