

END PROJECT

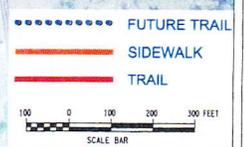
EXISTING BRIDGE

LIBRARY

NORTH SEGMENT

SOUTH SEGMENT

BEGIN PROJECT



VILLAGE OF MARCELLUS
NINE MILE CREEK WALKWAY



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION



Prepared by Barton Malow & Associates, P.C.

Nine Mile Creek Walk Project – Update – January 23, 2013

Background – The Creek Walk Project began back in 2001, when an application was made to New York State for funding through the Transportation Enhancement Program. In 2003, NYSDOT approved the application and provided the Village with over \$200,000 in grant money to create such a walk way. Design studies began for an overall project extending northerly from the Town of Marcellus Park along Nine Mile Creek to Mustang Drive, near Marcellus High School. Since the initial designs were created, alignments have been altered, and the project has now been divided into a Southern Segment and a Northern Segment.

Construction – Given the available funding, the Village proposes to advance the south segment of the project to public bid as an initial phase of construction. The south segment will start at the Town Park and extend northerly along the creek to Main Street, then follow existing sidewalks westerly along existing Main Street to Orange Street, and then follow existing sidewalks northerly along Orange Street to the area of the Marcellus Public Library on Maple Street. The north segment would be a future trail construction project, with timing based upon availability of additional grant funding. The south segment will include a 10 foot wide stone dust trail section, which may need to be narrowed to 8 feet wide in certain locations due to terrain constraints. A pedestrian crossing of Main Street, near the existing bridge, will be discussed with NYSDOT. Signage denoting the Creek Walk route would be provided.

Tentative Project Schedule – Key milestone dates remaining on the project schedule include:

Public Information Meeting	January 2013
Final Design Report	March 2013
Design Approval	April 2013
Final Design & ROW Complete	January 2014
Project Letting & Construction	May 2014

Benefits – there were a number of positive elements that the State considered in awarding money for this project. This walkway would:

- provide an alternative transportation route, offering additional choices for walkers throughout the Village connecting many venues
- connect Marcellus Park with Marcellus schools
- connect Main Street shops, stores, businesses, municipal offices, churches, professional offices, neighborhoods
- act as a link to the new community library, the Upper Crown Mill condos, the Orange and Maple Street neighborhoods
- offer health benefits to people of all ages, our overweight populace and our sedentary lifestyles
- provide a very central location to the Village and its neighborhoods
- provide a new and accessible environment for the public along the Nine Mile corridor
- offer fishing, a naturalistic setting, birding and photography opportunities, a linear park in the midst of the community
- offer classroom opportunities for the arts, sciences, history, poetry
- provide a constantly changing environment through the seasons, with changing water conditions
- form a spine or artery for the community, integrating with existing bridge connections and perhaps offering additional creek crossings
- preserve a green corridor and space, protecting the creek habitat and water quality
- help to create a greater awareness of a tremendous natural asset in the community
- promote the history of the Nine Mile Creek valley, with a corridor ripe for interpretation of early settlement, use of water power and other resources
- offer scenic views up and down stream right in the Village's backyard
- provide evidence that Native Americans used this same corridor for transportation, food, water, etc.
- act as an outdoor recreation area for jogging, running, cross country skiing, snowshoeing,
- provide assistance to the non driving population (young, old, disadvantaged, low income)
- provide Main Street/North Street connections to regional bus service from the walkway
- help to preserve history, heritage, re-use of former Marcellus & Otisco Lake Railway
- make the community more walk able, helps to promote interaction among residents
- help to tie dead-end streets to each other and to the trail, unifies neighborhoods

- encourage non-vehicular trips, reduces congestion, saves fuels and improves air quality
- connect senior citizen and other apartments
- provide future spurs and ties to the Steadman House, other streets (Park, Bradley, Chrisler, Paul), and adjacent neighborhoods
- provide improvements to a rural quality of life

The above is fairly comprehensive, although some might not be as applicable as they were when the project was first conceived, since the project has been reduced in scope to the south segment at present. However, with a vision that began in 2001 when Fred Eisenberg was Mayor, it is hoped that this will be a start and the Board feels that most of the benefits are still quite valid.

There are also a number of the letters of support that have been provided by the Marcellus Free Library, the Marcellus Central School District, the Town of Marcellus, and the Marcellus Historical Society as well as elected state and local officials, copies of which are available for public inspection. They too provide some of the benefits of such a project.

Cost – to our knowledge, a Cost Benefits Analysis has not been developed. The Board has come to the conclusion that such a study would be somewhat difficult to complete since so many of the benefits are or could not be quantified in terms of a dollar amount at this time. In other words, some are intangible in nature. How to put a price tag on rushing waters or the beauty of nature is perhaps another way to explain why a CBA would be difficult to develop.

The original TEP Grant, awarded in January 2003, amounted to \$268,000, \$214,000 of which was to be Federal Funding – there was also the stipulation that the project was to be completed within ten years. Preliminary Engineering for the project commenced in August, 2007 and a Public Information Meeting held on August 11, 2008. It soon became apparent that obtaining necessary right of way was going to be more problematic and the costs of the project were going to be more than the Village had anticipated. The Village submitted an application in 2008 for further TEP funding, but that application was not approved. Over the course of time, property owners changed, and a lengthy study of additional alternative routings through the Village was performed to determine if a feasible route could be established that met the intent of the TEP application. The money that was spent through 2008 and 2009 totaled approximately \$83,000. By 2010, the only thing that the Village had to show for that \$83,000 was a compact disc that showed what had been designed up to that point. Of that amount, Federal Funding paid almost \$70,000 – an amount that the Village would be required to pay back, should the project be abandoned.

The Board has since moved forward on its own volition, and as for public input, mention of the creek walk project has been made at virtually every Board meeting during the entire year of 2012. A year ago, the Board discussed the idea of abandoning the project because of lack of money, rising construction costs, loss of sales tax revenue, etc. At the March Board meeting, we mentioned that we may have to abandon the project and sent a letter to the State that month, asking for a waiver. Again at the April Board meeting, we mentioned that the project might have to be abandoned and during our workshops in May and June, the Board continued to discuss the project. In July, the reply came back from the State, indicating that we would not be granted a waiver and would be required to pay back the money that was already spent. We continued to make mention of the creek walk project during the August and September Board meetings, and by October, we had to make a decision - the ten years was up. At our October and November Board meetings, the Board decided to go ahead with the project, even though it would mean spending more money. Because we wanted to have something to show for the money that has been spent thus far, other than a compact disc with an unfinished design, and because we would be required to pay back almost \$70,000 anyway, the Board decided to go ahead with the project, knowing that it would probably cost more. At our December Board meeting, two resolutions were approved. One was a SEQR Resolution determining that the project will not have a significant effect on the environment, and the second was a Bond Resolution approving the issuance of \$255,000 serial bonds to cover the cost of a walkway adjacent to Nine Mile Creek.

We then scheduled a Public Informational Meeting for Wednesday, January 23, 2013 at 6:30 p.m. in the Community Room at the Library. For the most part, B & L as well as the NYSDOT would be conducting the meeting to listen to resident comments and to answer any questions that may develop, particularly as they relate to the ROW acquisitions.

Included with this update is a Project Funding Summary, as of 11-01-12, that was prepared by B & L that updates much of the information. In addition, the Village Treasurer has included on that summary some notes that help to explain why we bonded for \$255,000. The Village has, of course, to pay out everything first, and then be reimbursed by the State. The Treasurer's notes provide the "Total Cost before Reimbursement."

One of the major expenses that come about just recently is that for Construction Inspection/Admin, and you'll note that FHWA now requires full time inspection of all TEP projects, whereas when we started, this was not required. That expense totals \$35,000 that we did not anticipate. Of that amount, the Village has to provide \$5,800.

The ROW costs, for which the Village is totally responsible, have escalated as you'll also note. Instead of \$10,000 the mapping is now \$15,400 and ROW acquisitions by NYSDOT approximates \$58,000

The shortfall would then approximate \$78,000. This is why the Board has decided to go ahead with the project. If we cancelled the project, we would have to pay back almost \$70,000. For \$78,000, we have something to show for our money.

In addition to this, there is the Village match for the project. While Federal Funding pays for 80% of the project, the Village would be obligated to pay 20% of the Supplemental Agreement to complete design (\$7,400), 20% of the construction costs (\$22,000) and 20% of Inspection/Admin (\$5,800).

It could be argued that a creek walk might be considered a "want" rather than a "need." However, since we need to pay back the State or Federal government if we don't proceed, this might be considered less of a want and more of a need.

With an estimated PPU (Period of Probable Usefulness) of 15-20 years, the creek walk can, following a 5 year BAN and required BAN principal payments thereof, be rolled over into a long term bond, lessening the annual debt service of the Village and enabling present and future Marcellians to both enjoy the creek walk and pay for it. We asked our Treasurer to try and estimate the long term cost of the project in terms of Village indebtedness. Neither he nor the Board would ever be able to estimate the cost in terms of taxes. He indicated that in the long term, the cost of the project, with an estimated PPU of 15 years, would be approximately \$9,400 per year.

It might also be mentioned that the Village can apply for more funding through the CNY Regional Development Project. We made application this past summer for an engineering grant through this program to help us meet the new DEC phosphorus limit requirement and we were awarded \$30,000 for that in late December. Included in the same list of awardees was the Village of Fayetteville, which was awarded \$150,000 for its creek walk project. There is no reason why we should not apply for this as well in the next round of funding. There is also an additional source of funding that will soon be forthcoming – the Onondaga County Sustainability Project Fund, which will provide betterment grants (for lack of another word) to those communities who make application.

The Board hopes that the foregoing has answered some financial concerns of Village residents, and we also hope that the first phase of this project can be completed – at least to Main Street. This will satisfy the funding source and relieve the Village of the need to pay back almost \$70,000. When funding becomes more available, as it may in the near future, the project might then move ahead and become what many have envisioned for our community for some time.

Other Concerns – The pathway along which the trail would be constructed has, for a number of years, been widely used by youngsters and even oldsters as a quick passageway to the park. Constructing a Village creek walk in this area would simply confirm what has already existed for some time.

Another concern is liability and it should be noted that the Village would assume legal responsibility for the pathway and/or easement. In speaking with the Village insurance agent, we were told that there would be no increase in insurance premiums because of this pathway. Like other public walkways, the Village would have its liability insurance to cover any accidents that might happen.

As to security, the pathway will be patrolled by the Village Police Department, and, according to the Police Chief, there is not expected to be any great increase in that cost. In fact, having the police officers on foot patrol would provide even greater security to the area and the neighborhood.

As to maintenance, the Village Highway Department will maintain the walkway and make any necessary repairs. However, since the pathway is constructed of little more than stone dust, on-going maintenance and repairs are not expected to be a major expense.

Some are concerned about littering and/or vandalism of the site. It should be noted that precedent clearly documents that 98% of so of trail users will go out of their way to clean, manage, and maintain a trail because:

1. The future privilege of every trail depends upon all of their collective behavior
2. Most people who are investing time to get out and walk are doing so because they enjoy the outdoor environment and are very conscious about good stewardship.
3. Many will see this trail as their own, a sense of local pride and investment in a collective quality of life.
4. Once trail use is initiated, littering, graffiti, vandalism immediately diminishes due to the "self policing" manner of users' sense of ownership. Now that two in every three citizens have a functional cell phone, very little crime can occur without being noticed and reported quickly.

In addition, useful or attractive features (bushes, stone walks, fences, etc.) might be added to the creek walk in this area so as to provide security, or screening or other amenities to enhance the property as well as the surrounding neighborhood. The creek walk will not be lighted, thereby removing any concerns that might develop about nighttime use of the pathway. Nor will it be plowed during the winter months, thereby relieving any concerns about the highway department having to add more to their already busy schedule.

The pathway will be made of stone dust, which means that it will be used by walkers, not by skateboarders, rollerbladers, or others who might disrupt the quiet stroll of those on foot.

For those who wish to park their vehicles and walk the trail, both Marcellus Park and various places throughout the Village should provide ample parking sites.

An environmental assessment of the proposed creek walk has been completed and a negative declaration has been approved by both the Village and its engineers. There would be no need to spray to minimize the heavy mosquito population since the wetlands identified in the area will have been mitigated.

It might also be noted that this area of Nine Mile Creek was one of the first sites to be utilized for commercial development (saw mills, grist mills, etc. as far back as 1796). As far back as the 1880s, a furniture factory once occupied the site of what is today the Chocolate Pizza, and beginning in 1906, Baker's Dam on the creek at this site was once used to light homes and businesses in the Village. The point to be made here is that the area has been disturbed by humans for over 200 years. It has been undisturbed for probably two (2) generations – within the lifespan and memory of many Village residents today. The creation of a trail would not disturb the environment, but would help to promote a green corridor and space in the area, as well as provide a link to our past – one that we should not abandon. It should also be noted that a Phase 1A and Phase 1B Assessment of the area has taken place and they have revealed that no environmental concerns need to be addressed in this site.

A pedestrian hazard at the bottom of East Hill has been mentioned as a major concern, and this is valid, unless some precaution is taken. Much like the pedestrian crossing signs and striping that exist further west on Main Street, another is planned for the base of the hill for seasonal crossings. This would not only mitigate that concern, but also help to promote the safety of other pedestrians who are crossing Main Street further west – an additional warning to motorists to slow down and be aware that the pedestrian has the right of way when crossing.

We do not expect noise to be a problem along the pathway. Virtually all of the users of the trail will use the path for easy access to the Park or the Village Center. Along the creek, most people would be more interested in the flora and fauna, the

movement of the creek waters, and not creating raucous noise. A creek walk promotes tranquility and calm, not chaos and racket.

Conclusion – the success of other trails in the area, such as that in nearby Camillus, only adds to the Board's conviction that a creek walk will have a very positive effect on our Village. While Marcellus does not have a lake like Skaneateles, or a river like Baldwinsville, our Village does have a creek. In fact, the original name for our Village was Nine Mile. We should advertise that fact and help to promote what nature has provided us, something about which we can be quite proud and will help to promote more interest in our Village in the Nine Mile.

NINEMILE CREEK TRAIL					
PROJECT FUNDING SUMMARY					
Updated 11/1/12					
	Total	80%	20%	100%	
	Costs	Federal Funding	Village Funding	Village Funds	Notes
Original TEP Grant Amount:	\$268,000	\$214,000	\$54,000		Original TEP Grant funding breakdown. Village pays costs at 100%, and is reimbursed at 80%
Minus B&L original Agreement:	<u>-\$92,000</u>	<u>-\$73,600</u>	<u>-\$18,400</u>		2007 original design contract
Remaining Amount:	\$176,000	\$140,400	\$35,600		This is where funding stands as of 11/1/12
Minus Supplemental Agreement #1 to complete design:	<u>-\$37,000</u>	<u>-\$29,600</u>	<u>-\$7,400</u>		SA#1 for Phase 1B cultural study, ROW Mapping, phasing of project, wetland delineation, another Public meeting, and update of Design Report
Remaining Amount:	\$139,000	\$111,200	\$27,800		
Estimated Construction Costs:	<u>-\$110,000</u>	<u>-\$88,000</u>	<u>-\$22,000</u>		Assuming only southern portion to be constructed, and using portion of McClurg lot for trail
Remaining Amount:	\$29,000	\$23,200	\$5,800		
Minus Supplemental Agreement #2 Construction Inspection/Admin	-\$35,000	-\$23,200	-\$5,800	-\$6,000	Future supplemental agreement for required inspection effort - FHWA is now requiring full time inspection of all TEP projects - will be needed prior to going to bid
Minus ROW Mapping by Surveyor	-\$14,000			-\$14,000	This would be a separate authorization by Village related to ROW acquisition
Minus ROW Costs (by NYSDOT) (See Note 1 below)	<u>-\$58,000</u>			<u>-\$58,000</u>	For ROW acquisition by NYSDOT (may cost less if donated) - will require a separate agreement with NYSDOT
Total:	-\$78,000	\$0	\$0	-\$78,000	Amount of anticipated bond needed. Village may want to consider rounding up to provide a cushion
<i>Note 1: ROW Costs provided by NYSDOT:</i>					
Property Costs	\$32,700				
Acquisitions Costs (DOT)	<u>\$25,300</u>				
Total	\$58,000				
SUMMARY OF TOTAL COST TO THE VILLAGE BEFORE TEP GRANT REIMBURSEMENT:					
Supplemental Agreement #1: Design Completion		\$	37,000		
Estimated Construction Costs		\$	110,000		
R.O.W. Mapping By Surveyor		\$	15,400		
NYS DOT R.O.W. Costs		\$	58,000		
Supplemental Agreement #2: Construction Inspection & Admin.		\$	35,000		
Total Project Costs BEFORE Reimbursement		\$	255,400		====> Amount Of Bond Anticipation Note Issued By The Village In Order To Finance Project Costs: \$ 255,000