
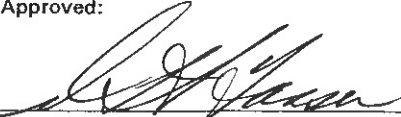


To:		New York State Department of Transportation ENGINEERING BULLETIN	EB 97-012
<i>Expires one year after issue unless replaced sooner</i>			
Title: REVISIONS OF EI 97-002			
Distribution: <input type="checkbox"/> Manufacturers (18) <input type="checkbox"/> Surveyors (33) <input checked="" type="checkbox"/> Main Office (30) <input checked="" type="checkbox"/> Consultants (34) <input checked="" type="checkbox"/> Local Govt. (31) <input checked="" type="checkbox"/> Contractors/AGC (39) <input checked="" type="checkbox"/> Regions/Agencies (32) <input type="checkbox"/> ()		Approved:  D. H. Fasser, Director, Landscape Architecture Bureau	

2/13/97
Date

Purpose

This Engineering Bulletin replaces the sample letter attached to EI 97-002 SIDEWALK CONSTRUCTION AND MAINTENANCE POLICY FOR PROJECTS AND HIGHWAY WORK PERMITS ON STATE HIGHWAYS. EI 97-002 was issued on January 10, 1997.

The sample letter originally attached to EI 97-002 could be erroneously interpreted to imply that the State is responsible for maintaining sidewalks on all State highway bridges regardless if they are located in a Town, Village or City. This is not the case.

Please discard the sample letter attached to EI 97-002 and replace it with the attached. This does not change the sidewalk construction and maintenance policy contained in EI 97-002.

Questions and Comments

Questions and comments may be directed to Rich Ambuske of the Landscape Architecture Bureau. He can be reached by phone at (518) 457-4460.

SAMPLE LETTER

The following sample letter is only intended as a guide. The style and tone of letters actually sent to municipalities may vary but should reflect the previous discussions with the community. However, the sample outlines the basic content that should be included in letters regarding construction of sidewalks.

***Mr. Richard A. Smith
Town Supervisor [or Village/ City Mayor, Administrator, etc]
30 North Spring Street
Springwater, NY 10111***

Dear Mr. Smith:

***Re: PIN XXXX.XX
ROUTE 12 RECONSTRUCTION
TOWN [OR VILLAGE/CITY] OF SPRINGWATER YORK
COUNTY***

This letter confirms our recent discussion and the Department's decision to construct sidewalks on this project.

As your know, the Department, the Town [Village/City] and the public have been involved in a number of discussions regarding the need to provide accommodations for pedestrians on Route 12 through Springwater. As we discussed, it is the Department's judgment that construction of sidewalks on this project is necessary and prudent. In general, the Department constructs sidewalks whenever the roadside development is such that pedestrians regularly move along the highway. Since sidewalks along Route 12 would provide the only feasible pedestrian route between the Town's [Village's/City's] business district, schools and other destinations and the residential community a short distance east of Springwater Creek, the construction of sidewalks is justified.

As we also discussed, State Highway Law, Section 140, Article 7, Subsection 18, obligates towns [Section 46, villages or Section 349-c, cities] to maintain sidewalks along State highways within their jurisdictions. The obligation includes removal of snow and ice. The structural maintenance of sidewalks is generally minimal; and in many communities the responsibility for snow and ice removal is passed on to adjacent property owners by local ordinance.

I also want to remind the town that a resolution may be required to authorize the use of town funds for the purpose of snow and ice removal. [There is no such requirement for villages or cities. Therefore, this paragraph should not be included in letters to villages and cities.]

Should you have any questions regarding this matter, please do not hesitate to call me at 800-555-5555.

Sincerely,

***J. J. Roe, P.E.
Regional Design Engineer***

***cc: Regional Transportation Maintenance Engineer
Resident Engineer, York County
Project Manager***