CITY OF CORRY

RESOLUTION 26-40

A RESOLUTION REINSTATING A PARTNERSHIP BETWEEN THE CITY OF CORRY AND IMPACT CORRY FOR COMMUNITY TRAIL DEVELOPMENT

WHEREAS, the City of Corry ("City") and Impact Corry previously entered into a partnership for the development of public trail projects identified in the Corry Community Strategic Plan and the Corry Active Transportation Plan; and

WHEREAS, City Council desires to reinstate that partnership for completion and long-term stewardship of the Erie to Pittsburgh Trail and related community trail projects within the City of Corry; and

WHEREAS, the parties desire to clearly assign responsibilities so that the City retains ownership and responsibility for the underlying municipal property while Impact Corry leads the development, fundraising, improvement, and stewardship of trail-related facilities and amenities;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Corry, Erie County, Pennsylvania, as follows:

SECTION 1. PARTNERSHIP AND PURPOSE

The City hereby reinstates its partnership with Impact Corry for the planning, funding, construction, improvement, operation, and stewardship of the Erie to Pittsburgh Trail and other mutually approved trail projects identified in the Corry Community Strategic Plan, the Corry Active Transportation Plan, and the Corry Comprehensive Plan.

SECTION 2. CITY OWNERSHIP, TRAIL PROPERTIES AND PUBLIC USE

The City shall retain ownership of the following City-owned parcels comprising the trail corridor from Route 6 to just past West Irving Street:

- Parcel No. (7) 10-36-24
- Parcel No. (7) 14-36-30
- Parcel No. (7) 14-35-9.01
- Parcel No. (7) 14-35-9

The trail corridor shall remain public property and be available for public recreational use, subject to applicable laws, reasonable rules, temporary closures for safety or maintenance, and any restrictions required by grants or other funding sources. Any additional property or property interest subsequently conveyed to and accepted by the City for purposes of this partnership shall become part of the trail property governed by this Resolution.

The City shall remain responsible for ownership-related obligations associated with the underlying municipal property, including maintaining such insurance coverage as the City determines appropriate for City-owned property.

SECTION 3. CITY RESPONSIBILITIES

Subject to normal budgeting, staffing, equipment availability, and operational demands, the City shall be responsible for the following:

a. Routine mowing and basic grounds maintenance of the City-owned property outside trail-specific improvements and amenities;

b. Maintenance of municipal stormwater and drainage infrastructure serving or crossing the property, together with the utility right-of-way extending the length of the trail property;

c. Placement and collection of public trash receptacles at street-access points, where the City determines receptacles are appropriate;

d. As available and reasonable Department of Public Works assistance for work requiring municipal equipment, specialized equipment, or activities that should be performed by trained City personnel, such as installation of approved traffic-control or pedestrian-safety devices in the public right-of-way; concrete work; trail clean-up days, and

e. Review and approval, as required, of improvements affecting City property, public rights-of-way, utilities, drainage, or other municipal infrastructure.

SECTION 4. IMPACT CORRY RESPONSIBILITIES

Impact Corry shall lead trail-related development and stewardship and shall be responsible for the following:

a. Fundraising, grant administration, procurement, and project coordination for trail improvements and amenities, except where otherwise agreed in writing;

b. Construction, repair, and long-term upkeep of trail surfaces and trail-specific improvements, including fencing, signage, benches, wayfinding, landscaping installed as a trail amenity, and similar features;

c. Raising funds for pedestrian-safety and crossing improvements associated with the trail and procuring equipment when appropriate, with installation in public rights-of-way coordinated with and approved by the City;

d. Organizing and supervising volunteers engaged in trail stewardship; and

e. Coordinating planned improvements with the City before work that may affect municipal property, utilities, drainage, rights-of-way, or City operations begins; and

f. In consultation with the City's Police, Fire, Public Works, and other appropriate personnel, designing and constructing trail improvements so that, where reasonably practicable given site conditions and applicable standards, emergency responders can access the trail corridor and, where necessary, the rear portions of properties abutting the trail. Where vehicular emergency access is not reasonably practicable, the parties may identify appropriate alternative emergency-access measures.

SECTION 5. SAFETY AND VOLUNTEER WORK

Impact Corry shall use reasonable safety practices for volunteer trail work. Volunteers shall not operate chainsaws or other equipment presenting a comparable risk of serious injury unless the City and Impact Corry have specifically agreed in advance that the work may be performed by appropriately trained and qualified persons. Work requiring such equipment may instead be performed by City personnel, qualified contractors, or other appropriately trained persons as mutually arranged.

SECTION 6. PROJECT APPROVAL AND COORDINATION

Neither party may make a material alteration to the other party's property, infrastructure, or equipment without prior approval. Trail improvements shall be coordinated with the City to ensure compatibility with municipal operations, public safety, utilities, stormwater management, and applicable grant or regulatory requirements. Routine administrative and project approvals may be handled by the City Administrator or appropriate City department when within that official's or department's existing authority. Routine trail maintenance and replacement of existing trail amenities in substantially the same location and form shall not require separate City Council approval unless otherwise required by law or City policy. City Council approval shall be required where otherwise required by law or City policy, including for City financial commitments, acceptance or disposition of real property, or material changes to this Resolution.

SECTION 7. FUTURE PROPERTY ACQUISITION AND DONATION

Impact Corry may acquire additional property or property interests needed to complete, connect, protect, or improve the trail corridor and may offer such property or property interests for donation or conveyance to the City. The City shall have no obligation to accept such property and may conduct appropriate due diligence, including review of title, liens and encumbrances, environmental conditions, easements, grant or donor restrictions, and other material obligations. Acceptance shall occur only through the City's normal approval process. Upon formal acceptance and conveyance, such property shall become City-owned trail property governed by this Resolution unless the parties agree otherwise in writing.

SECTION 8. EXTRAORDINARY DAMAGE AND REPAIR

Responsibility for extraordinary repair or replacement resulting from casualty, natural disaster, failure of underlying municipal infrastructure, or other circumstances beyond ordinary trail maintenance shall be determined cooperatively by the parties based upon the cause of the damage, available insurance, grant eligibility, and other available resources.

SECTION 9. PRIOR FUNDING

The prior $14,000 City funding commitment under the original partnership has been expended on engineering costs and is not reinstated by this Resolution.

SECTION 10. FUTURE FINANCIAL SUPPORT

Nothing in this Resolution obligates either party to make a future cash contribution unless separately approved. The City may consider matching-fund commitments or other support for trail-related grant applications when requested and when authorized through the City's normal approval process.

SECTION 11. LONG-TERM CONTINUITY

The City and Impact Corry intend the trail corridor to remain available for public recreational use over the long term bound by City public spaces rules and regulations. If either party proposes a material change in use, disposition, or operation of the trail corridor, the parties shall confer in advance regarding the effect on existing trail improvements, grant obligations, donor restrictions, and public access before action is taken, except where immediate action is required for public safety or by law.

SECTION 12. NO TRANSFER OF OWNERSHIP OR AUTHORITY

Nothing in this Resolution transfers ownership of City property to Impact Corry, authorizes Impact Corry to bind the City contractually or financially, or authorizes the City to bind Impact Corry contractually or financially. Each party remains responsible for its own employees, contractors, volunteers, obligations, and activities except as expressly provided herein.

SECTION 13. COORDINATION, NOTICE AND CHANGES

The City Administrator or designee and the Executive Director of Impact Corry or designee shall serve as the primary points of coordination. The parties may make routine operational arrangements consistent with this Resolution without further action of City Council. Any material change to the allocation of responsibilities established by this Resolution shall be documented in writing and approved by both parties. If either party believes the other is not fulfilling a material responsibility under this Resolution, it shall provide written notice identifying the concern and allow a reasonable opportunity for the parties to meet and resolve the matter before either party takes action to terminate or materially alter the partnership, except where immediate action is necessary for public safety or required by law.

SECTION 14. EFFECTIVE DATE AND ACCEPTANCE

ADOPTED this 19th day of October, 2026.

ATTEST:

Laura L. Thomas, City Clerk

Jeffrey T. Fike, Mayor