

Village of Menands

MAYOR
Brian Marsh

VILLAGE CLERK
Don Handerhan

Treasurer
Mary Jane Vredenburg



TRUSTEES
Molly Harbour
Nicholas Kalogridis
Timothy Lane
Lisa Neuman

January 6, 2026

During the January 5, 2026, Village of Menands Board of Trustees meeting the following resolution was approved:

The Mayor and the Clerk led a discussion regard the need to resolution to protect the streets of the south end during and after the work is complete. Discussion followed.

Resolution Number: 260084

Trustee Neuman entered the following Resolution:

A RESOLUTION ADOPTING THE VILLAGE “PROTECTED STREETS” STANDARD

SECTION 1. LEGISLATIVE FINDINGS

WHEREAS, the Village Board of the Village of Menands is responsible for establishing policies and standards that preserve Village infrastructure and protect the health, safety, and general welfare of Village residents; and

WHEREAS, the Village invests significant public funds in the paving and resurfacing of Village streets, and it is essential to protect newly paved roads from premature deterioration; and

WHEREAS, many municipalities within the State of New York have adopted “protected street” rules that limit excavations or utility cuts for a defined period following new pavement installation; and

WHEREAS, the Village Board finds that adopting a similar standard will extend pavement life, reduce long term maintenance costs, and ensure that newly paved streets are not compromised by nonemergency utility work; and

WHEREAS, the Village Board has reviewed the proposed “Protected Streets Standard,” attached hereto as Exhibit A, and finds it to be in the best interest of the Village;

SECTION 2. SEQRA DETERMINATION

The Village Board hereby determines that adoption of the Protected Streets Standard constitutes a Type II action under 6 NYCRR §617.5(c)(20) and/or §617.5(c)(26), as it involves routine or continuing agency administration and regulation. No further SEQRA review is required.



SECTION 3. ADOPTION

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Menands hereby adopts the Village Protected Streets Standard, attached as Exhibit A and incorporated herein by reference.

SECTION 4. EFFECTIVE DATE

This Resolution shall take effect immediately and shall apply to all Village streets paved or resurfaced after the date of this Resolution.

EXHIBIT A

PROTECTED STREETS STANDARD

1. Purpose

The purpose of this standard is to protect newly paved and resurfaced Village streets from premature deterioration caused by excavations, utility cuts, or other intrusive work. Protecting new pavement ensures proper curing, maintains structural integrity, and maximizes the useful life of Village roadway investments.

2. Definition of a Protected Street

A “**Protected Street**” is any Village street that has been newly constructed, resurfaced, or reconstructed. The protection period begins on the date the completed paving work is completed by the Village.

3. Protection Period

All newly constructed, resurfaced, and reconstructed Village streets shall be designated as Protected Streets for a period of **five (5) years** from the acceptance date of the completed paving project.

4. Restrictions on Excavation and Utility Work

- No street opening, excavation, trenching, or utility cut shall be permitted on a Protected Street during the five-year protection period.
- Exceptions may be granted **only in cases of bona fide emergencies** where failure to perform the work would pose an immediate threat to public health, safety, or essential utility service.
- Non-emergency work shall be deferred until the protection period has expired.

5. Permitting Requirements

- During the protection period, the Village Department of Public Works (DPW) shall **not issue street opening permits** for Protected Streets except for approved emergency work.
- An emergency permit issued shall require the permittee to restore the pavement to Village standards, including additional restoration requirements deemed necessary by the DPW to preserve pavement integrity. Additional requirements may include full-depth cut-backs as stipulated and/or full-width replacement for a minimum prescribed linear distance.

6. Enforcement

Failure to comply with this standard may result in permit revocation, penalties as established by Village Code, and/or required full-width pavement restoration at the permittee's expense.

7. Applicability

This standard applies to all utilities, contractors, private entities, and public agencies performing work within Village rights-of-way.

Work that is mandated by Village, State, or Federal legislation is exempt from Protected Status.

8. Protected Streets List — Village of Menands, New York

A table identifying Protected Streets is hereby incorporated by reference as “**Protected Streets Status – Village of Menands, New York,**” dated January 5, 2026, subject to revision. The tabulated streets, inclusive of named intersections, are hereby designated as **Protected Streets** for the duration of their respective five-year protection periods:

9. Protected Streets Map

A map identifying Protected Streets is hereby incorporated by reference as “**Protected Streets Map – Village of Menands, New York,**” dated January 5, 2026, subject to revision.

- The map shall show the precise limits of each protected segment.
- The official map shall be prepared and maintained by the Village Department of Public Works.
- The map may be updated administratively to reflect newly completed paving projects, provided that additions are reported to the Village Board.

Village of Menands, NY				
Protected Streets Status				
Exhibit A-1			Effective Date: January 5, 2026	
Street Name	Limits		Acceptance Date	Protected Status End Date
	From	To		
Amsterdam Avenue	Van Rensselaer Blvd	Eastern Terminus		
Hendrick Avenue	Van Rensselaer Blvd	Amsterdam Ave		
Hutton Street	Albany City Line	Amsterdam Ave		
North Pearl Street	Albany City Line	Northern Terminus		
Wolfert Avenue	Van Rensselaer Blvd	Broadway		

Seconded by Trustee Harbour.

ADOPTED:

Trustee Harbour	voting	AYE
Trustee Kalogridis	voting	AYE
Trustee Neuman	voting	AYE
Mayor Marsh	voting	AYE

CLERK CERTIFICATION

I, Donald Handerhan, Clerk of the Village of Menands, New York, do hereby certify that the foregoing Resolution was duly adopted by the Village Board at a regular meeting held on the date indicated above, and that said Resolution is on file in the Office of the Village Clerk.

Donald Handerhan

Village Clerk Village of Menands, New York