

CAPITAL STREETS | MEMORANDUM OF SUPPORT

S.2714 (Kennedy) / A.1280 (Rivera)

Complete Streets Maintenance

Purpose: This legislation amends state highway law to expand the scope of state, county, and/or local transportation projects requiring the application of Complete Streets design principles to include resurfacing, maintenance, and pavement recycling.

Background: The ability of municipalities to raise revenue through property taxes has been steadily eroded over several decades of tax reform at higher levels of government (like the 2011 municipal tax cap). Many cities and towns in upstate New York that have sought to rebalance their general fund through other conventional revenue streams have been further challenged by shifting economic conditions and the relocation of previously-stable industries. Taken in combination with one another, the net result of these two trends is simple: cities in upstate New York are increasingly reliant upon state and federal grant moneys for maintaining local roadways, a responsibility that clearly falls within their purview under New York State Highway Law.

The 2011 Complete Streets Act requires state, county, and local entities to “consider the convenience and mobility of all users when developing transportation projects that require state and federal funding” during planning, construction, reconstruction, and rehabilitation. The law’s unfortunate exclusion of resurfacing, maintenance, and pavement recycling means that New York State’s Complete Streets law does not apply to a very substantial portion of municipal transportation funds in upstate New York. For instance:

- In Saratoga Springs’ 2023 Adopted Budget, CHIPS accounts for \$502,000 in revenue, or 27.6% of the entire Public Works budget.
- In the City of Troy, CHIPS and CDBG regularly account for almost all of the funds available to the City Engineer.

Justification: Capital Streets advocates for systemic reforms to make the Capital Region’s transportation network accessible to all residents, regardless of their age, ability, or preferred mode of transportation. In Capital Region cities with funding and staffing limitations, many City Engineers and Planners can only realistically engage with roadways in neighborhoods through resurfacing, maintenance, and pavement recycling. As written, the Complete Streets law has prompted several city officials to express skepticism about whether they are even *permitted* to incorporate Complete Streets features into their designs. For these reasons, **Capital Streets supports this legislation.**

