



**Chautauqua, Cattaraugus, Allegany & 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"**  
**John Margeson, Chairman**

### **MINUTES – December 15, 2008**

The Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority met at 9:40 AM on December 15, 2008 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. The following persons were in attendance:

#### **Board Members In Attendance**

Seth Corwin  
William Daly  
Joseph Eade  
Terry Everetts  
Jay Gould  
James Griffin  
Karl Kruger  
Thomas Ryan

#### **Representing**

Steuben County  
Chautauqua County  
Cattaraugus County  
Cattaraugus County  
Chautauqua County  
Steuben County  
Allegany County  
Steuben County

#### **Board Members Not In Attendance**

John Margeson  
Timothy O'Grady  
Lucille White  
Vacant  
Vacant  
Vacant

Allegany County  
Allegany County  
Southern Tier West RPDB  
Cattaraugus County  
Chautauqua County  
Seneca Nation of Indians

#### **Others Attending**

Thomas Barnes  
Carl Belke  
William Burt  
Pamela Mann  
Brian Paschen  
Donald Rychnowski  
Richard Zink

#### **Representing**

Southern Tier West  
WNYP RR  
General Public  
GO21  
Southern Tier West  
Southern Tier West  
Southern Tier West

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

In the absence of Chairman John Margeson, Vice Chairman Joseph Eade called the meeting to order at 9:40 AM. Mr. Eade welcomed all who were present. He asked that all present identify themselves for the record.

Mr. Eade noted that there still are three vacancies on the Board, with appointments needed from Cattaraugus County, Chautauqua County, and the Seneca Nation of Indians.

### **Reading and Approval of the Minutes of the August 18, 2008 and October 14, 2008**

#### **Meetings**

The Board adopted a resolution approving the minutes of the August 18, 2008 meeting and waiving the reading of minutes of the October 14, 2008 Meeting of the Board until the next meeting (Ryan, Corwin, passing unanimously).

### **Waiver of Order of Agenda**

Mr. Eade asked if there were any objections to changing the order of the agenda to accommodate Pamela Mann of GO21, who was present to make a special presentation, and hearing no objections, directed that the order of the agenda be changed and that Ms. Mann's presentation should be the next order of business.

### **Presentation by Pamela Mann, GO21**

Ms. Mann introduced herself and her organization, which is a national non-profit engaged in railroad advocacy. She noted that freight volume is projected to increase dramatically in the coming years, and that highway infrastructure was inadequate to handle this projected increase. She described the advantages of railroad shipping, and the higher return on investment of investment in railroad infrastructure as opposed to highway infrastructure. GO21 advocates investment tax incentives for investment in infrastructure. She indicated that this, and also some railroad re-regulation legislation, could come to the floor in Congress in the first quarter of 2009. GO21 is advocating in favor of the tax incentive initiative and against re-regulation legislation. Mr. Belke indicated that WHYP supports GO21, and asked her whether GO21 could advocate against truck size and weight regulations. She indicated that this was possible, but GO21 doesn't see itself as being anti-truck, excepting that GO21 is against double truck situations. Mr. Belke indicated that truck size and weight regs hurt short lines more than the Class 1's. After discussion, the Board adopted a resolution endorsing federal investment tax incentives to promote increased freight rail hauling capacity and opposing efforts to re-regulate freight railroads that would have negative impacts on the railroad system's capacity to handle freight (Gould, Griffin, passing unanimously). The Board directed that this resolution be transmitted to the region's federal elected representatives.

### **Bills and Communications**

There were no bills or other correspondence, other than that noted later in the meeting.

### **Treasurer's Report**

Mr. Zink, STERA Treasurer, distributed a Treasurer's Report for December 1, 2008. For the eleven months ending November 30, 2008, STERA had a net income of \$64,447.88 on revenues

of \$610,145.06. As of December 1, 2008, STERA had a net worth of \$8,233,342 on assets of \$8,454,376. Mr. Zink noted that he is invoicing NYS DOT for two grants.

The STERA Board accepted the Treasurer's Report (Everetts, Daly, passing unanimously).

### **Reports of Committees**

#### **Audit Committee**

The Audit Committee did not meet.

#### **Governance Committee**

The Committee did not meet.

### **Unfinished Business**

#### **WNYP Report (report by Carl Belke, WNYP RR)**

##### **Operating Status**

Carl Belke noted the decline in diesel fuel prices and indicated that WNYP was getting better sourcing for its fuel. WNYP also is undertaking various cost cutting initiatives. He discussed five locomotives that WNYP has purchased to replace leased locomotives. WNYP has decided to eliminate a VP/GM position and spread the duties out. WNYP also has laid off two maintainers of way and one signal maintainer.

He indicated that WNYP is negotiating an increase in trackage rights fees with Norfolk Southern.

He also noted that WNYP's employees have selected a union, the Brotherhood of Locomotive Engineers and Trainmen to affiliate with, and WNYP is negotiating with the BLET.

The running time for coal trains has decreased from 9 hours 45 minutes to 7 hours 10 minutes. There are now 39 coal trains running per month, up from 31-32 on the average.

##### **Rehabilitation Projects**

Mr. Belke indicated that 2008 was a good year for rehabilitation projects. All rehabilitation projects have been completed. In New York, 11,000 ties and 5,000 tons of ballast were installed and 20.5 miles of track were surfaced. In Pennsylvania, 11,720 ties and 7,000 tons of ballast were installed and 16 miles of track were surfaced. The DB switch project in Falconer has been completed, taking this stretch of track from 10 mph to 30 mph. The Route 62 grade crossing in Kennedy has been repaired, and will be repaved next summer. The Cash Street project has been delayed but will be completed by December 31.

The Olean train house construction had begun, but has been suspended until January. Declining fuel prices have made the need for timely completion less immediate.

### **Future Rehabilitation Funding**

Mr. Belke noted that state and federal rehabilitation funding is not too likely at this time.

### **NYS DOS Multimodal Funding Program, Renew & Rebuild NY Bond Program, and NYS DOT Passenger & Freight Rail Assistance Program**

Mr. Belke indicated that NYS DOT had told him that this application might not be funded. He indicated that if the project is not funded, then most likely the Salamanca bridge repair work will be done by WNYP. He discussed safety ratings and weight ratings (278,000 lb. capacity versus 278,000 lb. capacity). Mr. Daly mentioned spalling at some bridges.

### **National Fuel Gas Easement**

In response to a question about a potential easement desired by National Fuel Gas, Mr. Belke indicated that the company should be referred to him, and not to RelTEK.

### **NYS Public Authorities Accountability Act (PAAA) Compliance**

#### **Discussion of Any Desired Policy Modifications**

STERA encourages comments on and suggested revisions to the organizational policies, so as to improve organizational effectiveness and PAAA compliance. There was discussion regarding approval versus acceptance of the Treasurer's Report.

#### **Training Sessions**

Each member must complete NYS ABO's PAAA compliance training sessions. STERA will work with Mr. Daly to schedule a training session.

### **NYS DOT - Southern Tier West Contract: Regional Transportation Plan Project**

Brian Paschen provided an update on this planning project. Mr. Belke had agreed to participate in the transportation planning project. Southern Tier West is interested in learning about NS, CSX, BP, and WNYP track conditions, and also in making contact with rail shipping companies.

### **Multi-Modal Freight Transfer Facility and Manufacturing Center Project Status**

No update.

### **Cattaraugus County (Randolph) Remediation Project Status**

No update.

### **Winchester Road Bridge, Town of Busti**

Mr. Gould inquired about the removal of this bridge. There was no notification to local officials or STERA. Mr. Belke indicated that this was an oversight on WNYP's part. In the future, when actions such as this are contemplated, notice will be given.

### **Draft Urban Design Plan, City of Jamestown**

There was discussion about the walkway, depot, and coal plant projects.

### **Other Old Business**

There was no other Old Business.

**New Business**

There was no new business.

**Public Comment**

There was no public comment.

**Next Meeting Date and Agenda for Next Meeting**

Mr. Eade noted that the Audit Committee and Governance Committee each may meet before the next Board meeting to discuss appropriate matters. The Audit Committee also may meet at an additional meeting or meeting related to audit issues.

Mr. Eade set the next meeting date for February 20, 2009 at 9:30 AM.

**Adjournment**

The Board adopted a resolution to adjourn at 11:45 AM (Ryan, Everetts, passing unanimously).

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

Name: \_\_\_\_\_

Office: \_\_\_\_\_

Date: \_\_\_\_\_