

**SPECIAL MEETING OF THE
VILLAGE OF MARCELLUS
HELD AT THE MARCELLUS FREE LIBRARY
ON JANUARY 23, 2013**

PRESENT: John P. Curtin, Mayor See List
Sara N. Tallman, Trustee
John P. Donohue, Barton & Loguidice
Adam K. Woodburn, Barton & Loguidice
Kristin Sayre, NYSDOT

ABSENT: Patrick W. Cox, Trustee

Mayor Curtin called the meeting to order at 6:35 p.m. Trustee Tallman made a motion to open the public informational meeting, seconded by Mayor Curtin. Both board members voted aye and the meeting was opened.

Village Clerk Dawn O'Hara read the public notice of the meeting to those in attendance.

Mayor Curtin introduced himself and Trustee Tallman. He explained that Trustee Cox was in Washington, D.C., serving his country. Mayor Curtin also introduced Code Enforcement Officer Bill Reagan, Design Consultant Representatives from Barton & Loguidice, John Donohue and Adam Woodburn as well as Kristin Sayre representing the New York State Department of Transportation.

Mayor Curtin explained that the purpose of the informational meeting was to inform the public as to where the project stands, as well as solicit for public comments on development of the Nine Mile Creek Walk. Mayor Curtin turned the meeting over to John and Adam to present the proposed Creek Walk.

John provided general background on the proposed Creek Walk. He explained that the original grant request for funding had been submitted by the Village in 2001. In 2003, the NYSDOT approved the funding. For the next several years, both the NYSDOT and the Village completed paperwork for the project. Barton & Loguidice was hired by the Village in 2007 to assist with the project. After some preliminary investigating by the engineers, the Village held a public information meeting in August 2008 and continued to move forward with the project. Because of difficulty obtaining rights-of-ways and wavering support for the projects, several alternatives were considered, which added costs to the project. Construction costs for the project also severely increased since 2001. In March 2012, the Village asked to be relieved of continuation of the project and asked for a hardship waiver. The NYSDOT denied the request. The Village will, however, be able to do the project in phases. The current proposed phase is located on the south end of the village and will connect to Marcellus Park. Adam explained specific details of the proposed trail on the south end of the village. He said that archeological studies will have been done, right-of-way acquisitions are being progressed by the DOT. Barton & Loguidice intends to complete design study by March 2013 and have a final design in place by April 2013. Property owners will then be notified by the NYSDOT to order to obtain acquisition of ROWs. Kristin explained the process done by the NYSDOT for obtaining ROWs in detail. After completing his presentation, John let everyone in attendance know that included in the agenda packet, was an anonymous public comment/input sheet that could be completed and returned to the village office before February 6, 2013. John turned the meeting back over to Mayor Curtin for a question/answer session.

Mayor Curtin opened up the floor to the public. Comments were mentioned by several persons in attendance which included discussion on the following:

- the cost of the project and its impact on village taxpayers
- the issue of land acquisition of properties using eminent domain
- land to be acquired is in south segment only
- concern from some in northern segment that their land would be acquired when creek walk is expanded in the future – nearness of creek walk to people's houses on north side – it would be close, but construction is not likely here since there would be a need to use bridges to avoid being too close – monies not available or construction costs would for this alternate route
- previous administration did not favor using eminent domain
- acquisition of property for trails vs. acquisition for infrastructure
- acquisition of commercial vs. acquisition of residential property
- reason for acquiring property or type of property is not out of the ordinary in this case – e.g. Syracuse Creekwalk – some commercial, some residential
- businesses see creek walk as an asset – creek walks work well in most communities
- would be a central trail connecting the park to the village center

- business owners are not affected as much as homeowners – owners spend much time at their places of business and many have as much interest as homeowners
- liability issues – Village would assume responsibility for Village property acquired
- people straying off the trail – cutting through people’s property – is being done now and has been for decades – will probably continue
- path would confirm what already takes place here – has always been a trail through this area
- alignment of the trail – which way to go – alternatives looked at – different spurs
- why not on the east side of the creek south of Main Street rather than the west – avoid the wetlands – going down Station Lane – this is not a Village street – it is outside the village
- cost of bridges to connect from east side to west side, over \$100,000 each, a factor
- possibility of veering away from the creek to the center of the village – cutting through properties – again, people already do this and would be difficult to stop – Creekwalk could keep people from cutting through
- connect trail to Marcellus Town Hall property and then to Main Street rather than fit along the creek in a tight location – more intuitive direction to walk – people are already doing this now – alignment could be less expensive to build
- would need to access/acquire other private property behind the Town Hall to do this
- State does not want trail away from the creek – being near the creek is part of TEP application
- State rejected Village idea of going through Masonic parking lot to connect to Orange Street because it was too far away from the creek – Town Hall is even further away from the creek
- littering – security and policing of the trail – Village Police would be effective
- most trail users self police, feel ownership of it
- environmental issues addressed – Phase 1A and Phase 1B completed
- some mitigation of wetlands can easily be handled
- pedestrian crossing near Main Street Bridge – work with DOT – it is a DOT project
- maintenance of the trail by Village highway department
- snow plowing of the trail (no), clearing leaves (no), cutting trees (no)
- Landscape Architect is also certified arborist who will take care to minimize impacts to trees
- lighting and noise – will not be lighted and most trail users are not noisy
- creek walk now more of a need than a want – Village need to repay what has already been spent if no construction
- present and future residents of the village to both enjoy and pay for it
- with probable life of 15-20 years, long term indebtedness approximates \$9,400
- additional funding to be sought
- need to pay first – then get reimbursed by the State – \$255,000 bond to do this
- parking for the trail – at trailheads (park, library, village center)
- people without autos will find this a good route to Main Street and the Park
- why is DOT getting involved in ROW – it is cheaper going with the DOT
- judicial vs. administrative process of land acquisition – Village choice to use DOT – less expensive than private or going alone
- fair market appraisal process used whether it is DOT or Village or private – cost per acre would be same
- easements vs. land acquisitions – State prefers latter
- Advisory Committee for Main Street Project under former administration a few years ago discussed creek walk – Eamon Equities Project went bankrupt, as did their plans for a creek walk
- when construction – will be publically-bid project – not until spring 2014 – ROW acquisition will take about eight months, after final design approved
- will benefit community – lunch crowd in the Village of Marcellus is an example
- spending money before necessary – have to spend money in order to get to this point – in order to get to an information meeting, explain plans and obtain public input
- Is this a creek walk or people walk, since sidewalks are away from creek? could be considered either
- State requirement to stay near the creek discussed again – Town Hall not near the creek and North Street too far away from the creek
- Rather than take shortcuts, some would prefer to take a legitimate trail
- Trail might encourage people to avoid cutting through
- Signage will help to keep people on the trail
- No one in Europe owns land along the waterways – we should follow this example

After giving everyone in attendance ample opportunity to speak on the proposed Creek Walk, Mayor Curtin made a few final comments as follows:

“For the record, I would note that I have received email correspondence from individuals opposed and in favor of the creek walk project. These will be noted in the public record and will be on file in the Village Office for public inspection. Many of the concerns, pro and con, about the benefits of the creek walk, the cost of financing the project, security

and maintenance of the trail, vandalism, littering of the site, noise, and environmental issues have been addressed and prepared in a rather lengthy response by the Board, a copy of which will be distributed, as you leave the public meeting. Rather than read over the Board's reply in its entirety, I would point out that the first page lists the benefits and the second page and the last page reference the costs involved in the project. Pages three and four address the other concerns that some residents may have. The Board invites you to read over the update on your own, and then, if you feel inclined to respond, positively or negatively, please send your comments to the Village Office, by mail or email, by February 6, 2013."

Trustee Tallman made a motion to adjourn the public meeting at 7:55 p.m. The motion was seconded by Mayor Curtin. Mayor Curtin called for a vote. Board members voted aye and the meeting was adjourned.

Dawn M. O'Hara, Village Clerk