



Bicycle & Pedestrian Advisory Board
2023 End of Year Report
Prepared February 2024

The City of Buffalo Bicycle & Advisory Board (BPAB) was established to advise the City on policies, programs, and projects that expand access to healthy, environmentally friendly, and affordable transportation options such as walking, bicycling, and public transit. Below is a summary of activities performed by the Board in 2023. A more detailed report on specific items can be provided upon request.

Board Representation and Engagement

BPAB is committed to having a Board comprised of members who provide diversity in expertise, neighborhood representation, and demographic representation. We are also committed to quality engagement with City Departments, Common Council Representatives, and transportation service provider representatives.

According to our Bylaws, the Board shall consist of 13 voting members (at least 5 shall be active cyclists, at least 4 shall be active pedestrians, at least 1 member shall be a person with a disability or appropriate community experience, at least 1 member shall have green infrastructure knowledge, at least 1 member shall be a Buffalo Public School District youth counsel, and at least 1 shall be 65 years or older. There shall also be 4 non-voting members that include 1 representative from each of the following departments: Buffalo Common Council; Buffalo Police Department; the Traffic Engineer and the Office of Strategic Planning. The Board roster in 2023 was as follows:

- Justin Booth, Chair
- Lynn Magdol, Vice Chair (recently stepped down from Board seat)
- Jamie Hamann-Burney, Member
- Lauren Mitchell, Member
- Jalonda Hill, Member
- George Johnson, Member
- David Wahl, Member
- Debra Hall, Member
- Shane Paul, Member
- Dan Brady, Member
- Elliot Carlson, member
- Eric Schmarder, Department of Public Works (non-voting)
- Nkosi Alleyne, Division of Planning (non-voting)
- Valerie Malia, Common Council (non-voting)
- Lamont Rutherford, Buffalo Police Department (non-voting)

Below is also a summary of the active roles of the voting members:

- 5 Active Cyclists and 4 Pedestrians - 1 vacancy
- 1 Disability Advisory Council - 1 vacancy
- 1 Green Infrastructure Knowledge
- 1 Buffalo Public School District Youth Counsel - 1 vacancy
- 1 65 Years or Older

Policy Advisory Efforts

A primary responsibility of BPAB is to advise the Common Council and various City Departments on policies that can improve safety for pedestrians and bicyclists. Below is a summary of BPAB's policy advisory efforts in 2023.

Sidewalk Snow Removal

Ensuring City sidewalks, intersection crossings, and NFTA Metro Bus Shelters are clear of snow is essential for a safe, equitable, and accessible community. Buffalo is one of the snowiest cities in the United States, where 1 in 4 households do not have access to a personal vehicle, but the development of effective and inclusive policies and programs regarding sidewalk snow removal in the City has still not been made a priority by our elected officials. In 2023, The Bicycle & Pedestrian Advisory Board adopted and shared three policy briefs on sidewalk snow removal that can be found in Appendix A: Snow Removal by Citizen Volunteers; Snow Removal at Bus stops; and an overview of existing conditions, challenges, and case studies from our peer cities. These three policy briefs are intended to help the Common Council and the City Administration make decisions regarding municipal sidewalk snow removal strategies.

In 2023, the City of Buffalo also developed and adopted a Snow Removal Plan. The Snow Removal Plan did not address sidewalks or bus shelters in any effective way. We encourage the Common Council and the City Administration to ensure the 2024 Snow Removal Plan addresses the importance of sidewalk snow removal, and includes firm, actionable steps that the City will begin taking to ensure all of its citizens have the ability to move around and get to important destinations during the winter regardless of ability and mode of travel.

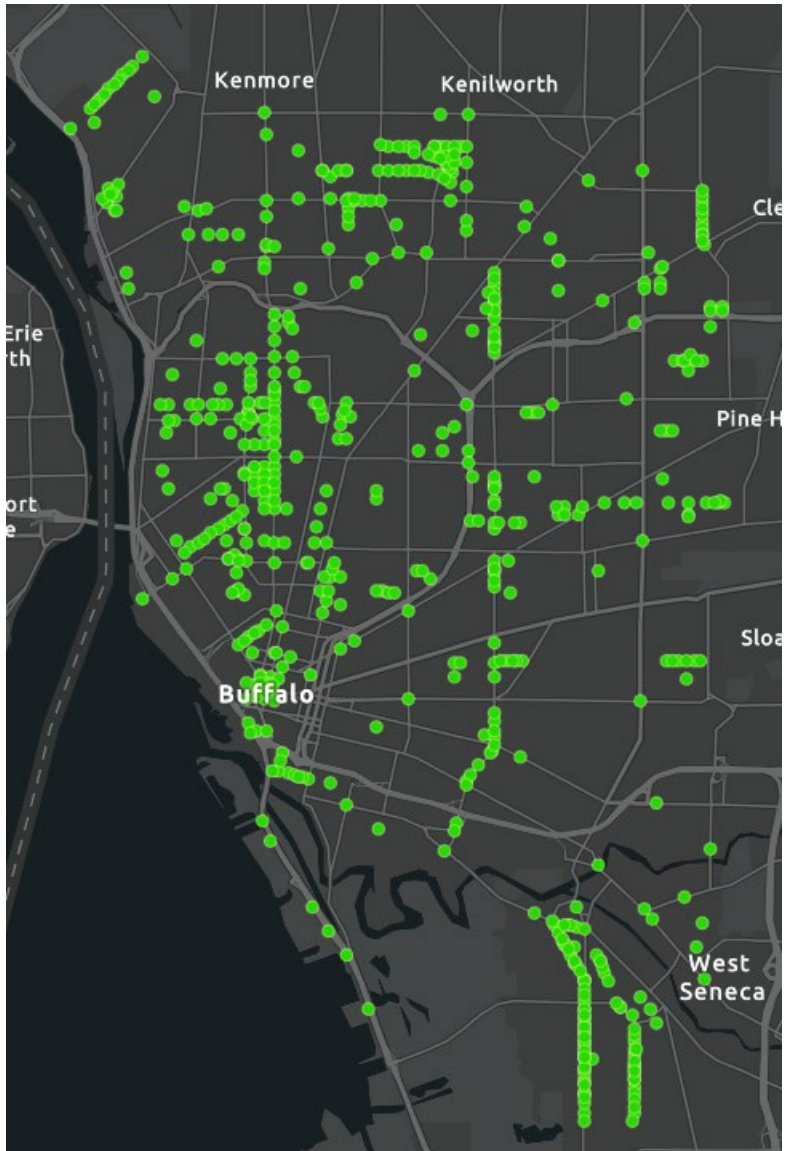
In 2023, we also continued to work with Common Council members on advancing a Sidewalk Snow Removal Pilot Program in the next annual City budget. The Pilot Program could focus on one or more of the following: main thoroughfares, bus routes, bus shelters, schools, and City of Buffalo owned properties (including vacant lots).

Road Striping Maintenance

BPAB has been advising the Common Council and City to increase their Road Striping Maintenance (crosswalks, bike lanes, vehicular travel lanes, etc.) to ensure the safety of all road users. Over the last two years, the City has raised its annual maintenance budget from \$35,000 to \$225,000 to the new 2023-2024 budget of \$350,000 (the last season also included additional funds from the American Rescue Plan, leading to a one year budget of around \$900,000 at the time). This continues to be a great step in the right direction. However, it is still significantly less than what peer cities, such as Syracuse, budget for

road striping maintenance on an annual basis. We continue to advise the City that the budget should be further increased so as to ensure quality striping maintenance on all City streets.

DPW should be commended for their efforts to include crosswalks and other school zone striping over the last year. The map provided below shows locations where either new stop bars and crosswalks, arrows, or "SCHOOL" markings were painted in 2023.



While roadway striping is contracted to a private company, there have been several locations throughout the City that the contractor did not complete last season. It is unfortunate that the City does not have a better option for maintaining basic safety infrastructure on our streets and the work that is done typically happens towards the end of the season. It would be preferable to see new bicycle lanes and crosswalks installed in May as spring arrives. The list provided is for long line striping locations assigned to the striping contractor this year. The locations highlighted in yellow have all been completed or partially completed. Some other locations have had symbols painted, but no long lines. Hopefully these can be prioritized by the contractor in early Spring.

Street	Intersecting Street 1	Intersecting Street 2	Notes
Allen	Main	Wadsworth	DY
Bailey	East Ferry	Kirkpatrick	DY
Bailey	Walden	Genesee	DY
Bingham	Church	Erie	cap DY
Chandler	Military	Dead End	DY
Colvin	Amherst	RR overpass	cap DY
Doat	Bailey	Zelmer	DY
Doat	Zelmer	east City Line	DY
Eggert	Kensington Ave	City Line	DY
Elk	Bailey	Smith	white lane lines, hatching, arrows
Fillmore	Best	William	cap DY plus 4 white bike lane lines and bike symbols
Fillmore	E Ferry	N Parade	cap DY and W edge plus sharrows
Fuhrmann	Tifft	Coast Guard Base	cap DY, W long lines
Genesee	Elm	Jefferson	DY plus add bike lanes 8 - 5.5 - 11 - 11 - 5.5 - 8
Hertel	Virgil	Colvin	cap
Lafayette	Colonial Cir	Gates Cir	DY, white parking lines
Linwood	North	W Delavan	widen bike lanes
McKinley Pw	Dorrance	Southside	DY, 4W plus bikes and arrows
Mineral Springs	Seneca	City Line	DY plus yellow hatching and small amount of 4" white
Paderewski	Fillmore	Memorial	DY, bike lanes added
Parkside	Amherst	Hertel	cap DY
Porter	Richmond	Niagara	bike lane lines plus symbols
Porter Ave	Niagara	Ralph Wilson Park Entrance	cap DY, white skips, yellow hatching
Richmond	Forest	Colonial Circle	cap DY and sharrows
Ship Canal Pw	Hanna	Tifft	DY
Vulcan	Niagara	Tonawanda	cap offset DY
Vulcan	Tonawanda	Kenmore	cap DY and bike lane
West Delavan	Grant	Richmond	DY, white parking line
West Ferry	Grant	Herkimer	DY, white parking line
West Ferry	Herkimer	West Ave	DY, white parking line
William Gaiter Pw	Kensington Ave	E Delavan	cap DY plus yellow hatching and arrows

Key: DY= double yellow, W= white

Bus Shelter Installation and Maintenance

In recent years, the NFTA has expanded its budget to increase the number of bus shelters in Western New York. In the City of Buffalo, it is City policy that the adjacent property owner is responsible for maintaining the bus shelters. In 2023, the NFTA and City of Buffalo were not able to come to a consensus on installing new bus shelters in the City of Buffalo. Because of this, NFTA has chosen to focus its efforts on installing bus shelters in surrounding towns, where the municipality has more actively worked with the NFTA to ensure the public transit system in their municipality has this critical piece of infrastructure.

This lack of coordination and collaboration between the City of Buffalo and NFTA hurts public transit riders and deprives our community of meaningful infrastructure that already has an allocated annual budget. We encourage the City of Buffalo to work with the NFTA to address the barriers that are preventing the installation of new bus shelters throughout the City.

Status of City Streetscape Projects and Mobility Programs in 2023

There are several important projects that BPAB had the opportunity to provide feedback on in 2023, including:

- Midde Main
- Bailey Ave
- Jefferson Ave
- Busti Ave
- Goodell Street
- Slow Streets Program
- City Smart Streets Design Plan

These projects have and will continue to help create safer and more equitable streets for our community, and we commend the City for prioritizing complete street design principles. It is also important to mention that many of these projects are taking much longer to advance than originally estimated. We encourage the City to provide the proper operational and project management resources needed to move forward with construction in a timely manner.

There are other notable delayed projects:

Transportation Alternative Program (TAP) funded projects:

Bicycle Master Plan Phase 1 (2016) – BPAB has reviewed and provided recommendations. Anticipated construction in 2023. There has not been any response from DPW on the submitted recommendations and no update on timeline for implementation has been shared.

Thoroughfare Plans that were reviewed by the BPAB and have yet to be implemented:

Forest Ave (Elmwood Ave to Delaware Ave)
Carolina St. (Niagara St to Tupper St.)
Lincoln Pkwy (Soldiers Circle to Rose Garden)
Chapin Pkwy (Soldiers Circle to Gates Circle)

Appendix A. Sidewalk Snow Removal Resolution and White Papers



Bicycle & Pedestrian Advisory Board

March 8, 2023

Dear Buffalo Common Council members,

The Bicycle and Pedestrian Advisory Board has unanimously supported the adoption and sharing of three policy briefs on sidewalk snow removal, snow removal around bus stops, snow removal by citizen volunteers and has shared a community driven petition requesting the city develop a municipal sidewalk snow removal program.

Since the establishment of the Bicycle and Pedestrian Advisory Board in 2006, sidewalk snow removal has been an agenda item that has seen little traction. In a city where 1 out of every 4 households do not own a vehicle, it is essential that all people regardless of age, ability or income can safely travel without the risk of injury or death. We implore the council to utilize the information provided and begin working towards a solution for improving the mobility conditions of people outside of vehicles.

We trust that as our elected leaders, you will use the information we have shared to inform your decision on a solution to this perennial challenge.

Please let us know how the board can continue to support you in this endeavor.

Sincerely,

A handwritten signature in cursive script that reads "Justin Booth".

Justin Booth
Chair
Bicycle & Pedestrian Advisory Board

Sidewalk Snow Removal in Buffalo: Past, Present, and Future
Bicycle-Pedestrian Advisory Board
October 2022

Current policies

The City Code states that sidewalk clearance is the responsibility of the property owner. A fine schedule is included that ranges from \$75 to \$225. Sidewalks that have not been cleared may be reported to the City of Buffalo's Call & Resolution Center by calling 311 (8:30 to 4:30 M-F) or 716-851-4890 or by going online at <https://www.buffalony.gov> and clicking 311 in the marquee or by downloading the City of Buffalo 311 app.

Current City practices on its own property

Sidewalks on properties owned by the City are to be cleared by the COB. Currently, such properties tend to be ignored and neglected, resulting in build-up of snow adjacent to other properties that have been cleared. Walking along a sidewalk that alternates between cleared areas and areas with piles of snow/ice are unsafe.

Properties that are abandoned or otherwise unoccupied

Sidewalks surrounding properties that are abandoned or otherwise unoccupied must be cleared of snow by the property owner. However, even when these properties are cleared, they are often surrounded by neglected properties, making for dangerous and unsafe conditions, usually forcing wheel-chair bound, disabled and pedestrians to walk in the streets, creating hazardous conditions for both pedestrians and drivers.

Current challenges

- Calls to 311 to report violations often do not result in any action by the City, either notifying the property owner or clearing obstructions.
- Fining property owners for violations has not been an effective source of funding, because (1) there is inadequate staff to enforce this and (2) fines are considered to be unfairly administered.
- Injuries have resulted from the dangerous conditions on many sidewalks.
- Buffalo has a significant population considered vulnerable roadway users with nearly 33% of households without access to a vehicle, 22.6% under 18 years of age, 12.4% over 65 years of age and 12.9% living with a disability:
Those without vehicles walk, cycle, and use transit to reach their destinations. At bus stops, dangerous amounts of snow and ice often pile up. Sitting down inside a shelter may become impossible. Getting on and off a bus becomes challenging.

Children and youth who cannot safely participate in outdoor activities, both at home and at school, are limited in their options for healthy living.

Seniors are also less able to go outside and walk when their neighborhood sidewalks are slippery, depriving them of an important component of healthy aging.

People using wheelchairs and walkers have trouble crossing streets if curbsides and especially corner ramps are not clear, a violation of the principles of the Americans with Disabilities Act.

- There is no designated funding in the City budget for sidewalk plowing. In the past, there was funding for a pilot project that has since been discontinued.

Sidewalk Snow Removal in Buffalo: Past, Present, and Future
Bicycle-Pedestrian Advisory Board
October 2022

Case studies from other cities

In **Rochester**, the property owner has primary responsibility. The City plows when more than 4 inches of snow have fallen. Private contractors do the work and a surcharge is added to the property tax bill to pay for this.

Syracuse recently expanded its program to encompass 100 miles of sidewalks to be plowed by the City. They use data to choose where to plow, based on the amount of traffic, the number of pedestrians, the presence of schools and other facilities that draw large numbers of people. They clear sidewalks when 3 or more inches of snow are present, as a supplemental service with the property owner still responsible.

Recommendations

A designated fund should be established in the City budget for a pilot study prioritizing city-owned and abandoned properties, streets with bus routes, and sidewalks near schools. The appropriate equipment and well-trained staff should be incorporated into the DPW. Small-scale efforts by the Olmsted Parks Conservancy and local merchants' associations should be used as models. The positive and negative impacts of the program should be carefully monitored, with measurable indicators, and reviewed regularly for continuous improvement.

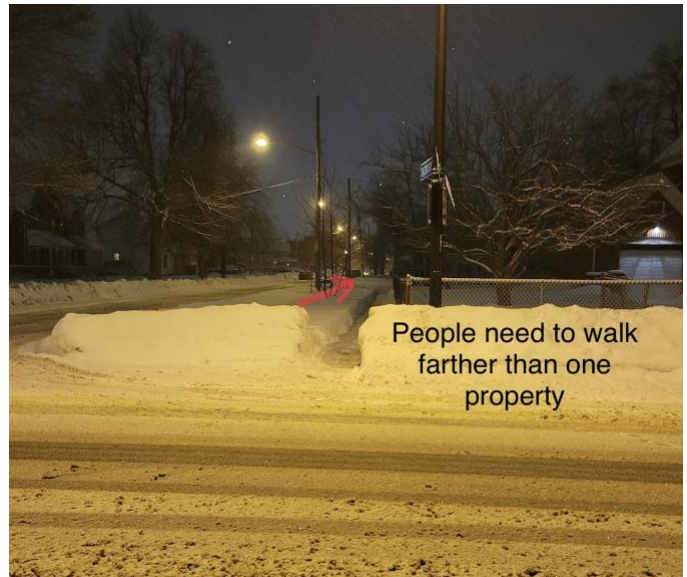
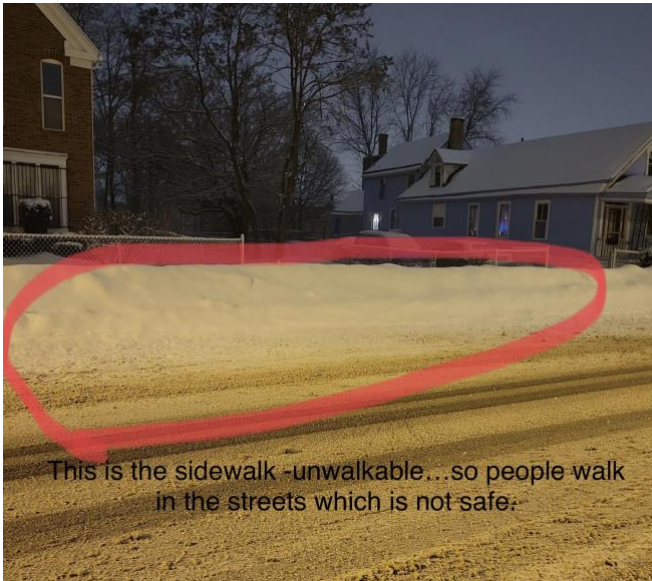
After the first year, an evaluation of the pilot's success should guide an extension of the funding and the areas served. In the first few years, as this program grows, other approaches should also be adopted as follows:

Informational flyers can be produced as in the past, with new updated information.

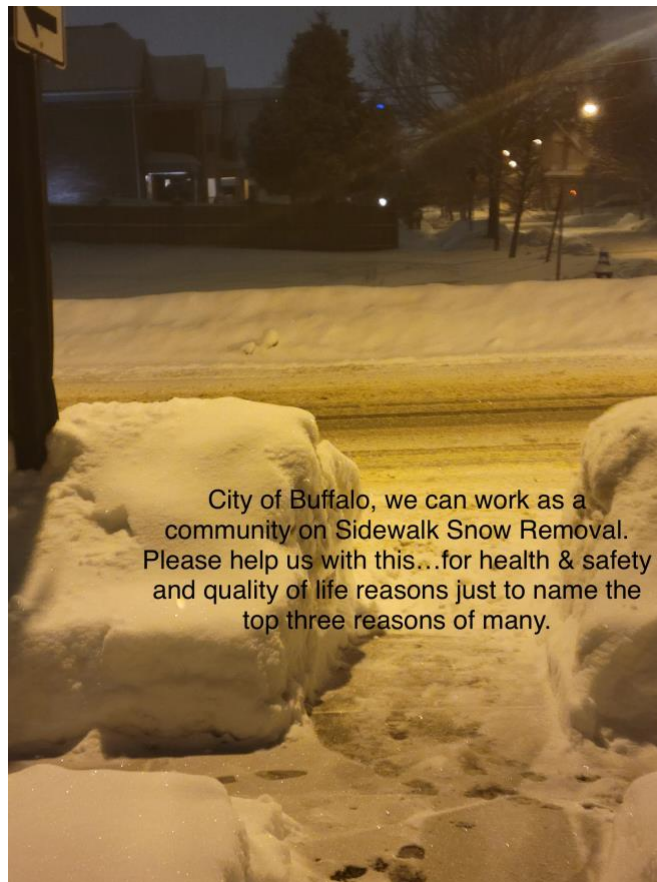
Councilmembers should provide assistance to citizen-initiated sidewalk snow removal efforts in their districts, helping with publicity as well as financial assistance for shovels, salt, etc. This would include events such as last winter's voluntary shoveling of bus stops by citizens and community-led Snow Angels programs that have emerged.

Creative and nonpunitive approaches to citations/fines should be developed. Any income from fines and/or fees should be applied in a restorative and redistributive manner to the Sidewalk Snow Removal Program or sidewalk repair.

Sidewalk Snow Removal in Buffalo: Past, Present, and Future
Bicycle-Pedestrian Advisory Board
October 2022



Sidewalk Snow Removal in Buffalo: Past, Present, and Future
Bicycle-Pedestrian Advisory Board
October 2022



Snow Removal at Bus Stops in Buffalo: Past, Present, and Future
Bicycle-Pedestrian Advisory Board
December 2022

Current Policies

The Niagara Frontier Transportation Authority (NFTA) states that each municipality within its two-county jurisdiction is responsible for maintaining bus stops and shelters. Thus, in Buffalo the City of Buffalo is responsible.

The Buffalo City Code states that sidewalk clearance is the responsibility of the adjacent property owner. There is nothing explicit in the Code about who is responsible for cleaning out the inside of a snow-covered bus shelter.

The ADA states that government, not private property owners, is responsible for public facilities, including sidewalks leading to transit, to be sure they are safe and usable for persons with disabilities.

Current Challenges

- Ignorance. Many homeowners and businesses are not aware of their responsibility for adjacent bus stops, assuming that someone else is assigned to take care of them.
- Noncompliance. Because enforcement is at best lax and mostly nonexistent, some property owners might be aware of their responsibility but not motivated to comply since they would not be liable for injuries sustained on these city-owned parcels (hell strips).
- Legal Ambiguity. Contradictory information creates confusion about legal authority. The ADA is a federal requirement. The NFTA is a state entity. The NFTA has no authority over local property owners but is itself the owner of the bus shelters that stand on publicly owned land. The City has legal authority over its residents, but not over the NFTA.
- Safety Issues. When bus stops and shelters are not cleared of snow and ice, riders are forced to stand in the road while waiting for their buses to arrive. At some locations, they are not highly visible to approaching vehicles, creating a potentially serious danger to them. Getting on and off the bus can also be extremely dangerous.
- Discriminatory Practices. Public safety should be assured for all who live, work, shop, and partake of other activities in Buffalo. Bus riders are unfairly treated in this regard. Especially at risk are parents traveling with strollers and toddlers, those without access to a vehicle or other travel options (33% of households in Buffalo), seniors, and those living with a disability; disproportionately impacting communities of color.
- Funding. There is no designated fund in the City budget for snow removal at bus stops.

Case Studies from Other Cities

Communities throughout the US and Canada have dealt with winter maintenance of bus stops in a variety of ways. Transit agencies, local government, and collaborations with businesses, colleges, and community organizations have been tried. A few examples are listed below.

- Transit agency has sole responsibility. In Burlington (VT), the transit authority maintains bus stops and shelters.

- Local government has sole responsibility. In Hamilton (ON), sidewalks on transit routes will be cleared by the city, effective November 2022. This is paid for by an increase in the property tax. The work is done by a private contractor. In Toronto, stops and shelters are cleared by the city. In Madison (WI), bus stops are cleared by the city “when necessary.”
- Transit and local government share responsibility. In Ottawa (ON), bus stops with shelters are cleared by the transit company while those without shelters are cleared by the city. In Washington (DC), as in Buffalo, the transit authority clears rail stations but the local municipality is responsible for bus stops. Similarly, in New York City, subway entrances are cleared by the transit authority while bus shelters and stops are cleared by the city Departments of Transportation and Sanitation. In Boston, the transit authority clears snow from some bus stops on major lines, but all bus stops are ultimately the responsibility of the nearby property owner,
- Community businesses and organizations participate. Many communities have instituted an “adopt a stop” program, utilizing nearby businesses on a voluntary basis. The transit agency oversees this program and may provide the tools.

Recommendations

A remedy for ignorance is to educate widely. This can be done by actively disseminating the information via Common Council members’ newsletters to their constituents as well as by merchants’ groups, neighborhood associations, and block clubs. Community organizations that advocate for transit users, disabled persons, seniors, and children, can assist with wide distribution of regulations. The NFTA’s Winter Ride Guide can also be widely disseminated.

To address noncompliance, a more rigorous but fair and reasonable enforcement system should be upheld. Citizens should be encouraged to report violations to the Call and Resolution Center, 311. Because monetary fines are considered unfair and burdensome by some community organizations, citations should offer alternatives to such payments. For example, violators who are cited could choose the option of community service, either bus stop maintenance or other public service.

Legal ambiguity can be clarified by revising the City Code for special exceptions at bus shelters and stops. Clearing these areas should be specified as the responsibility of the City of Buffalo and/or the NFTA. Adjacent property owners could be given the option to clear these areas, with stipends provided to them.

The NFTA should be encouraged to assist and support all entities, both governmental and nongovernmental, that are performing the actual work of maintaining their facilities. It is in the interest of the NFTA to do this; when bus and rail are safely accessible, more people will use them rather than stay home, drive, or use a ride-share program. A free marketing campaign is one resulting side benefit.

Safety issues can be easily addressed by clearly assigning responsibility for maintenance and for monitoring the execution of this responsibility. Adjacent property owners have not taken responsibility. Now it’s time to give the job to someone else.

Discriminatory practices can be remedied by faithfully adhering to Buffalo’s commitment to complete streets, which by definition offer equal access to all people regardless of age or ability.

The city and the NFTA should establish an ADA Transition Plan that clearly identifies how access and mobility will be maintained throughout all seasons.

Funding can be derived from a designated budget line. An added tax for property owners is one possible option that has been used in other places. The NFTA could be charged for part or all of the cost. Funding should also be designated to support community groups who voluntarily clear snow/ice from bus stops and shelters. Support can be provided in the form of monetary assistance for supplies/equipment, insurance liability coverage, and publicity.

A designated fund should be established in the City budget for a pilot program prioritizing city-owned and abandoned properties, streets with bus routes, and sidewalks near schools. The appropriate equipment and well-trained staff should be incorporated into the DPW. Small-scale efforts by the Olmsted Parks Conservancy and local merchants' associations should be used as models. The positive and negative impacts of the program should be carefully monitored with measurable indicators and reviewed regularly for continuous improvement. After the first year, an evaluation study of the pilot's success should guide an extension of the funding and the areas served.

Snow Removal by Citizen Volunteers in The City of Good Neighbors Buffalo Bicycle-Pedestrian Advisory Board February 2023

Current Practices

Sidewalks in Buffalo, especially on residential streets, are often incompletely cleared of snow and ice. One possible reason is that some homeowners are unable to do the work (for health or age reasons) and unable to find someone else to do the work (for financial or social isolation reasons). Proposals for sidewalk snow removal by the City have been considered, but these will take some time to reach full operation and they are likely to focus primarily on commercial streets. At the same time, a number of citizen volunteer efforts have sprung up in recent years, focusing on residential streets. Some groups have come forward for a single event, such as bus stop clearing last year, an East Side coalition during the Christmas blizzard of 2022, and this year's Snow Roll by cyclists with shovels. Some groups continue over the season, such as the Parkside Community Association's Snow Angels program. Informal block club arrangements, such as the partner system of the Lancaster Melbourne block club, are limited in scope to a small area. The Mutual Aid Network's Snow Brigade extends throughout Buffalo and beyond. A list of community-led efforts with contact information is attached.

A more fully developed citywide program for sidewalk snow removal by citizen volunteers can ensure better safety condition for residents, their neighbors, and those who serve them, such as postal and package delivery services, fire fighters, and police officers. A safer and more cohesive community will be the results.

Current Challenges

- Funding. There is no consistent mechanism to pay for materials, equipment, labor, internal communication, publicity, and administrative staff. [The same people who cannot do their own shoveling are often the ones on fixed incomes who cannot afford to pay someone else to do it.]
- Insurance. Liability is covered by homeowner insurance for most, but not all.
- Coordination. There is no central clearinghouse among the numerous groups that have arisen, with only partial communication and coordination among them. A single contact form is needed to receive requests from volunteers and from those in need. Overlap in areas of coverage could be avoided by a central coordinator.
- Consistency. Eligibility for services and criteria for volunteering have not been clearly or consistently stated among the various informal groups that currently exist.
- Areas of Coverage. There are gaps, notably residences on commercial/mixed streets and bus stops/shelters citywide.
- Shortage of volunteers. Requests for assistance tend to be greater than can be served by the small pool of volunteers

Case Studies from Other Cities

A quick Internet search reveals numerous places across the U.S. and Canada with volunteer programs, as described on government websites and in local media. Programs reviewed include Denver, Detroit, Fort Collins, New York City, Ottawa, South Portland (OR), Toledo, Vancouver (CA), and West Allis (WI).

Many programs are publicized on city websites and sponsored by a city department. Some also include links to community organizations. Volunteers are sometimes paid, but usually unpaid. Eligibility is typically limited to seniors, disabled persons, those who are physically unable to clear their own snow, and those with limited income to hire paid help. It appears that the honor system is used, i.e., self report. An online request form and/or the 311 helpline are used to register.

Recommendations

- Funding. Common Council members could use discretionary funds to assist efforts in their districts. A citywide fund could be established, either from a budget line or by combining voluntary contributions from those councilmembers who wish to participate. The NFTA could be encouraged to assist with funding for clearance of bus stops/shelters so that transit employees are not forced to let riders off on the streets.
- Insurance. For properties that do not have their own coverage, the City could cover the cost.
- Coordination. A city department could be designated to coordinate neighborhood efforts, communicate among them, organize a monthly meeting during snow season, and provide guidance for new groups wishing to start such a program. The City could follow the model of many other localities, placing a request form on its website and/or referring to 311. Coordination could be done with the Urban Planning Department at UB or any local college to create an internship for this project for any student wanting to learn/get started in government and/or urban planning. Currently the coordinator at the Buffalo Snow Brigade is a 1-year part time internship and during the winter months it is more than a part time job.
- Consistency. The City could issue a list of suggested eligibility guidelines for recipients and volunteers.
- Areas of Coverage. A citywide coordinated program would be limited to the boundaries of Buffalo. It would also avoid overlap or duplication of efforts in different districts.
- Shortage of volunteers. An aggressive campaign led by the City could recruit more volunteers. A mechanism to pay shovelers (optional) would also draw more interest. Or in lieu of payment, offer community service credit could be offered to [high] school children who volunteer.

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January 2, 2023

Mr. Justin Booth, Chair
Bicycle-Pedestrian Advisory Board
640 Ellicott Street
Suite 447
Buffalo, NY 14203

Dear Mr. Booth,

December 2022 was an important month in the long campaign to win municipal sidewalk snowplowing in Buffalo.

Around December 1, 2022, Lorna Peterson launched an online petition at Change.org calling for municipal sidewalk snow clearance in the City of Buffalo. As of today, that petition has garnered 1,015 signatures. I hereby submit that petition to be formally recognized by the Buffalo Common Council:

www.change.org/p/needed-municipal-sidewalk-snow-removal-in-buffalo-ny

On December 12, the *Buffalo News* ran a long feature story by Deidre Williams (attached) acknowledging in the first two paragraphs that Buffalo is an outlier when it comes to sidewalk snow removal. It includes some quotes from me. I hereby submit that article to be formally recognized by the Buffalo Common Council.

On December 13, the *Buffalo News* ran an editorial endorsing municipal sidewalk snow clearance (attached), saying “It’s ridiculous. Of all the cities in the country, Buffalo should have been among the first to initiate a sidewalk snow clearance program.” I hereby submit that editorial to be formally recognized by the Buffalo Common Council.

Thank you for everything you do to promote safe walking and bicycling in the City of Good Neighbors.

Sincerely,

A handwritten signature in black ink that reads "Cynthia Van Ness". The signature is written in a cursive, flowing style.

Cynthia Van Ness, MLS
#PlowSidewalksToo

Attachments:

Williams, Deidre. "Clearing public sidewalks of snow? Some in Buffalo want a better way." *Buffalo News*, December 12, 2022

"Buffalo should clear the city's sidewalks of snow." [Editorial]. *Buffalo News*, December 13, 2022

Cc: Lorna Peterson

https://buffalonews.com/news/local/clearing-public-sidewalks-of-snow-some-in-buffalo-want-a-better-way/article_7ccbb642-7578-11ed-bf99-2f0d0c4d2b5d.html

TOP STORY

Clearing public sidewalks of snow? Some in Buffalo want a better way

Deidre Williams

Dec 12, 2022



Nicholas Harelick removes snow in Buffalo on Nov. 18, 2022. Harelick spent the day clearing off roads and sidewalks so his neighbors would have a place to walk and drive.

Joseph Cooke / Buffalo News

Deidre Williams

After each Buffalo snowstorm, property owners are expected to shovel or snowblow the public sidewalks in front of their homes and businesses.

But in other upstate cities, property owners get help from the municipality.

Now another push is being made for that kind of government help in Buffalo – but not finding any encouragement from the mayor.

“Buffalo, like Rochester, should have municipal sidewalk snow clearing,” Elmwood Village resident Cynthia Van Ness said. “Rochester’s been doing it for about 100 years. They do it for about \$40 a household per year, which is way less than it would cost me if I wanted to hire the neighbor kid to do it.

“That \$40 a year gets you not just your sidewalk plowed, it gets you your entire city plowed so you know that wherever you go, you’re going to be able to use a sidewalk no matter where you are in Buffalo,” she said. “I think this is the deal of the century.”

People are also reading...

- 1 **Republicans no longer the second-largest voting bloc in New York State**
 - 2 **Observations: Jeff Skinner's match penalty costs Sabres in OT loss to Penguins**
 - 3 **Fears of violence rise on new front in gender debate: drag shows, story time**
 - 4 **Everybody's getting sick. Here's what you need to know**
-



Elmwood Village resident Cynthia VanNess poses for a portrait in Delaware Park in Buffalo on Dec. 7, 2022. She has started an online petition asking the city to consider a municipal snow removal plan.

Joseph Cooke / Buffalo News

Van Ness, who often walks to her librarian job about a mile and a half away, posted her **Top Twenty Reasons for Municipal Sidewalk Plowing in Buffalo** on her **Buffaloresearch.com** website, along with a link to a **petition calling on the city to implement a municipal snow removal plan**. It has more than 500 signatures.

But Mayor Byron W. Brown said such a program would be "pretty expensive," and it is not on his administration's to-do list.

"That's been talked about before. We're not looking at that right now," Brown said. "It might be brought up by others, but to implement a sidewalk snow removal plan is going to cost the residents more money. There's a cost to it. So if people want to pay for it, we can do it, but it's going to be pretty expensive."

In Buffalo, the owner of any building abutting a public sidewalk is responsible for removing snow and ice from the sidewalk within 24 hours after the snowfall stops. The penalty for not doing so is a \$75 ticket.

Van Ness said Buffalo officials should start thinking about implementing a municipal sidewalk snow removal program.



Better weather is helping snow-clearing efforts, but some Buffalo residents are still feeling forgotten

“It’s simply, I think, a violation of equal protection when taxpayers who are inside motor vehicles are entitled to rights-of-ways cleared at public expense. And taxpayers who are outside of motor vehicles are not, and both traveling on public rights-of-way,” she said. “It’s also, I think, an ADA violation. People who cannot drive or should not drive because they’re too old or have too many disabilities ... cannot use sidewalks if they’re not plowed.”

'Somebody's going to get hurt'

North Common Council Member Joseph Golombek brought up the idea of municipal sidewalk snow removal at a public meeting around the time of **last month's snowstorm** that blasted the region with record amounts of snowfall. He introduced Van Ness' Top 20 list during a recent meeting of the Common Council's Community Development Committee.

"I just want to keep it in front of us," Golombek said. "I know there's nothing we can do this winter season, but I've always kept that in front of us and beaten the drum for years on doing something."

Golombek said the majority of the properties that are not shoveled in his district are absentee rentals and businesses on main thoroughfares.



As snowstorm cleanup efforts near completion, calls grow for additional federal aid for Western New York

“I probably have in parts of my 14207 ZIP code up to a third of my residents who are not automobile owners,” he said. “And so they have to walk from Riverside, from parts of Black Rock ... to Tops or to Wegmans or to or grocery stores to get their food. And if there is a storm, and if the businesses have not come out and plowed or shoveled their sidewalks, these poor people have to go into the street, and it’s only a matter of time before somebody’s going to get hurt.”

That happened in **December 2020**, when a woman who uses a wheelchair and her boyfriend were hit by a car from behind while out admiring Christmas decorations at Middlesex and Lincoln Parkway.

A relief district in Amherst

The Town of Amherst has a sidewalk relief district funded by residents in the district to provide sidewalk snow relief, Highway Superintendent Patrick Lucey said. Homeowners pay 75 cents per linear foot. The total linear footage of the district is about 60,000 feet.

“The key word, here, being relief,” Lucey said. “Our town equipment goes out during a snowstorm and we plow a sidewalk, but the understanding is it’s still the homeowner’s responsibility to make sure that that sidewalk is clear.”



GPS tracking of plows helped city's snow response but left residents out of loop

The sidewalk relief district does not include commercial property owners, generally, but there can be exceptions, Lucey said.

On Maple Road, for instance, “there could be a commercial business along our route, but business districts are not eligible.”

Primarily, larger thoroughfares – such as Sheridan Drive and Maple Road from the Millersport Highway bridge east to Transit Road – are in the district, “but there are some lesser traveled roads,” Lucey said.

“On Maple Road, we have schools, we have places of worship, we have medical facilities. You need access to the sidewalk,” Lucey said. “We’ll plow it. But still, you’re not absolved from being responsible to keep that sidewalk clear. Is it a supplemental program. But we do a majority of the work, but, again, we’re not saying the Town of Amherst is totally responsible, because we’re not ... in the town code, it clearly states the property owner is responsible to keep that sidewalk in a safe condition.”

Homeowners apply to be in the sidewalk relief district, and then the town sets up a scoring system of the requested area that includes how often is it traveled and whether it is near a major roadway where people tend to walk a lot, Lucey said.



The Editorial Board: City cleared snow effectively, but there's room for improvement

"If they need to get to a place, a hospital, a school, a church or synagogue ... some place of worship, maybe," he said of chances of a stretch being included in the district. "We weigh all of that."

In Cheektowaga, it is up to property owners to clear their sidewalks of snow and ice or be fined, with fines ranging from \$25 to \$100, depending on the number of offenses.

The Town of Tonawanda does not have a supplemental program in place, either, but “we are exploring doing something,” said Kevin Keenan, communications consultant for the town.



Buffalo resident Cynthia VanNess is asking the city to consider a municipal snow removal plan.

Joseph Cooke

Help in Syracuse and Rochester

The upstate cities of Syracuse and Rochester provide some sidewalk clearing help to residents.

Corey Driscoll Dunham, Syracuse’s chief operating officer, said “plowing every single sidewalk in the entire city” is not feasible.

So, in 2018, Syracuse identified 20 miles of streets that are most dangerous for pedestrians and focused on clearing sidewalks along those streets, funded by the Department of Public Works' budget, she said.

The program expanded to 40 miles of sidewalk the following year, but was cut from the budget in 2020 due to Covid-19.

Then, last year, officials implemented a municipal sidewalk program, shifting the responsibility for repairing, replacing and adding new sidewalks to the city. The program is funded through a fee structure. The first year, it was \$20 a year for residential properties, and \$60 for commercial properties. This year, it's \$40 for residential, and \$120 for non-residential. The fees increase each year until residents are paying \$100 a year and nonresidential property owners are paying \$300 a year.

The program continues to expand each year and now includes 125 miles of sidewalk to clear this winter, Driscoll Dunham said. It is a supplemental service. Property owners still are required to remove snow and ice from their sidewalks.

"Every property pays the municipal sidewalk program fee," she said. "That was based on the whole idea that ... we all use sidewalks. We all benefit from a more walkable city. Everybody's paying it, whether or not you have a sidewalk, whether or not you're a nonprofit who doesn't pay property taxes."

Ticketing, she said, generally doesn't help.

"Someone's got to take the call of the person calling to notify the city that you got to send somebody out," she said. "Someone's got to issue the ticket. Someone's got to do the follow up after the ticket. Someone's got to issue the fine and then follow up on the fine and take the call from the person who just got the ticket. All this stuff and at the end of all that, the sidewalk hasn't been cleared."

Clearing sidewalks doesn't guarantee that people are going to no longer walk in the street, Driscoll Dunham added. "But I don't want somebody walking in the street because the sidewalk isn't cleared."

The City of Rochester provides a supplemental service to help property owners clear their sidewalks of snow and ice, using private contractors to plow 878 miles of sidewalks when 4 inches of new snow has accumulated. The miles are divided into distinct sidewalk plow runs of approximately 15 miles. Each sidewalk plow run takes

about five hours to complete. Sidewalk plowing usually happens in the evening and early morning when pedestrian traffic is lowest, but the schedule is modified to respond to actual snow storms.

Property owners are responsible for removing any remaining snow and ice.

The program is financed by an “embellishment fee” on property tax bills and based on the property's front footage. The charge for homes assessed with a 40-foot frontage is \$36.24.

By Deidre Williams

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https://buffalonews.com/opinion/editorial/the-editorial-board-buffalo-should-clear-the-citys-sidewalks-of-snow/article_49eab6bc-7b0c-11ed-ade8-6bb60c13ccef.html

The Editorial Board: Buffalo should clear the city's sidewalks of snow

News Editorial Board

Dec 13, 2022

Every year, after every snowstorm, Buffalonians who walk – one-third of the city’s residents – must rely on property owners to **shovel their sidewalks**. If the sidewalks aren’t shoveled, pedestrians must struggle through slippery snow-packed sidewalks or take their chances by walking – even more dangerously – in the streets.

Falls and near-misses are common; in December 2020, pedestrians in the street on Middlesex were hit and badly injured.

And it’s not just an issue for those who don’t drive. Everybody uses the city’s sidewalks. Buffalo’s leadership needs to step in. Other municipalities with snowy winters have taken action, including neighbors Rochester and Syracuse, both of which have municipal sidewalk clearing programs.

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John Strokowski shovels snow off sidewalks on Allen Street in Buffalo on Nov. 23. Like the cities of Rochester and Syracuse, Buffalo should take on the task of clearing sidewalks of snow.

Joseph Cooke / Buffalo News

Residents here are getting sick of being outliers in an area where they should be setting the standard. It's ridiculous. Of all the cities in the country, Buffalo should have been among the first to initiate a sidewalk snow clearance program. Like it or not, our national reputation for snow is well-deserved. And we like to brag that it's not a big deal for us.

Such a service will cost money, but the municipal amenities upon which we all rely are never free. That's why we have property taxes; in Rochester, the sidewalk clearing fees are part of the annual tax bill at about 9 cents per foot of each property's front footage. It averages out at about \$36 per property.

It must be noted that property owners in both Rochester and Syracuse are still responsible for clearing their sidewalks; city snow clearance provides supplemental help. But in Buffalo, such an addition would help solve the issue of absentee owners who pay taxes, but don't shovel, as well as address many other cases where shoveling just isn't happening.

Residents have been calling for this service for years – and indicated they would be willing to pay for it. As Elmwood Village resident Cynthia Van Ness stated in a recent News article, “... taxpayers who are inside motor vehicles are entitled to rights-of-ways cleared at public expense. And taxpayers who are outside of motor vehicles are not.”

The city did do a pilot for sidewalks on major thoroughfares from 2015-2019, but it was discontinued with no plan for the future. Now, Mayor Byron Brown states it's not on his administration's to-do list.

Making the sidewalks safe for residents in a city that regularly gets blanketed with snow should always be on Brown's to-do list. It should be a top priority.

Talk to Rochester and Syracuse. Make a plan – before more accidents occur.

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