

U&D Corridor Advisory Committee

Meeting Minutes

DATE & TIME: October 22, 2015 – 6:00
LOCATION: Karen L. Binder Library
PRESIDING OFFICER: Chairman Tracey Bartels
LEGISLATIVE STAFF: Fawn A. Tantillo, Sr. Legislative Employee
PRESENT: Lynn Archer (6:08), Carl Belfiglio, David Donaldson (6:08), Manna Jo Greene and Jeanette Provenzano
VIA CONFERENCE CALL: Herbert Litts III (until 6:32), Randy Gustafson, Doug Ellison and Harvey Stone of Stone Consulting
ABSENT: Carl Belfiglio, James Maloney and Kenneth Ronk, Jr.
QUORUM PRESENT: Yes (6:08)
OTHER ATTENDEES: Chris White, Deputy Director of Planning; John Grossbohl, City of Kingston Complete Streets Advisory Council Member; Kathy Nolan, Friends of Catskill Rail Trail Co-Chair and Member Ulster County Trails Advisory Committee; Ernie Hunt, Catskill Mountain Rail Road (CMRR) President; Jennifer Schwartz-Berky, Kingston Historic Landmarks Preservation Commissioner; Tobe Carey; Tim Gersec; Kiana Straker; Kelly C. Gersec; Elliot Brown; Mary Kate Barnett; Alexander Haskell

Chairman Bartels called the meeting to order at 6:00 PM noting that there was not a quorum present. (Quorum achieved at 6:08)

Chairman Bartels asked Mr. Gustafson to report his impression and finding from his tour of the U&D Corridor.

Mr. Gustafson remarked that it was a good time of year to do a tour because of the beautiful fall foliage and weather that highlighted the beauty and potential of this corridor.

He was satisfied with the areas they were able to transport over noting that they were not about to tour the area from Shokan to Boiceville because the CMRR transporter wouldn't start. He had good documentation from engineering reports of that area.

His initial impressions were of looking at two or three different rail roads.

- Kingston to Hurley Mountain Road currently in use for CMRR events is to FRA 1 Standards
- Hurley Mt Road to West Hurley is a rough piece of railroad and will be a tough piece of trail.
- Ashokan Reservoir area has progressed rather nicely. It is the section that was moved in 1911-1913 when the reservoir was built to an whole different set of standards.
- Boiceville Trestle is clearly not 1913 design
- Boiceville to Phoenicia is another section
- West of Phoenicia the level of washouts and corridor loss was much worse than he expected.

There was a brief discussion about setting up a meeting with New York City Department of Environmental Protection (NYCDEP).

Legislator Greene clarified that the NYCDEP and the New York State Department of Environmental Conservation (NYSDEC) are separate and distinct agencies and that NYCDEP oversees the New York City reservoir system and the right of way (ROW) in the Ashokan area of the U&D Corridor.

Mr. Gustafson said the agreement with NYCDEP for the Ashokan ROW clearly calls for a permeable trail surface and question why the B&L engineering reports of this area did not specify a permeable surface for the trail. Chairman Bartels clarified that the agreement was not in place when the B&L engineers did their work.

Mr. Gustafson wanted the committee to be aware that the NYCDEP agreement calls for the county to file for abandonment with the Surface Transportation Board. He said this filing is usually done by the operator. Mr. White said the agreement leaves the county with rail banking options going forward. (11.51) The County does not intend to abandon it.

Legislator Greene noted rail banking has been a point of contention and that the county needs to get more information about rail banking.

Mr. Gustafson listed several other documents he has reviewed noting that he does not see any clear reports on the vertical profile of the corridor. The only major grade change is in the section from Basin Road to West Hurley. Other areas are relatively level.

Mr. White said the county would provide vertical profile information. Most of the detail work has been done on the Ashokan Reservoir ROW. Not much is available in other areas.

Mr. Gustafson made several personal observations on the Boiceville Bridge area. He believes it lies entirely within the NYCDEP Ashokan Reservoir ROW which would mean FEMA funding might not be as difficult as he originally thought. He commented that while the steel was of about 1915 vintage and in reasonably good shape the abutments and piers were of an 1897 vintage and in alarmingly poor condition.

Legislator Greene asked Mr. Gustafson to recognize the clarification of potential FEMA funding. Like railbanking, this has been a bone of contention that she would like to see addressed and she is relying on his objective review.

Mr. White explained that FEMA originally awarded \$1.75 Million for repairs of the Boiceville Bridge. When Barton & Loguidice (B&L) looked at it, they estimated it would cost \$ 2.6 Million plus an additional \$ 4000 to remove the steel. The County did a re-scoping of the project and received a three year extension to October 2018.

Mr. Gustafson questioned why in the B&L engineering report they were taking the bridge up to the standard required to support a railroad when it was planned to be used for a trail. Mr. White explained that the FEMA grant requirements are to replace what was there. On the plus side, it would be a stronger bridge than would be needed for a trail. On the down side, FEMA is aware that bridge inspections commissioned by CMRR before it was washed out showed it was substandard and FEMA is only willing to bring it up to that previous standard.

Mr. Gustafson shared solutions used elsewhere, such as raising the height of the bridge to avoid future problems during flooding and suggested whatever is done with the Boiceville Bridge, these options should be considered.

Legislator Archer asked for his perspective on the area west of Phoenicia.

Mr. Gustafson was surprised that the Delaware & Ulster railroad operator in Greene County had not asked to operate on sections on the west end. From High Mount west the corridor it is in good shape. He was not sure if there would be enough ridership from the Kingston end of the track to support taking the operation from Kingston to High Mount because it is so far. It seems to be more closely associated with the D&U operation in Greene County.

Chairman Bartels felt it might warrant a conversation with D&U.

Mr. White reported that D&U had equipment problems and is not operating this fall. He believes there is about 7 miles of track that is in need of repair for D&U to reach the Ulster County line.

Mr. Gustafson told the committee he has all of the Federal Railroad Administration (FRA) ridership reports for New York for 2013 and 2014. The committee asked for a copy for them and Mr. White. (Distributed via email on 10/27/15)

Chairman Bartels told the committee that she, Deputy Chairman Litts and Mr. Gustafson would be meeting with representatives of the NYC DEP. She asked committee members to forward any questions, concerns or issues they would like addressed at that meeting to her or Legislator Litts and she will keep the committee apprised of their progress.

Legislator Greene asked if Stone Consulting was going to distribute their notes and preliminary reports in writing. Chairman Greene asked for copies of the contract to be distributed to the committee (Distributed via email on 10/23/15) and outlined the benchmarks for technical reports and deliverables.

Mr. Gustafson mentioned that in determining the “highest and best use” of the corridor much of the value of future use hinges on the two major rail event franchise companies, HIT and Rail Entertainment. He felt these companies would be willing to weigh in and recommended they be contacted to discuss their basic needs to continue to do these events in the corridor.

Mr. White asked if either entity would be able to or interested in running these events themselves. Mr. Gustafson said generally they are partners with a rail operator.

Legislators Donaldson and Greene discussed the request for an Expression of Interest that was put out by the Railroad Advisory Committee.

Mr. Hunt said these companies have detailed 200+ page manuals that outline their standards and requirements for events. If this information is not proprietary he would be happy to share it.

Mr. Gustafson said these companies have minimum standards for length of run, minimum time on the train, restroom standards, parking, etc. Mr. Gustafson discussed the Phoenicia site for these events and they asked where people would park.

Ms. Nolan noted that it might not be obvious but some events in Phoenicia attract 5000 people and have sufficient parking without bussing people from Kingston.

Legislator Greene asked if Mr. Gustafson's observations will be distributed in a technical report or even a draft report. She would like to be able to process data as it becomes available. (Distributed on 10/28/15)

Mr. White agreed that it would be helpful to get the standards from these rail partners. He suggested also reaching out to the folks on the trail side to include American Association of State Highway and Transportation Officials (AASHTO) standards. He recommended contacting Karl Beard from the National Parks Service who accompanies the Legislators on several tours of the corridor.

Mr. White suggested they get quantitative standards such as "parking for 500 cars" rather than an observation that there "isn't enough parking in Phoenicia."

Mr. White asked if Stone Consulting was to make an early deliverable that it be about the section along the Ashokan Reservoir so plans could proceed there more quickly on the preliminary design.

Chairman Bartels agreed that contacting Mr. Beard was a good suggestion. She noted that she had the opportunity to tour the corridor with him and hear his observations first hand and felt the committee and Mr. Gustafson would benefit from it.

Chairman Bartels observed that the committee member also agreed with his second suggestions that when they get minimum standards they be quantitative.

Chairman Bartels appreciated the urgency to get started on the preliminary plans for the Ashokan section but because the committee was charged with making recommendations for the entire U&D Corridor, she felt it would not be prudent to predetermine one section without looking at the impact on the entire corridor.

Mr. Gustafson reminded the committee he still needed annual New York State tourism report for economic impact by region with breakdown by region for 2014, 2013, and 2012. (Sent 10/28/15)

Mr. Gustafson said in another area he had immensely valuable input from bicycle outfitters. He has not seen any similar businesses in Ulster County. He asked if the committee would like him to include these stakeholders.

There was a discussion about various events and stakeholders in the area that do bike events, marathons and other local special event planners including Horses in the Sun (HITS) Endurance. Mr. White clarified that HITS Endurance was not to be confused with HIT Entertainment. It was also recommended that the consultant contact the NY-NJ Trail Conference.

Legislator Provenzano asked if the committee would have discussions about the corridor in segments. Chairman Bartels clarified that while development of a plan will probably be segmented, recommendations from the committee would be comprehensive for the entire corridor.

Before signing off, Mr. Gustafson told the committee that he has “cleared the decks” of other projects and will be devoting himself to Ulster County exclusively for the next few weeks. (Mr. Gustafson, Mr. Ellison Mr. Stone and

There was a discussion about how to gather information from various stakeholders; the benefits of having the consultant interview stakeholders vs the committee speaking to the stakeholders directly; the kind of information the committee wants, such a minimum standards and what is working in other areas; how to address follow-up questions.

There was a discussion about the current lawsuit between CMRR and Ulster County and the impact on the future use of the corridor. Chairman Bartels felt this was off course and outside the charge to this committee and outside the terms of the contract. Legislator Archer hoped the committee would make any recommendations on the future of the uses in the corridor independent of the current relationship with CMRR.

Legislator Donaldson noted that to date the corridor has been maintained by CMRR at no cost to the county and that in other parts of the country the government has made significant financial support to develop the resources.

Legislator Greene noted that she specifically requested the consultant provide potential funding sources. She reported that in conversations with the general public there seems to be a consensus to develop both rail and trail. She asked if it would be possible to do a poll and get the pulse of public opinion.

Legislator Provenzano felt that the public would want both and it was up to the legislature to gather the facts and determine where that was practical due to physical limitations and/or financial limitations.

Motion No 1:	Approving the minutes September 14, 2015 as amended.
Motion Made By:	Legislator Provenzano
Motion Seconded By:	Legislator Archer
Roll Call Vote:	No
Voting In Favor:	Legislators Bartels, Archer, Belfiglio, Donaldson, Greene and Provenzano

Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Chairman Bartels opened a discussion about the timeline for the prepare recommendations to the legislature once they receive all the information from the consultant. The resolution that created and charged the committee had a deadline for recommendations to be made by November 30, 2015. The contract with Stone Consulting has the same deadline and this will not give the committee time to review the findings and make informed recommendations.

There was discussion and consensus on the following points

- The committee members would like to ask for an extension to make their recommendations to the full legislature.
- This extension should be to the end of the year but the committee would like to have a resolution to adopt or amend the policy for the future use of the U&D Corridor to vote on by the December 15, 2015 Session. The committee members that will need to be a late resolution.

Several meeting dates were discussed for future committee meeting to discuss recommendations and present findings and recommendations to the full legislature.

Chairman Bartels will work with the Clerk of the Legislature to develop a resolution requesting the deadline for the committee to deliver recommendations to be extended until December 31, 2015.

There being no further business before the Committee, a motion was made by Legislator Provenzano, seconded by Legislator Archer and carried to adjourn the meeting at 8:04 PM.

Respectfully submitted this 29th day of October, 2015
Fawn A. Tantillo, Senior Legislative Employee
Minutes Approved on _____, 2015.