

Village of New Berlin

Minutes of September 10, 2024

Public Hearing on proposed changes to Local Law #4 of 2023 titled "Vehicles & Traffic"

The section of the law being considered for amendment by the Board of Trustees relates to the east side of North Main Street from the intersection of Main & Genesee Streets, north 345 feet. The current law stipulates that parking along this portion of sidewalk is limited to 2 hours between the times of 8am-6pm.

Members Present: Peter Lennon, Mayor
Maryellen Canuel, Trustee

Members Absent: Dave Smith, Trustee/Deputy Mayor
Jim Crawford, Trustee
Josh Burchill, Trustee

Others Present: Jared Kline, DPW Supervisor
Chuck Marshall, Representative from Stewarts Shops
David Constantine, Village Resident
Louis Romano, Representative from Town of New Berlin Police Dept.
Barbara Levenson, Village Resident

Public Hearing was called to order at 6:03 pm by Mayor, Peter Lennon

Mayor Lennon opened by explaining the reason for holding the evenings Public Hearing is regarding parking along the "Green Space" on North Main St (NYS Route). He offered a reading of the current law, which states that this location offers 2-hour parking between the hours of 8 am – 6pm, but there is currently a sign along this section that states it is a *No Parking Zone*. Mayor Lennon would like there to be a consistent message regarding this area of parking. A consistent message that is respectful & courteous to both village residents who live in that area and those who run/conduct business in that area, as the area in discussion is zoned both commercially & residentially. He then discussed how NYS DOT states that the village does have the authority to paint parking spots along NYS Route 8 within Village limits and work will begin on that soon. Mayor Lennon then presented proposed signage from the New Berlin Police Department – 30 Minute Parking with no Idling between the hours of 9pm – 5am. The New Berlin Police Department had since made slight adjustments to the proposed signage and Mayor Lennon asked the NB Police Department Representative to offer comment on the adjusted proposed signage. Officer Louis Romano offered the sample signage to the Board, sample signage stating - 30 minute parking, no idling zone, excluding special events. Mayor Lennon offered the opportunity for open comment on the matter.

Chuck Marshall, a representative from Stewarts Shop then approached the Board to offer an informational hand out. Mr. Marshall went on to explain that Stewarts Shop had constructed an addition to their Store located in the Village of New Berlin, based on some of the information that could be viewed on the handout. The informational handout included information that can be obtained from NYS DOT from the NYS Traffic Viewer System, that tracks traffic & traffic patterns by station ID's, there is a station ID north of the village, located near 5 corners, that Stewarts can view local traffic information. From this obtained information Mr. Marshall explains that between the years of 2021-2023 there has be slightly less than a 6% increase in traffic flow in this section of Route 8, staying consistently steady throughout the day with peak traffic times being 7 am & 4pm, consistent with normal commute times. Stewart's business is this traffic, they are a 65% pass by meaning that 65% of Stewarts customers in this regard are stopping at Stewarts Shops located in the Village of New Berlin, because they are passing by the location on their way to another destination. Mr. Marshall then compared this figure to the 35% that leave their house with Stewarts being their intended destination. Stewarts expanded their local store with aesthetics and residents in mind and not to make the location a truck stop, although 5-10% of their business does come from larger trucks traveling NYS Route 8. Stewarts would be in favor of an amendment to this parking ordinance as it would be in their favor to have a clarified ordinance on this parking locale.

In addition to Chuck Marshalls comments, Mayor Lennon announced that the Village had received feedback from Chobani. Chobani representative & Head of the Operations Department, Max Finburg, extended his apologies for his absence and sent a letter to convey his comments on the matter. Mayor Lennon read the letter in favor of amending Local Law titled "Vehicles & Traffic", aloud to the room. *See Letter: attached*

Following Chobani representative, Max Finberg letter, Mayor Lennon proceeded to read aloud to the room an email from Village resident, Lisa Serradilla. Ms. Serridilla owns the property directly across from the Stewarts Shops and next to the "green space" location. Mayor Lennon read Lisa Seridilla's email opposing an amendment to the local law in reference to the matter of the Public Hearing. *See Email: attached*

Mayor Lennon followed the reading of said email by making public comment, in his opinion Officer Kaminski may take issue with a some of Ms. Serradlla's recollections, particularly referencing the ticketing incident of her contractor.

Mayor Lennon then presented to the room another document, in a petition format, from local residents and participants of the Village Farmers Market, signed by 22 people. In favor of amending the "Vehicles & Traffic Law". He then invited resident Barbara Levenson to offer her comment on the matter at hand. *See Petition: attached*

Ms. Levenson states that she would simply like clarification on the matter. She has lived here 15-20 years and would just like to be clear on what the issue is in regard to this matter.

Mayor Lennon stated that this meeting is to hear public opinion and agreed that the law in question does need to be clarified as the current law is contradictory to the signage that is currently in place. He would like to get a consistent and clear message on this parking space out to the public.

Ms. Levenson then posed a question regarding the idling time limit on the proposed signage. Mayor Lennon explained the first proposed sign states no idling between the hours of 9pm – 5am, the more recently presented signage indicates no idling period. Mayor Lennon reminded the room that the public hearing was to gather input for subsequent action and that the Board cannot legally take any action on a local law at present because they are not in a full quorum.

Board of Trustees Member, MaryEllen Canuel, requests to offer her comment on the matter as a Village Resident and not as a Board Member. She expresses that an opposing option to amending the Local Law would be to pull 15 feet forward and park in the zone that does allow parking, stating that there are parking options. She goes on to offer that a possibility would be to make the ordinance in discussion a limited use parking space for the Village Farmers Market. Ms. Canuel expressed her concern that if traffic is coming south and an emergency vehicle is trying to make a turn off of Genesee Street or West Street, they cannot make the turn as it is blocked. She requests that she hear from New Berlin Police Department on how the idling will be monitored, as she lives on Main Street and can state from experience that she can hear the trucks every morning and how fast they are driving by her home. Ms. Canuel understands that resources are limited but would like further clarification on how the Police Department plans to monitor the idling if the law is amended. Attending New Berlin Police Department representative, Officer Romano, referred this question to the Officer in charge.

Mayor Lennon opens the floor to resident, David Constantine. Mr. Constantine expressed that it is his belief parking should be allowed in the area under discussion. He explains that since we are a rural area a truck driver can drive miles in either direction not finding a place to stop, particularly during the nighttime as the majority of places are not open. Mr. Constantine said he feels it is important that we offer this, especially given the fact that the proposed no idling law would take care of the disagreeable noise & air pollution, still allowing vehicles to make a stop. He is concerned that if we start proposing amendments to areas where certain individuals would prefer there be no parking due to noise or inconvenience versus an actual hazardous reason, we will start eliminating parking spaces through out the village, not presenting a very friendly atmosphere. In agreement with the issue brought up by Ms. Canuel, Mr. Constantine feels the village needs to find a solution to the speeding issue.

Mayor Lennon then discussed speed signs. David Constantine suggests that maybe the Village could look into getting signs that will issue tickets for speeding. Board Member, MaryEllen Canuel, explained that the Village had attempted to get something of the sort for the main traffic light and due to the fact that we are a small village and not a large city it is not an option that is offered to us.

Mayor Lennon offers the floor for any further comment and from feedback suggested that we put the proposed signage on the Village kiosk & Facebook page for viewing. This issue will be revisited at the October 8th board meeting.

Mayor Lennon & Trustee Canuel close the Public Hearing at 6:31 PM

September 10, 2024 Board Meeting
Regular Meeting called to order following Public Hearing on
Local Law 4 of 23 "Vehicles & Traffic"

Called to Order at 6:32 PM

Members Present: Peter Lennon, Mayor
Maryellen Canuel, Trustee

Members Absent: Dave Smith, Trustee/Deputy Mayor
Jim Crawford, Trustee
Josh Burchill, Trustee

Others Present: Jared Kline, DPW Supervisor
Robert Starr, EMS Supervisor
Don Anderson, Fire Department Chief

Pledge to Flag	
Approval of Prior Minutes (May 20th & August 13th)	Trustee Canuel requested to make modifications to 8/13/24 minutes and will look over 5/20/24 minutes again, Mayor Lennon agrees. No approval can be made at this time due to Board Member absences there is not a quorum.
Public Concerns and Visitors	None

<p>DPW Report</p>	<p>DPW Supervisor, Jared Kline, reported that the DPW had a few minor breakdowns prior to the topcoat being placed on the scheduled street repairs. The Street Sweeper was down for a couple of days while repaired. The Sweeper has a bad bearing which needs to be ordered and will be down for a few weeks during the extensive process of repairing said bearing. Street repairs are finished with only minor incidents, they look great. Potholes have been repaired and blended well; the village should not have to repair said streets again for at least 7-10 years. Harrington's Tree Removal had taken down 3 large Pine Trees in Fairview Cemetery in about 3 days with no issue. Supervisor Kline reported there had been 2 small service leaks in the water system; 1 on West Hill and the other on Vista Lane, both were repaired without incident. The village had passed the Well House & Water System Inspection. The Water Tower needs to be pressure washed & painted next year; it will need a special grade paint that must be done by certified specialty painters. Will work on looking into this for next Spring, Trustee Canuel confirms that this is the Water Tower located on Hill Street. Supervisor Kline reported that almost every truck has been down & repaired for one thing or another (hydraulics, bearings) the DPW has been busy ordering parts and making repairs. One truck may have to go to Utica for repair. The leaf sucker fired up with no issue and is working well. There had been an uptick in the number of needles found around the Village, the DPW employee's have found 16 needles thus far. This had caused concern in their safety, resulting in the request for Narcan to be available in all Village DPW trucks. Supervisor Kline reported that Randy (EMS) has put in an order for Narcan, and they have gone over the procedures of what to do in the instance that an employee happens to get stuck with a needle. Sidewalks are on the upcoming to do list, 4 catch basins are in need of repair before winter, and there are some trees around the village that will need to be cut back before the winter arrives. Trustee Canuel updates Supervisor Kline on the property line dispute between the Village/Greenwood Cemetery and the Wrights. She stated that there was an easement back in 1899 that no longer exists. She informed him that she gave Patrick (Wright) the deed, map, and a contact at the County to confirm this. The DPW employees should be able to continue to mow as they were, without incident as this dispute should now be resolved.</p>
<p>Enforcement Officer Report</p>	
<p>Grant Status</p>	<p>Mayor Lennon confirms that the Public Water Project Session Update will be on September 19th at the Chobani Community Center at 6:30 pm delivered by Barton & Loguidice, Project Engineer- Brian Skidmore, and Department Head -Eric Pond, to give updates on the scale & scope of the project and the funding. The target service charge for this project remains the same as briefed previously- \$391 per unit for debt service. Mayor Lennon reported that he has been in contact with the Susquehanna Water Basin, and they have been very helpful in the process. We plan to put the water meter project out to bid and go through the bidding process with at least 3 competitive bids. The Village has not had anything to report to AmpliFund since 2022, but when a selection is made on the water meters, we will be able to report and request an advance. The EMS grant process was discussed in the EMS report, that process is just waiting on it's final stages of receiving the thumper and submitting the invoice for reimbursement.</p>

<p>Committee Reports</p>	<p>CD Loan- Trustee Canuel delivered the CD Loan reports in Tony Canuel's absence. There are 4 active and current loans and 2 in process as of the board meeting. There is a CD Loan committee meeting targeted for next week to discuss the in-process loans.</p> <p>Community Events- Mayor Lennon reported that the Community Events Committee was scheduled to meet but had to postpone the meeting to 9/23 due to sickness. They will be looking into locking down 12/8 for the Christmas Tree Lighting Ceremony. There are currently open positions within the committee.</p> <p>Planning- Mayor Lennon reported that he has been looking into reestablishing a planning committee and has been in contact with Diana from Otsego County for assistance in this. He anticipates something will be started in this matter during October.</p>
<p>Commissioner Reports</p>	<p>Building & Grounds: Trustee Canuel reported that S&S Roofing had been out to clean the gutters and discovered gutters that were in need of taking down and repairs. The gutters have been cleaned and a proposal for repair has been sent. S&S Roofing states that the Library Roof will need to be replaced within 1-2 years, and they will patch what they can until replacement. For repairs, cleaning, flashing, caulking, patching on roof the total cost came to \$4800.00 and will need board approval. The Gazebo painting hopefully will be started this week and painting should be done this fall. There has been a lot of communication regarding the camera updates but as of the Board Meeting nothing has been installed. Trustee Canuel suggests closing out the logging of Grove Street as it is done. The discussion of Solar Lights in the Park is still on hold. Research on putting the painting of the library out to Bid is ongoing, targeting to get the Bid process moving for painting next year.</p> <p>Commissioner Misc.: Mayor Lennon stated that it is that time of year to start looking at Employee Manuals & updating. He would like to make some changes to the EMS Manuals as well. Mayor Lennon also requests that the Board work on Position Descriptions. He would like this process to begin in the near future, and Trustee Canuel agreed.</p>

Old Business

Lead Service Lines: Mayor Lennon reported that the inventory is due on 10/16. Mayor Lennon and DPW Supervisor Kline discuss the new management of the Lead Service Report. All reported unknowns in the report will be classified as lead. Mayor Lennon does not want any falling through the cracks. Supervisor of DPW Kline suggested sending out postcards with the next water billing cycle to be sent back. Mayor Lennon confirmed we have post cards and door hangers.

Water Meter Bid Solicitation: Mayor Lennon reports that this must go through the bid process, but he would like to reach out to those that have made presentations to the board to capture the right perimeters in the solicitation process. He is targeting to have the Bids in by Thanksgiving.

Spectrum: Trustee Canuel reports that we are moving forward clarifying where Frontier locations are. We hit a hiccup with a property in question that may not be the Villages. Trustee Canuel is awaiting clarification on the property in question, but the project is moving forward.

Resolution on Revised Project Cost Estimates: Mayor Lennon reported that this resolution will be taken up after the 9/16 Project Update Session but is still staying consistent with the debt service cost of \$391/unit. He suggested the Village may be able to make savings elsewhere. A draft of the Resolution had been handed out to Board Members.

Front Office Automation: Mayor Lennon reported that Trustee Dave Smith had picked up a laptop and is working on getting it up & running for Village Clerk, Cindy. He had run into some difficulties in duplicating the account and may have to create a parallel account for the laptop.

Update on Fire Department Expenses: Engine 256 & the purchase of hose had been covered by Don Anderson in his Fire Department Update.

Rental of Front Apartment: ~~Mary Ellen~~ Trustee Canuel reported that there is work that needs to be done to the front apartment. Although it has been challenging finding a Handyman to give an estimate on the entire list, she does have someone who is coming to give an estimate. A Cleaner from The Night Shift was scheduled to come out, but she was sick and had to reschedule. The ~~estimated cost for the deep clean apartment rent~~ will be \$800.00 per month. Hoping that a deep clean will render a new paintjob unnecessary. Trustee Canuel has not advertised the apartment but due to word of mouth she has found a good candidate for rental and gave a showing of the apartment Labor Day weekend. The candidate comes with good references, the application for rental and credit report will be emailed for decisioning.

Cleaning Personnel Update: Trustee Canuel reported that Stephanie Holbert will not be cleaning for the School Year due to her other obligations at the school. Clerk Cindy Fraser will clean for 1 hour/ week on a day that she is not working as Clerk. Cindy is aware that Trustee Canuel will reach out to Stephanie at the end of the school Year to confirm if she would like to resume cleaning the Village Offices.

Preparations for Public Information Session on Water Project: Mayor Lennon reported that Brian Skidmore is currently working on this and he will touch base with him Thursday to see where we are in the process.

Update on Sale of Village Property on Moss Street: Trustee Canuel reported that she has been working with the purchaser. An agreed upon sale amount of \$6,000.00 has been established. The property under discussion is located at the very end of Moss Street and curls up around the back of the property used as the Shop for Tuller's Septic. It was used by the village to store equipment and miscellaneous things that were hardly used. All attorneys have contact information, a date has not been identified for closing but the sale looks straightforward.

<p>New Business</p>	<p>Candidates for CD Loan Committee: No quorum to discuss this matter</p> <p>Set Date for Christmas Tree Lighting: No quorum but Mayor Lennon has discussed Sunday 12/8 with Preferred Mutual and our Village Churches, all feed back looks promising for this tentative date.</p> <p>Painting Parking Lines on School St. for The Nook Parking: Jared had planned on starting that project, but the weather was not cooperating. Trustee Canuel raised the concern that there has been a number of people who have approached her to complain that there are currently people parking the whole length instead of the agreed upon 2 spots making it difficult for traffic to get in and out of School Street. The 2 spots in question may need 10-minute parking signs as previously agreed upon by the board. The parking lines set to painted on School Street & along Route 8 should be beneficial.</p> <p>Area of Cemetery that has not been developed: The Village was approached regarding an undeveloped area of the cemetery that had never been advertised for sale, by a possible purchaser. DPW Supervisor will probe to see if digging will be safe there as it is not marked as a no dig site, and the Village is aware a fountain was in its location long ago. If safe this matter can be brought to the board for discussion.</p> <p>Greenwood Cemetery: Mayor Lennon reported that Greenwood Cemetery is in need of help as it is getting harder to mow around falling markers. He has reached out to White Store Cemetery for advice in Grants and adhesive recommendations for markers, as they have a beautiful old cemetery there. He reported that Mary Lyon & Barbara Avery have done a wonderful job of cataloging the cemetery and the Village needs to work on getting that information down in the Village Records as well.</p> <p>Cemetery Perpetual Funds: Mayor Lennon wants to confirm with the board that at the previous meeting they did confirm that the Cemetery Perpetual Monies may be put into an Intrafi Account within NBT Bank, Trustee Canuel agreed. Attorney Merzig states this appears within legal requirements. Mayor Lennon will let NBT Bank know it is fine to transfer.</p> <p>CHIPS: DPW Supervisor Kline can submit paperwork for CHIPS reimbursement when checks clear for payment of services on street repairs.</p> <p>Greater Opportunities Properties: Mayor Lennon reported that 4 of Greater Opportunity Properties are set to go out to bid for construction and he estimated that there will be activity on this before Christmas. The 5th property on 30 Genesee St. is moving along as well.</p> <p>Chobani: Mayor Lennon reported that Chobani is looking for a community related project that they can get behind both financially and with volunteerism.. Trustee Canuel suggested the Cemetery and Mayor Lennon Suggested the Basketball Court. They opened this matter for initial discussion & suggestions. They would like to come up with a great idea for input in the nomination process.</p> <p>EMS & Fire District Contracts: Mayor Lennon reported that contracts are ready for discussion when there is a quorum. The Town of Columbus is still in the budget building process.</p> <p>Community Center Rentals: Discussion on opening and closings for rentals. Trustee Canuel will reach out to her contact to discuss thermostat settings at the Community Center, to help in the opening and closing process.</p>
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As there is no quorum a resolution to approve abstracts has been postponed.
 Mayor Peter Lennon asks for a motion to adjourn, Trustee MaryEllen Canuel moves to adjourn.
 Meeting Adjourned at 8:06 PM

Village of New Berlin

From: Nicole Bodie <nicolebodie.nb@gmail.com>
Sent: Tuesday, September 17, 2024 11:54 AM
To: vnewberlin@stny.rr.com
Subject: Fwd: Fw: Parking Hearing 9/10/24- Input from Ms. Serradilla

----- Forwarded message -----

From: Peter S. Lennon <mgpeterlennon@aol.com>
Date: Tue, Sep 17, 2024 at 10:05 AM
Subject: Fw: Parking Hearing 9/10/24- Input from Ms. Serradilla
To: nicolebodie.nb@gmail.com <nicolebodie.nb@gmail.com>

----- Forwarded Message -----

From: Lisa <lisa@pilatium.com>
To: Peter S. Lennon <mgpeterlennon@aol.com>
Cc: Maryellen Canuel <betzoldcanuel@yahoo.com>; David Smith <dds7dds7@icloud.com>; "jim825.jc@gmail.com" <jim825.jc@gmail.com>
Sent: Tuesday, September 10, 2024 at 02:27:33 PM EDT
Subject: Parking Hearing 9/10/24

Please forward to Josh Burchill. I do not have his email.

With reference to the public hearing scheduled this evening the subject of which is to allow parking on the 345 feet of Village curb on the Northbound side of Main Street, Route 8, at the intersection of Genessee Street.

As the board knows, I am the property owner at 14 North Main Street, directly behind the No Parking sign Mayor Lennon has proposed be changed. The home has been there since the late 1800's. I have been a property owner in the Village since 2006. I have owned 14 North Main since 2016.

Despite the No Parking sign, there is a regular parade of trucks and personal vehicles that park as early as 4:30am, leave engines running, pumping noise and diesel fumes in the home. Diesel fuel may be "cleaner" but it still leaves layers of sooty filth, bad smells and a cacophony of noise in violation of NYS idling law. Windows closed, at the back of my home, my online Zoom students will frequently ask "what's that noise?"

HISTORY

Over the last few years, the volume of noise and filth has increased dramatically.

A few years ago, Officer Wheatley, now retired, offered to assist with the problem. I would send him photos of the noisier and more problematic trucks. When he had down time he would call the companies who owned the vehicles. I am not certain what he said, but the problem improved. I understand that there was some trash talk, in Stewart's, about "that woman", me, which if I could sleep past 4:30 am was fine.

When Officer Wheatley retired, the problem returned and worsened. Law enforcement, town, sheriff, and DEC were unable and at times blatantly unwilling to enforce parking or environmental law.

Having attempted to find solutions via DOT, DEC and local law enforcement, I wrote to the governor's office. Suddenly DEC appeared one morning. They issued a couple of warnings, but no tickets. I had ongoing correspondence with the Officer who heads DEC's district 9. He said a solution would rest with DOT. DOT said it would rest with DEC.

New Berlin's Officer Kaminsky, told me that he had no authority to ticket for idling because it's a state law. He would have jurisdiction for a parking tickets. However, since, my ownership of North Main, only one parking ticket has ever been issued. A contractor, working in my house, was issued a parking ticket, threatened with jail, and had his license taken from him for several hours. Allegedly a complaint had been filed. A FOIL request revealed no complaints or tickets issued in at least 5 years. The ticket, I believe, was issued as a result of some personal animus from someone with authority to request it. Making the incident more bizarre, when the license was returned to the contractor he was told, by Officer Kaminsky, that it would be legal to park in the same place he had just been ticketed, if he returned the following day.

PRESENT

I was recently told by a former tenant of mine that worked for DOT, to contact Josh at the DOT in Oxford about the ongoing problem. I had made a suggestion about the possibility of our traffic light going to flashing red in the evening in order to slow down truck traffic,

The conversation revealed the following:

- 1 - The flashing of the light was too complex and unlike to be a viable solution to a truck speeding problem.
- 2 - The village, not the state, had control over parking on Route 8, inclusive of signage and painted curbs, with certain color caveats.
- 3 - DOT had removed the solid white line on the corner in question to "remove the appearance of a parking lane"

Josh ended the conversation with two proposals:

- 1 - He would investigate the possibility of DOT painting hash marks on the road bed to designate a no parking area;
- 2 - He would reach out to locate law enforcement to see what other solutions might be available.

The Village after consultation with Officer Kaminsky, our local law enforcement, now proposes to make parking legal on the 345 foot strip, put "no idling" language on the same small sign that truckers ignore now, and somehow miraculously prevent idling and parking from 11pm to 5am, when department resources are most stressed.

Unfortunately the minutes of the last meeting are unavailable, but Mayor Lennon suggested that we contact one or two trucking companies to see what they had to say. I pay taxes on 5 properties in the Village and I suspect I contribute more directly to our Village coffers in a year than the truckers buying coffee at Stewart's. Why is the inconvenience of parking in front of the commercial and empty building at the south corner of the intersection and walking an extra 10 feet to Stewart's more important than the peaceful enjoyment of the home of a tax paying citizen?

If this measure is enacted, what steps will be taken to ensure enforcement? There is no enforcement now.

Has Officer Kaminsky figured out how to ticket for noise and idling in the absence of local law?

I recently had the deck at the front of the house rebuilt. While unloading lumber a truck pulled up behind me. With my back to him, I lifted a hand and pointed to the No Parking sign. He backed up and pulled ahead to a legal parking area. Miracle!

I obviously am opposed to the proposed change.

I suggest a larger more prominent sign, a painted curb and some flyers, and a two week ticketing blitz that would quickly educate the trucking community who regularly roll their eyes and make snide remarks when asked to simply turn the engine off. It wouldn't be as easy as the currently proposed change but ultimately a fairer solution.

Lisa Serradilla

Sent from my iPad

"When people show you who they are, believe them the first time."

- Maya Angelou

September 3, 2024

To The Village of New Berlin:

why?

We the undersigned wish to make our concerns known to the Village of New Berlin regarding parking on North Main Street now the vacant lot where the Farmer's Market is held in good weather. We believe this area should continue to be available for parking. It is important for vendors to unload and for customers to be able to park.

Barbara Kelley
Gladys Benjamin
Dinky Nielsen
Terri Keeney

Rod Johnson

Sheila Runkel

Warren Salmon

Lynndey Weaver

Joanne Salmon

Shiella L. Crozier-Capach

Alice McAlmont

Leon Flair

Bonnie J. Dalaney

Sandy Kilmer

Terry Sue Patten

Alan Fairbrother

Russ Bachman

Ether Kay Thomas

Heather Wasik

Peggy Stangor

Mary Lynn

Carolyn Christ



Hon. Peter Lennon, Mayor
Village of New Berlin
13 S. Main St.
New Berlin, NY 13411

Mayor Lennon and Members of the New Berlin Village Board,

As you're aware, Stewart's did an addition in 2022 that was for an exterior freezer which enabled the reworking of interior (core) area. During that time, considerable attention was given to modifications of the site, the aesthetic element and how it blends in with the Village. From our understanding, there have been no known complaints about the store or its operation since the issuance of the Certificate of Occupancy.

Now, we have learned that the Village is contemplating a parking ordinance that will enable parking on North Main St (NYS Route 8). Stewart's writes in support of this local ordinance as we believe it positively impacts the economics of the Village and creates predictable standards. Stewart's position originates from the fact that the economics of our investment in the Village is dependent on the residential nature of the Village combined with the existing traffic along Route 8.

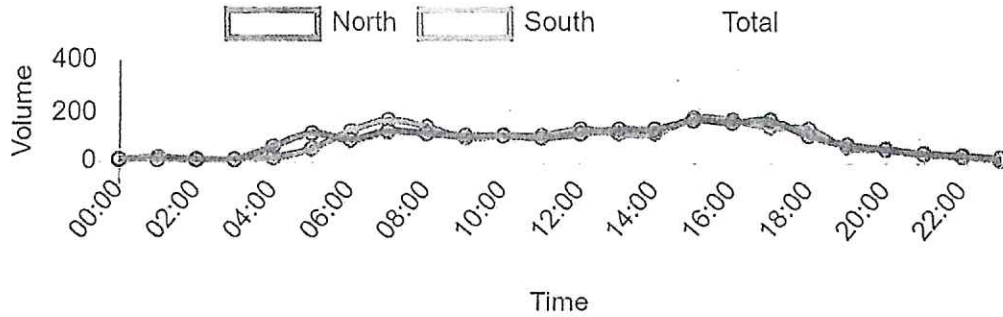
The Institute for Transportation Engineers (ITE) manual indicates that a Stewart's with associated gasoline filling has a 65% "pass by" trip assignment. This means that most of Stewart's customers are already on the road, while 35% are "original trips" or people leaving with Stewart's as their intended destination. To support this, Stewart's always utilizes the New York State Department of Transportation (NYSDOT) Average Annual Daily Traffic (AADT) viewer. This viewer takes station (collection points) data and integrates with geographic information system to show in-situ traffic.

For the Village of New Berlin, there are several contributing stations but the most relevant occurs just north of the Village and is identified as # 920031. NYSDOT breaks down the data into several usable pieces including the hourly traffic by volume and then insightful information by class. The extracted table below is reflective of some of the data provided by NYSDOT and utilized in our analysis.

Station Id: 920031			
Description: NY8 from START 8/80 OLAP to END 8/80 OLAP			
	2023	2022	2021
AADT	4,036	3,821	3,776
AADT (N)	2,010	1,931	1,908
AADT (S)	2,026	1,890	1,868
Single Unit AADT	376	322	318
Combo Unit AADT	279	356	352
Truck %	16%	18%	18%

As you can see there's been a continuous increase in Route 8 traffic from 2021 to 2023 of 6.8% while there's only been an (approximate) 2% increase in overall truck volume. We also imagine that any traffic volume follows the distribution pasted below, which is again available through the NYSDOT's website. Utilizing the website you could further breakdown the values but this closely mirrors our transaction count pre and post construction.

Average Hourly Volume 2023



We sincerely appreciate the Village's undertaking of this change and support its approval. If you have any additional questions or need supporting information, please don't hesitate to reach me at (518) 581-1201 ext 4435 or cmarshall@stewartsshops.com.

Respectfully submitted,

Charles "Chuck" Marshall
Director of Real Estate
Stewart's Shops Corp.