



Town of Simsbury

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~ Thomas J. Roy, P.E. – Director of Public Works ~

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Date of Submission:**

March 5, 2014

2. **Date of Board Meeting:**

March 10, 2014

3. **Individual or Entity making the submission:**

Thomas J. Roy, P.E. – Director of Public Works

4. **Action requested of the Board of**

Provide direction on further actions

5. **Individual(s) responsible for submission**

Thomas J. Roy, P.E. – Director of Public Works

6. **Summary of Submission**

Provide an overview of our current maintenance and replacement practices and provide alternative processes for consideration.

7. **Description of documents included with submission (All documents must be in final form and signed by the appropriate party.):**

The following documents are included with this submission and attached hereto:

- Memo to Board of Selectmen detailing maintenance and replacement practices
- Copy CRCOG 2011 Sidewalk Study
- Examples of Snow Angels Programs conducted by other communities to assist with sidewalk snow removal



Town of Simsbury

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~ Department of Public Works ~

Memorandum: Simsbury Sidewalk Policy – Maintenance and Replacement Practices

To: Board of Selectmen
CC: Jeff Shea, Gerry Toner, Tom Cooke
From: Thomas J. Roy, Director of Public Works 
Date: March 5, 2014

Recently, there have been a number of questions raised about the Town's policy and procedures for the maintenance and replacement of sidewalks and bike paths in Town. How the Town approaches the construction and maintenance of sidewalks and bike paths is an important part of our community's goals in terms of striking the appropriate balance between preserving our rural character and promoting a more walkable and bike friendly community. I believe this is an important issue that is deserving of careful consideration.

The information presented below is intended to provide an overview of our current maintenance and replacement practices and provide alternative processes for consideration.

Definitions:

Sidewalk: Any hard-surfaced walkway which is five feet or less in width and generally paralleling a road or highway and is for the exclusive use of pedestrians.

Multi-Use Path: A path intended for use by pedestrians, bicyclists, horses, cross-country skiing or any other non-motorized transportation; these paths are traditionally used for active recreation and transportation. These multi-use paths can have paved or unpaved surfaces.

Neighborhood trails: Trails or cut-throughs used to connect neighborhoods. The majority of these trails are on town owned open space and are unmarked. The majority of these trails are unpaved.

Hiking Trails: Trails used to access open space or forested land for recreation.

Town Assets:

Sidewalks	13.9 miles
Paved multi-use paths	10.7 miles
Stone dust multi-use paths	2.5 mi
Neighborhood trails	Unmeasured
Hiking Trails	over 2,200 acres

Current Challenges:

- With the variety of multi-use trails and sidewalks in town, many residents and businesses cannot understand the varying maintenance practices. Some of our more frequent complaints stem from snow removal operations, where they see Town staff clearing what they believe are sidewalks on one part of town, but not in front of their property or business.
- With many of the neighborhoods that have sidewalks, only being served by a walk on one side of the road, it is not perceived as “fair” for one side of the street to receive the full burden of maintaining the sidewalk for the benefit of all of the residents in the neighborhood.
- Sidewalks along the back of properties are often not maintained in the winter, as there is no direct access from the residents to do the maintenance (forced to walk around the block to shovel or snow blow the sidewalk with no direct benefit to the homeowner.
- Sidewalks in some neighborhoods have deteriorated to the point that they have effectively been removed – sections are grassed over or individual residents have removed them.

Maintenance and Replacement Practices:**Sidewalks:**

Simsbury Town Ordinance, *Chapter 137, Streets and Sidewalks (complete ordinance is attached)*, places the responsibility for maintenance of sidewalks on the adjacent property owners. This includes both snow removal and costs for repair or reconstruction. This is a common ordinance in many local towns, including: Avon, Bloomfield, Canton, Farmington and Granby.

It is important to note that the maintenance requirements can be a deterrent for residents/neighborhoods interested in installing new sidewalks, as many homeowners do not want to take on the responsibility for snow removal.

Snow Removal:

The requirement that abutting property owners take responsibility for the snow removal is standard in Connecticut. A CRCOG study in 2011, found that all Towns responding required abutting property owners to remove snow from sidewalks.

In Simsbury we occasionally have a case where the sidewalk is located along the rear property line of a residence and as written, our ordinance places the snow removal responsibility on the homeowner. This can present an abnormal situation where the property owner would be required to maintain a walk that is not accessible from their driveway, such as houses that backed up to Owens Brook Blvd.

Repair and Replacement:

Based on our Town Ordinance, when a sidewalk needs repairs or replacement the responsibility falls on the abutting property owner. This is a difficult ordinance to enforce in a community like Simsbury where we have a limited sidewalk network and in most neighborhoods with sidewalks, the walks are only on one side of the street. Therefore we place an unfair burden on the homeowners that are adjacent to the sidewalks when these assets are beneficial to the entire neighborhood (one side of the street takes on all the responsibility for sidewalk maintenance and replacement costs, while the other side enjoys the benefit.

It is common for an ordinance to require abutting property owners to repair sidewalks. This may help to shed some of the liability associated with sidewalks to the abutting property owners. In theory, the abutting property owner has control over the maintenance and should be able to identify any potential defects in a timely manner due to their proximity to the walk.

Some of the Towns in the region have admittedly not enforced their ordinances requiring that home owners pay for the cost of replacing old and deteriorated sidewalks. Attached is a 2011 study completed by CRCOG regarding various Towns and their sidewalk ordinances.

Multi-Use Trails:

Simsbury's multi-use trails have been constructed and maintained by the Town in many cases with the financial support from Grants.

Snow Removal:

With the exception of trails immediately adjacent to roadways the Town does not clear snow from these trails. The sections of multi-use trails that are adjacent to roadways, such as on West Street have created some confusion among residents and businesses as they question why the town maintains this sidewalk but not the sidewalk in front of their business or residences. Looking at two walkways that look similar, it is difficult to explain or defend the different maintenance approaches on what appear to layman to be "sidewalks".

Repair and Replacement:

General maintenance of the multi-use trails falls to the Parks and Recreation Department and generally consists of mowing and tree care adjacent to the trails along with some minor pot-hole patching. Trail repaving falls to the Public Works Department and is completed using Town funds. There has been little state or grant funding available for trail resurfacing.

Streetscape Program:

The Town has initiated Streetscape projects that include the construction of decorative sidewalks in many of our downtown areas. We have been fortunate in receiving various grants to support our ongoing efforts to provide these improvements. All costs in excess of grant funding have been provided by the town.

Neighborhood Trails:

Hiking Trails/Open Space: The loose knit system of trails is maintained by our Parks and Recreation Department which links neighborhoods typically through open space parcels. The primary goal for the maintenance of these trails is to provide a natural environment free of obvious hazards (dangerous trees or limbs, trash, holes or standing water).

Potential Modifications to Existing Practices and Ordinance:

I believe there are a number of modifications that can be made to our current sidewalk ordinance and maintenance practices to better serve our residents. Any of the proposed changes will require discussion and analysis to determine the budgetary impact and the effects on our residents and businesses.

- Create a business district, where the Town would clear and remove snow from sidewalks in downtown areas and maintain/replace sidewalks as required.
- Develop a program to a) asses entire neighborhoods for future sidewalk replacements, not just the immediate abutters, b) consider a 50% cost sharing with Town funds, or c) consider funding all sidewalk replacements with town funds.
- Clarify the responsibility for the Town to maintain/remove snow at sidewalks near intersections (if the Town plows push a mountain of snow on the sidewalk, it is not reasonable to ask a resident to remove this snow.)
- Remove the maintenance requirement for sidewalks abutting the rear of a property
- Consider a lien program for sidewalk replacements that are a safety concern when the property owner does not respond to a notice for repair of the damaged walks. The repair would be completed by the town and a lien for the cost of the repairs would be placed on the property.

Attachments:

- Town Ordinance, Chapter 137 Streets and Sidewalks
- CRCOG Sidewalk Study
- Snow Angles Program

CRCOG Town Sidewalk Policies
Towns listed Alphabetically

Municipality	Census 2010	Responsible for Longterm up keep of sidewalk	responsible for snow removal	notes
Andover	3,303	abutter	abutter	few sidewalks in place
Avon	18,098	abutter	abutter	because of concern with requiring property owners to maintain, about 30 years ago, decision was made not to require sidewalks
Bloomfield	20,486	abutter	abutter	ordinance allows for assessment if town inspects sidewalk
Bolton	4,980	??	??	few sidewalks in place
Canton	10,292	abutter	abutter	
East Granby	5,148	Town	abutter	few sidewalks in place
East Hartford	51,252	abutter	abutter	
East Windsor	11,162	abutter	abutter	
Ellington	15,602	town	abutter	
Enfield	44,654	town	abutter	have had resistance to new sidewalks
Farmington	25,340	abutter	abutter	
Glastonbury	34,427	town	abutter	have an annual sidewalk repair line item of \$60,000 for their 122 miles of sidewalk.
Granby	11,282	abutter	abutter	
Hartford	124,775	abutter	abutter	when the City does repairs to a sidewalk when the property owner will not, a lien is placed on the property for the improvement.
Hebron	9,686	town	abutter	The town has been expanding sidewalks in the town center with CIP funds or with STEAP grants. Summer of 2011: installing walks along the entire north side of Main Street with a STEAP grant.
Manchester	58,241	town	abutter	spend \$0.5 to \$1 M per year on Capital maintenance for sidewalks
Marlborough	6,404	?	?	
Newington	30,562	town	abutter	
Rocky Hill	19,709	town	abutter	
Simsbury	23,511	abutter	abutter	the town has done some repairs where they could have assessed the property owner, but have not done so

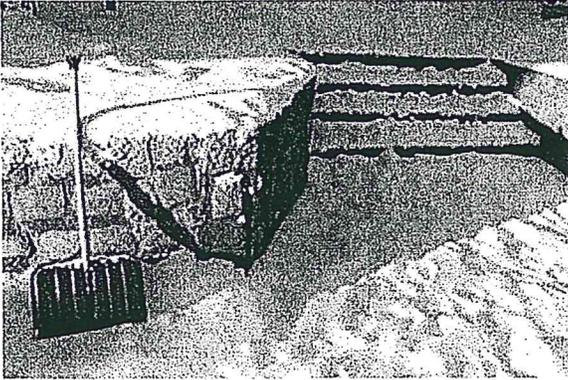
CRCOG Town Sidewalk Policies
Towns listed Alphabetically

Somers	11,444	town	abutter	in CIP budget, have budgeted ~\$50,000 per year (this is old information)
South Windsor	25,709	abutter	abutter	
Stafford	12,087			
Suffield	15,735	abutter	abutter	
Tolland	15,052	??	abutter	
Vernon	29,179	1/2 abutter	abutter	abutter pays 1/2 of installation or maintenance cost
West Hartford	63,268	town	abutter	for new sidewalks, have a petition process and a series of criteria that must be met. If all the criteria are met, the town will cover 50% of the sidewalk installation cost. If the criteria are not met, the property owners will pay for installation. Spend in excess of \$200,000 per year on sidewalk maintenance (245 miles of sidewalk) and an additional amount for sidewalk replacement. Do not replace sidewalks as part of road reconstruction projects unless there are grade issues.
Wethersfield	26,668	town and abutter	abutter	the abutter is required to pay a certain percentage of sidewalk maintenance costs
Windsor	29,044	town	abutter	the town budgets approximately \$50,000 to \$100,000 annually in the CIP for sidewalk repair. The amount invested in new sidewalks by the town varies from year to year.
Windsor Locks	12,498	town	abutter	
Region w/o Hartford	644,823			
Capitol Region	769,598			

Sidewalk information source: CRCOG phone interviews, 2003 and 2004, updated in 2011

2010 Population Source: U.S.Census

Snow Angels Program Information



Each year, the City of Lincoln receives an average of about 28 inches of snow. Removing snow from sidewalks and driveways can be a challenge for many Lincoln residents, especially after large storms. Shoveling snow also can be a health risk for many.

The City Public Works and Utilities Department often receives calls from residents who are physically unable to remove the snow themselves. Many times, they do not have friends or family members available to assist them.

To fill this need, United Methodist Churches in Lincoln started "Snow Angels," a program to link volunteers willing to shovel snow with residents who need the service.

Any individual or organization wishing to volunteer for snow removal as part of the Snow Angels program may sign up below. Residents in need of assistance may select an individual or organization by opening the map and clicking on a snowflake icon to view the contact information for a Snow Angel volunteer near their homes.

If you have questions or need help registering for the program or finding a volunteer, you may call the Public Works Snow Center at 402-441-7644. Due to limited staffing, those needing assistance are asked to wait until after it has snowed to call the Snow Center for assistance.

- [Map of Participating Volunteers](#)
- [List of Participating Volunteers](#)

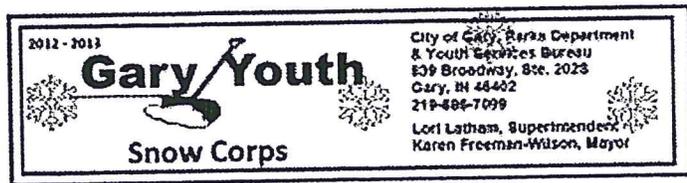
SIGN UP TO VOLUNTEER

Once you sign up to volunteer, your contact information will be added to the Snow Angels map, and it will be available for those in need of assistance to look up. You can change or remove your contact information at any time using this form.

<http://lincoln.ne.gov/city/pworks/engine/traffic/snow/snow-angels.htm>

Snow Angels Program

Gary Snow Angel Program



What It Is

The City of Gary, Department of Public Parks and Youth Services Bureau are rolling out a new program that aims to mobilize youth and adult volunteers to assist senior and disabled residents with snow removal.

How It Works

Those who sign up are matched up with young volunteers that are near by to help clear away snow. The closer a volunteer lives to a person in need, the more likely that they will be matched up.

Attached is additional information about the program and registration forms.

You may begin to receive increasing numbers of phone calls requesting information about participating. Below are some logistics to help successfully administer the program.

Seniors and Disabled Residents

All seniors and disabled residents must register to be placed on the list for assistance by completing the "Request for Snow Shoveling Assistance" form and signing the "Release and Waiver of All Liabilities" which is located on the reverse side. These forms can be picked up from the Citizen's Information Desk at City Hall or the Park Department offices at 839 Broadway. Forms can also be mailed to residents by request. In the near future forms will be available on the City's website.

As volunteers become available, they will be assigned to pre-registered residents. The matching of residents to volunteers may not be on a "first come, first served" basis. Volunteers are matched to residents based on proximity. The closer a registered resident lives to a "Snow Angel" volunteer the more likely they are to be matched.

Youth and Adult Volunteers

Youth may volunteer as individuals or as a team. All volunteers must complete the "Individual Volunteer Application". Those volunteering as a group must complete the "Group Volunteer Application" and each individual member of the team must also complete the "Individual Volunteer Application".

Youth desiring to earn YSB Bucks for their service must complete the "Student Incentive and Reward Program" form. Also keep a community service tracking form on them too.

Please make sure everyone interested in volunteering receives the "Volunteer Expectations" and "Optional Bus Stop Shoveling" documents.

<http://www.teamgaryindiana.com/?p=192#sthash.8MnQ6P8C.dpuf>