



Chautauqua, Cattaraugus, Allegany and Steuben Counties

# Southern Tier Extension Railroad Authority

Center for Regional Excellence, 4039 Route 219, Suite 200, Salamanca, New York 14779

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“This institution is an equal opportunity organization”

Frank “Jay” Gould, Chairman  
Richard Zink, Chief Executive Officer

## Minutes of Board of Director Meeting

**March 21, 2022**

The Board of Directors of the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority met at 9:30 AM on March 21, 2022 in the Conference Room in the office of the Southern Tier West Regional Planning and Development Board, 4039 Route 219, Suite 200, Salamanca, New York, and via zoom. The following persons were in attendance:

### Board Members In Attendance

Rich Dixon  
Jay Gould  
Jeff Gray  
James Griffin  
Brooke Harris  
Steve Havey  
Robert Keis  
Keri Kerper  
John Malter  
Jerry Scott

### Representing

Chautauqua County  
Chautauqua County  
Chautauqua County  
Steuben County  
Allegany County  
Allegany County  
Southern Tier West RPDB  
Cattaraugus County  
Steuben County  
Allegany County

### Board Members Not In Attendance

John Carbone  
Richard Cousins  
Vacant  
Vacant

### Representing

Steuben County  
Cattaraugus County  
Cattaraugus County  
Seneca Nation of Indians

### Others Attending

Thomas Barnes  
Carl Belke  
Edward Bysiek  
Kylie McLaughlin  
George Prete  
Richard Zink

### Representing

STERA Secretary  
WNYP RR  
Bysiek CPA, PLLC  
WNYP RR  
Public  
STERA CEO

## **1. Call to Order and Introduction of Those Present**

Recognizing a quorum, Chairman Jay Gould called the meeting to order at 9:35 AM. Introductions were made of those present.

## **2. Change of Order of Business**

The Board adopted a resolution approving a change in the order of business to allow for the presentation of the audit (Havey, Scott, passing unanimously).

## **3. Presentation of Audit**

It was noted that the Audit Committee meeting met earlier on March 21, 2022 and had heard a presentation of the audit, and had passed a resolution recommending to the Board that it approve the audit.

Mr. Edward Bysiek of Bysiek CPA, PLLC presented the audit, including the management letter, for the year ending December 31, 2021, to the STERA Board. The audit indicated an unqualified (clean) opinion and did not find any deficiencies or weaknesses in STERA's internal control procedures for the year ending December 31, 2021, or any compliance findings for the year ending December 31, 2021. After discussion, the Board adopted a resolution accepting the audit for the year ending December 31, 2021 and the accompanying management letter (Scott, Havey, passing unanimously).

## **4. Reading and Approval of the Minutes of the October 18, 2021 Meeting**

The Board adopted a resolution approving the minutes of the October 18, 2021 Board Meeting (\_Kerper, Griffin, passing unanimously).

## **5. Communications**

STERA has received communications from John Carbone and Earl McElfresh resigning from the Board.

There were no other communications.

## **6. Treasurer's Report**

Mr. Zink presented the Treasurer's Report for February 28, 2022. Mr. Zink noted that the Audit Committee had met to review the financial statements. For the year to date ending February 28, 2022, STERA had a net income of \$62,288.65 on revenues of \$63,438.65. As of February 28, 2022, STERA had net assets of \$3,378,293.63 on assets of \$3,469,732.28, with a cash balance of \$133,428.28. Accounts payable as of February 28, 2022 were \$91,438.65, and accounts receivable as of February 28, 2022 were \$120,000.00. He discussed elements of the accounts receivable. The Board adopted a resolution approving the Treasurer's Report for February 28, 2022 (Malter, Havey, passing unanimously).

Mr. Zink reported that he had secured competitive bids for directors' and officers' insurance for 2022 through the Hayes Corporation in the amount of \$5,799.00, and had paid this amount for the insurance as a normal cost of doing business. The Board ratified this expenditure 2021 (Keis, Havey, passing unanimously).

The Board adopted a resolution approving the payment of the following four checks:

\$0,000.00 to Southern Tier West for general administrative services (an additional \$5,000 will be invoiced and paid later in the year)  
\$3,000.00 to Bysiek CPA, PLLC for audit services  
\$8,625.61 to WNYP for construction services  
\$5,799.00 to Hayes Corporation for directors and officers insurance

(Keis, Havey, passing unanimously).

## **7. Reports of Committees**

### **A. Audit Committee**

Mr. Zink reported that the Audit Committee had met earlier on March 21, 2022, and had reviewed the charter report, self-evaluation report, and internal controls policy, and had heard a presentation of the audit and management letter. The Committee recommended that the Board accept the two reports and make no changes to the internal controls policy (none were recommended by the auditor), and also accept the audit as presented. The Board adopted a resolution accepting the two reports and making no changes to the internal controls policy (Scott, Griffin, passing unanimously). The audit had been accepted and approved by the Board previously in the meeting.

### **B. Executive Committee**

Mr. Gould reported that the Executive Committee had met earlier on March 21, 2022, and had reviewed the self-evaluation report. The Committee recommended that the Board accept the report. The Board adopted a resolution accepting the report (Harris, Malter, passing unanimously).

### **C. Governance Committee**

Mr. Havey reported that the Governance Committee had met earlier that same day, and had reviewed and discussed STERA's current policies, the draft reports for the year ending December 31, 2022, and STERA's structure, governance, and operating activities.

#### **1. Review of Current Policies**

After discussion, and with the recommendation of the Governance Committee, the Board adopted a resolution making a finding that STERA was in compliance with all of the current policies and applicable laws and that the policies should not be revised (Kerper, Gray, passing unanimously). These policies are as follows:

- Audit Committee Charter
- Bylaws
- Code of Ethics
- Compensation, Reimbursement, and Attendance Policy
- Competencies and Personal Attributes Required of Board Members Policy
- Defense and Indemnification Policy
- Equal Opportunity and Affirmative Action Policy
- Fee Schedules

Governance Committee Charter  
Internal Control Procedures  
Investment Policy  
Lobbying Policy  
Management Performance Evaluation Standards  
Measurement Standards Performance Evaluation  
Mission Statement  
New Member Orientation Process  
New Member Orientation Process Reference Document  
Procurement Guidelines (Contract and Procurement Policy)  
Property Disposition Guidelines  
Public Access to Records Policy  
Public Access to Records - Subject Matter List  
Records Management Program  
Travel and Use of Discretionary Funds Policy  
Uniform Tax Exemption Policy  
Whistleblower Policy

Mr. Havey noted that the New Member Orientation Process should be followed for all new members, and one important aspect was to ensure that new members comply with required NYS ABO training requirements.

The Board noted that the NYS ABO requires STERA to have in place a Personnel Policy. The Personnel Policy is perhaps moot, as STERA has no employees, and no intention to have employees. However, a draft policy currently is being developed.

## **2. Review of Reports**

After discussion, and with the recommendation of the Governance Committee, the Board adopted a resolution approving these reports (Malter, Scott, passing unanimously). These reports are as follows:

Active and Completed Projects  
Annual Report  
Audit FYE Dec 31, 2021, including Audit Management Letter FYE Dec 31, 2021  
Audit Committee Charter Review Report  
Audit Committee Self-Evaluation Report  
Authority Performance Self-Evaluation Report  
Board Member Attendance Report  
Board Performance Self-Evaluation Report  
Board Performance Self-Evaluation Report 2019 vs 2020 vs 2021  
Budget for 2022  
Compliance Report  
Effectiveness of Internal Controls Report  
Executive Committee Self-Evaluation Report  
Financial Disclosure and Ethics Report  
Four-Year Financial Plan for 2022 to 2025  
Governance Committee Charter Review Report  
Governance Committee Self-Evaluation Report

Investment Report  
Management Evaluation Report  
Operations and Accomplishments Report  
Procurement Report  
Property Disposition Report  
Property Listing Report  
Records Management Program Report  
Schedule of Debt Report

The Board noted that the following reports were discussed and approved at the October 18, 2021 Board meeting:

Budget for 2022  
Four Year Financial Plan for 2022 to 2025

The Board noted that the following report was discussed and approved at the June 4, 2021 Board meeting:

Management Report: Financial Disclosures and Ethics Report June 2021

**3. Review of structure, governance, and operating activities**

The Governance Committee has responsibilities for reviewing STERA structural, governance and operating policies and activities. Many of the policies and governance practices practiced by STERA derive directly from the cornerstone principles (transparency, independence, accountability, fiduciary responsibilities, and management oversight) prescribed by the State Legislature and NYS ABO, and from model practices recommended or mandated by the NYS ABO.

In this regard, on March 21, 2022, the Committee discussed the report on the Board Member Self Evaluation process, and discussed whether the Board may wish to make any changes so as to improve STERA's performance. The Board previously had decided to add an open-ended question to the Board self-evaluation survey to ask members if they had any suggestions for improvement of authority operations. There were no suggestions made in response to this question. Mr. Barnes noted that authority members should, at any time during the year, bring any such suggestions forward to Mr. Gould, Mr. Zink, or himself, or to the full Board or the Governance Committee at any meeting.

The results of the Board Member Self Evaluation were favorable, with all of the responses indicating agreement with the survey questions.

It was noted that the Committee previously had recommended that the Board should set aside some time at each Board meeting for presentations or training sessions on each of the issues raised in the Board Self Evaluation survey, and on other relevant issues relating to the Authority, the Board, and to governance and operations. The Committee Chairman did direct that staff should consider and make recommendations for appropriate training topics. However, the Committee chose to make no specific recommendation about addressing any of issues or training topics, and the Board took no action in this regard.

The Governance Committee also discussed:

- the Competencies and Personal Attributes Required of Board Members Policy and the New Member Orientation Process Policy, and noted that it had reviewed and approved these policies at this meeting and recommended no changes. It also was noted that the New Member Orientation Process Reference Document will be updated so as to be current once Cattaraugus County fills its Board vacancy.
- the number and structure of STERA Committees, and noted that it had reviewed this issue at this meeting and recommended no changes in the number and structure of committees. STERA does not have a Finance Committee, but is not required to have one as it has not issued any debt.
- Board and staff compliance with NYS ABO training requirements, and noted that all Board members and staff are in compliance with the required training.
- the compensation and benefits for the managing director and other senior Authority officials, and noted that the Authority has no direct employees, and accordingly there are no such individuals (Board or corporate officers or other management personnel) receiving compensation and benefits from the Authority, and recommended no action in this matter by the Board.

After discussion and at the recommendation of the Governance Committee, the Board made a finding that the Authority's policies and procedures are being effectively implemented and are effective in guiding and controlling the Authority's governance and operations, and accordingly made no changes to the Authorities governance and operating policies and procedures.

(Malter, Scott, passing unanimously).

### **Old or Unfinished Business**

#### **8. Western New York Rail Corridor Passenger Initiative**

No update. Remove from future agendas until the prospective sponsor of the initiative brings the topic back again to STERA.

#### **9. WNYP RR Operating Status Report**

Carl Belke (Acting President) and Kylie McLaughlin (General Manager) for the WNYP RR, provided a Management Report to the STERA Board. The Management Report covered the areas of Safety and Security, Grant Activities, Real Property, Operations and Customer Service, Marketing and Freight Business, Mechanical Issues, and Engineering and Maintenance of Way.

Highlights of his report are:

- **Operations, Service Levels, and Freight:**
  - Olean - normal operation is two crew starts (two-man crews). RCO used daily in Olean Yard.
  - Meadville - normal operation is a daily two-man crew and 1 RCO as needed.

- Qualified new Conductor hired October 4, 2021, and will bring another conductor online in Olean in April
- Zero customer service failures.
- Brotherhood of Locomotive Engineers and Trainmen-Continue to work well with the BLET National Vice President Head-National Short Line Department to prevent issues from escalating.
- National Railroad Adjustment Board-Closed cases:
  - Yard impact incident
  - Occupying main track without authority
  - Failure to secure locomotive
- Continue to conduct Operational Tests and Inspections on WNYP and BP train crews, hand in hand with G&W BP Trainmaster.
- **Safety and Security:**
  - **Injuries/Derailments/Incidents**
    - No injuries in 4<sup>th</sup> quarter 2021
    - Two derailments in 4th quarter 2021 in Meadville yard
    - One incident of signal case vandalism and one of signal mast strike
  - **Compliance**
    - WNYP has worked with Transportation Security Administration to prepare for Cybersecurity information circular.
    - WNYP's Action Committee-meets quarterly to discuss safety culture and ways to enhance job satisfaction and engagement.
    - FRA CFR 243 Specialist conducted in-depth audit on 'new' regulation-49 CFR 243. No defects found. Deemed WNYP a model railroad for compliance implementation.
  - **Training**
    - Is discussing/scheduling internal training for 2022.
    - Discussed and developed comprehensive budget for 2022 and CAPEX list.
    - Working with local BP management and the G&W training team about methods to help develop a cost saving hybrid training platform to find the best practices and ideas to improve employee training.
- **STERA Construction Projects:**
  - Although these STERA projects were discussed during Mr. Belke's and Ms. McLaughlin's report, they are reported on separately under item #9 in these minutes.
- **WNYP Construction Projects:**
  - **RailPod-Geometry Testing** was completed in October 2021. There were minimal issues.
  - **Grade crossing signal installations:** WNYP upgraded six crossings (lights, gates, surface) on Buffalo Line between Port Allegany and Sterling Run in 2021.

- **Grade crossing surface upgrades** : WNYP completed 8 crossing surface upgrades in 2021. WNYP plans to do 12 to 15 upgrades in 2022.
- **Tie and Surface Project, Lottsville to Columbus**: WNYP’s contractor will install-11,360 ties and re-timber two turnouts between CE-1.55 - CE-13.20. PennDOT grant funded.
- **WNYP will install 4,000 ties** between SA-60.00 - SA-64.00 using its own forces.
- **WNYP will undertake South Side industrial track improvements on the Oil City Branch** using its own forces. The project involves 300 relay ties, 4 carloads of stone, installation of 2 new 18” inch culverts to improve drainage, bank stabilization, and surfacing. PennDOT grant funded.
- Using a contractor, **WNYP will install 4,000 track feet of rail at JC-404.00 to JC-406.00** on "S" curves and bar it, and rehabilitate four bridge structures. PennDOT grant funded. WNYP is using rented equipment, and is finding this to be very productive.
- WNYP will do **concrete and masonry repairs at three bridges near Concord Township, Mill Village & Venango.**
- **Columbus and Erie Project**: WNYP received a 2021 RTAP grant award for a \$1,669,792 project (\$1,168,854 NYSDOT, \$500,938 WNYP contribution) to install and surface 11,297 ties and one set of switch timber in the ‘Columbus & Erie’ mileage from the NYS/PA state line at MP CE-1.55 to East Columbus, MP CE-13.20, a distance of 11.65 miles. WNYP’s engineering consultant Bergmann will handle the bids.
- **2019 Federal Consolidated Rail Infrastructure and Safety Improvements (CRISI) Project**: Buffalo and Oil City lines. WNYP continued planning, design work and FRA negotiations for bridge replacements/repairs of four through-truss bridges. Farmers Valley Branch through-truss bridge FV-1.2 has moved to the head of the list with IGI signaling a commitment to participate financially. The project also includes abutment repairs to another Farmers Valley Branch bridge and replacements of the Sugar Creek and Oil Creek Bridges truss bridges on the Oil City Branch. National Environmental Protection Act (NEPA), State Historic Preservation Act (SHIPO) permitting and preliminary engineering all are underway. Planning continues between McKean County, FRA, and WNYP. The overall project is approximately \$18 million. PennDOT will providing a matching grant. Construction will not begin until 2023.
- **Projected 2022 Grade Crossing Repair Projects**:

Line	Town	MP	Name of Road	Description	Project Cost
Southern Tier Extension Mainline					
	Randolph	SA-17.61	Main Street	State funded - Full upgrade	\$0
	Union City	SA-71.70	Bridge St.	RR funded - Full upgrade	\$50,000
	Meadville	SA-104.50	McHenry St.	RR funded - full upgrade	\$60,000
Buffalo Line					
	Emporium	BR-121.18	Alleghany Avenue	RR funded - Full upgrade	\$80,000
Oil City Branch					
	West Mead Twp	OC-4.14	Shaws Landing	State funded - timber/asphalt	\$0

The Board adopted a resolution approving Mr. Belke’s and Ms. McLaughlin’s report (Scott, Havey, passing unanimously).

Status reports on individual STERA projects, which were discussed during Mr. Belke’s and Ms. McLaughlin’s report, are provided below under item #9.

## **10. Status Reports on Current and Proposed Rehabilitation Projects**

### **A. Completed Projects:**

#### **FEMA Project (Southern Tier Extension Line)**

All work on the project has been completed and STERA is awaiting project closeout from FEMA.

#### **NYS DOT 2005 Bond Act Bridge Rehab and Track Realignment (Falconer) Project (Southern Tier Extension Line)**

All work on the project has been completed and STERA is awaiting project closeout from NYS DOT.

#### **NYS DOT PFRAP Cattaraugus Rail Rehabilitation Project (Southern Tier Extension Line)**

All work on the project has been completed and STERA is awaiting project closeout from NYS DOT.

#### **NYS DOT PFRAP Tie Replacement and Grade Crossing Repair Project (Buffalo Line)**

All work on the project has been completed and STERA is awaiting project closeout from NYS DOT.

### **B. Active Projects:**

#### **STERA Track and Bridge Rehabilitation Project (Southern Tier Extension Line and Buffalo Line)**

In August 2015, STERA had submitted an application to NYS DOT for PFRAP grant funds, with matching funds to be provided by WNYP. The project involves replacing 8,000 linear feet of welded rail in Carrollton in Cattaraugus County, and repairing three bridges in Jamestown, one bridge in Salamanca, and one bridge in Olean. All work except the Olean bridge is to be done on the Southern Tier Extension; the Olean bridge is on the Buffalo line. The goal of the project is to improve safety and track speeds, which would further improve competitiveness of rail service. Further, the project is part of an overall strategy to raise the entire Southern Tier Extension Railroad and Buffalo lines to a 286,000 lb. capacity specification for 4-axle rail cars. The bridge repairs specifically are intended to improve safety related to bridge integrity (reducing impacts on pedestrians/highway vehicles).

STERA's intention is to contract directly with WNYP for the provision of engineering, construction, and construction inspection services on this contract (augmented by engineering review and inspection review by NYS DOT). WNYP may engage one or more third party private sector construction contractor(s) to provide certain construction services under sub-contract to WNYP; interested potential subcontractors may contact STERA and/or WNYP directly.

In late 2016, STERA received a contract from NYS DOT funding a portion of the project. In 2017, NYS DOT reviewed and approved plans, but it was too late in the year to begin construction. Work commenced on four of the five bridges in 2018. The Buffalo Street, Foote Avenue and Main Street Jamestown bridges, and Wildwood Avenue bridge all have been completed. WNYP is awaiting NYSDOT final acceptance.

In 2018, STERA began negotiating with NYS DOT and the City of Olean for a project scope change, which would involve filling (i.e., removing) the Queen Street bridge underpass (as opposed to replacing its deck) and installing a pedestrian underpass culvert, while

simultaneously raising the height of the nearby Front Street bridge so as to increase highway clearance. As of December 31, 2021, this project modification has not yet been accomplished. STERA has received the required approval of the project scope change by the NYS Administrative Law Judge, and is awaiting revised contract documents from NYS DOT.

WNYP also has proposed that NYS DOT allow it to replace 0.8 track miles of rail with continuous welded rail (CWR) to be applied near Carrollton to replace curve worn rail. WNYP would do the rail replacement using existing forces throughout the 2022 construction season.

When NYS DOT approval is received for the Queen Street/Front Street modifications, STERA and WNYP will execute an agreement modifying their existing subcontract, reflecting the Queen Street/Front Street modifications, and the project should be completed in 2022.

### **Olean Enginehouse and Yard Improvement Project**

In late 2016, STERA submitted a grant application to NYS DOT for the 2016 PFRAP funding cycle. In 2017, STERA received a contract for NYS DOT PFRAP grant funds, to be matched by WNYP funds. The project would involve improvements to the enginehouse in the Olean yard, installation of a yard video security system, the installation of 6,000 6x8 ties in the Olean yard, and the replacement of 8 switches in the Olean yard. The work would be done on the Southern Tier Extension Line. The goal of the project is to improve safety and track speeds within the Olean Yard, which would further improve competitiveness of rail service. Further, the project is part of an overall strategy to raise the entire Southern Tier Extension Railroad and Buffalo lines to a 286,000 lb. capacity specification for 4-axle rail cars. The enginehouse improvements specifically are intended to improve safety and productivity related to operations within the enginehouse. The security system is intended to improve public safety and reduce vandalism.

STERA executed a contract with WNYP for contractual services in support of the project in 2017. Yard tie installation was completed in December. Switch installation occurred in 2018. The security system purchase and installation occurred in 2019.

STERA requested and received NYS DOT approval for the deletion of the enginehouse work from the NYS DOT contract. Accordingly, the project will come in under budget, and STERA has requested a change order from NYS DOT for the underage amount, with additional work to be done in the Olean Yard using these unspent funds.

NYS DOT has approved the following changes to the project scope of work:

- Addition of 4 new turnouts, bringing the total number of new turnouts furnished and installed to 12.
- Furnish and install approximately 4,000 rail anchors.
- Furnish and install an approximately 30 foot by 100 foot structural concrete slab and foundation for safe handling of equipment and vehicles, designed to accommodate future expansion of the overall enginehouse structure. Work shall include but not be limited to excavation, grading, placing of reinforced concrete, drainage structures, supporting trackwork, and environmental controls.
- Furnish and install an approximately 150Kw backup generator to provide electricity in case of external power failure. Work shall include but not be limited to purchasing, installing generator, its associated wiring, control, and support systems. However, this element is coming in approximately \$50,000 over budget, and in the coming months, WNYP will

probably contribute these extra funds, as opposed to removing the generator from the project.

- Furnish and install approximately 417 sq. yd. of asphalt paving, 6:” thick, along north and south side of shop building. Work shall include but not be limited to the installation of asphalt, excavating and grading, drainage improvements, sub-base material, and geotextile.
- Furnish and install approximately 60 linear feet of retaining wall and approximately 60 linear feet of guardrail. Work shall include but not be limited to excavation, grading, drainage improvements, furnishing and installation of retaining structure, and installation of guardrail.

Additionally, the project scope of work was revised to delete the following items:

- Construction of a two-story structure within the Olean Yard enginehouse, containing office space, lunchroom, and employee welfare facilities.
- Furnish and install 4-rell stations within the Olean Yard enginehouse.

In January 2022, based on the authorization to execute contract documents revising the project contracts and extending the time for completion, STERA and WNYP executed an agreement modifying the existing subcontract between them on the project, reflecting these changes. WNYP is awaiting notice to proceed from NYS DOT. The project will be completed in 2022.

#### **Proposed STERA Tie and Rail Replacement PFRAP Project (Southern Tier Extension Line)**

In 2018, STERA submitted a grant application to NYS DOT for the 2018 PFRAP funding cycle. This project would involve replacement of approximately 13,000 ties and surfacing ten (10) miles of tie replacement and surfacing between Steamburg, SA-14.00 and Waterboro, SA-23.00, and between MP SA-27.0 and MP SA-28.0 (Poland Center) on the Southern Tier Extension Line. Approximately half of this project area will need substantial ballasting. The project also will include three (3) public highway grade crossing surface rebuilds at Coldspring Road (Randolph), Main Street (Randolph), and Goodwins Landing Road (Waterboro) and eleven (11) private farm grade crossing widenings and rebuilds. The project also will involve replace of switch timbers at one main line turnout (the No. 10 turnout at the Randolph Team Track. STERA has received and executed the NYS DOT contract and has executed the sub-contract with WNYP. All of the work would be bid by WNYP and/or done by WNYP itself. The project was commenced in 2019, is currently underway, and should be completed in 2022.

A bid meeting was held March 4. Rhinehart’s bid won the tie and surfacing component. WNYP will continue to discuss the project with Rhinehart, to ensure that NYS DOT MWBE requirements are met. WNYP will utilize its own forces to upgrade the crossing in Randolph.

### **C. Proposed Projects**

#### **Proposed Bridge NY Project (Salamanca Main Street Bridge Replacement and Track Realignment, Southern Tier Extension Line)**

In 2017, STERA had discussions with the City of Salamanca and the Seneca Nation of Indians regarding a project that would involve replacement of the Salamanca Main Street rail bridge (replacing the 6 lane rail bridge with a two lane bridge, with higher clearance for Main Street underpass traffic) and the realignment of track just to the west of the bridge (re-routing of the main line in this area to remove the curvature of the line, which is a safety issue and which keeps train speeds down). Such a project (or at least the bridge replacement component) would

be eligible for NYS DOT Bridge NY funding. The project grant application would not be submitted until a future year. The Seneca Nation of Indians representatives indicated that there would have to be approval by the Seneca Nation of Indians for both the bridge and track realignment projects to move forward.

**Proposed Multi-Modal Freight Transfer Facility and Manufacturing Center Project (Olean)**

Mr. Barnes indicated that there has been no change in this potential initiative. STERA has been unsuccessful to date in obtaining first phase construction funds, but continues to seek funding.

**Site Development Project**

Mr. Barnes indicated that there has been no change in this potential initiative. Southern Tier West has not advanced this project at the current time. Mr. Belke previously had indicated his concern that developable, rail-serviceable land may be vanishing to other uses.

**11. Seneca Nation of Indians Representation on STERA Board**

There has been no movement on the appointment of a representative to the STERA Board by the Seneca Nation of Indians.

**12. Compliance with NYS Public Authorities Accountability Act (PAAA) and Public Authorities Reform Act (PARA) and Other Statutory and Regulatory Requirements**

**Compliance Status – NYS ABO Training Requirements**

Mr. Gould noted that all STERA Board members and staff are in compliance with NYS ABO training requirements.

**Discussion of Any Desired Policy Modifications**

Mr. Gould encouraged Board members to bring any desired policy modifications forward at any time of the year.

**13. Other Old or Unfinished Business**

There was no other old or unfinished business discussed at the meeting.

**New Business**

**14. New Business**

**A. Appointment of Nominating Committee**

Mr. Gould appointed Mr. Dixon, Ms. Kerper, Mr. Harris, and Mr. Malter (with Mr. Scott as alternate) to a Nominating Committee to present a slate of nominees for the Board and Corporate officer positions at the June 13, 2022 meeting. Mr. Gould appointed Mr. Dixon to chair the Nominating Committee. The Board ratified these appointments (Scott, Keis, passing unanimously).

## **B. Annual Ethics Form Filing**

Mr. Zink directed Board members to complete the filings and submit them to the Cattaraugus County Attorney's office. He indicated that the Cattaraugus County Attorney's office would be transmitting blank forms to STERA Board members.

## **C. Authorization of Submission of Funding Application for NYS DOT PFRAP Program**

In the case that NYS DOT issues a notice of funding availability for the PFRAP program before the June meeting, and so as to not require a special meeting to be called to authorize submission of an application, the Board discussed and authorized the submission of an approximate \$2 million grant application, to be matched by WNYP funds, for repair of STERA rail lines (Kerper, Malter, passing unanimously). Given that the project is a repair project, the Board also discussed the environmental impacts of such a project, made a finding that such a project would not create any adverse environmental impacts, and authorized issuance of a negative declaration on the project (Kerper, Malter, passing unanimously). At the June meeting, additional detail would become available, and both Board actions would be revisited.

## **D. Other New Business**

There was no new business discussed at the meeting.

## **15. Public Comment**

There was no public comment.

## **16. Next Meeting Date and Agenda for Next Meeting**

The remaining regularly scheduled 2022 meetings of the STERA Board will be on the following dates: June 13, 2022; October 17, 2022; and December 12, 2022. The next Board meeting (June 13) will be the Annual Meeting. Special meetings may also be called as needed. Unless otherwise amended, all meetings of the STERA Board will be at 9:30 AM in the Conference Room in the office of the Southern Tier West Regional Planning and Development Board, 4039 Route 219, Suite 200, Salamanca, New York.

There will be an Audit Committee meeting immediately preceding each scheduled Board meeting. The Governance Committee and Executive Committee will meet as required. Additional special meetings of the committees may be called as needed during 2022. The meetings of the committees will be held at the office of the Southern Tier West Regional Planning and Development Board in Salamanca, NY.

## **17. Adjournment**

The meeting adjourned at 10:31 AM (Scott, Gray, passing unanimously).

I certify that this is an accurate summary of the meeting of the Board of Directors of the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority held on the date indicated above.

Name: Thomas M. Barnes

Office: Secretary

Date: March 21, 2022