

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: PARKS, RECREATION & RAILROAD**

**DATE:           JANUARY 31, 2007**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS HASKELL  
                  BELDEN  
                  O'CONNOR  
                  GABRIELS  
                  F. THOMAS  
                  STEC  
                  GERAGHTY  
                  MERLINO

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR VANNESS

**OTHERS PRESENT:**

REPRESENTING THE PARKS, RECREATION & RAILROAD  
DEPARTMENT:

PAT BELAND, DIRECTOR  
PAUL BUTLER, RECREATION FACILITIES MANAGER

REPRESENTING THE UPPER HUDSON RIVER RAILROAD:

JOHN C. RIEGEL  
JERRY RIEGEL  
CLIFF WELLS  
JOEL BODEN

WILLIAM LAMY, DPW SUPERINTENDENT

WILLIAM THOMAS, CHAIRMAN

JOAN PARSONS, COMMISSIONER OF ADMINISTRATIVE & FISCAL  
SERVICES

SUPERVISORS CAIMANO  
                  CHAMPAGNE  
                  GIRARD

HAL PAYNE, ADMINISTRATOR - WESTMOUNT HEALTH FACILITY

TOM GARRETT, SIEMENS BUILDING TECHNOLOGIES

ROB HOSFORD, INFORMATION TECHNOLOGY

AMANDA ALLEN, LEGISLATIVE OFFICE SPECIALIST

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Mr. Haskell called the meeting of the Parks, Recreation and Railroad Committee to order at 10:43 a.m.

Motion was made by Mr. Belden, seconded by Mr. Merlino and carried unanimously to approve the minutes of the November 28, 2006 meeting subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Pat Beland, Director of the Parks, Recreation and Railroad Department, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Mr. Beland advised that the first item of the agenda pertained to a request for a new contract in the amount of \$80,000 authorizing agreements between Warren County and the Towns of Horicon, Lake Luzerne, Thurman and Hague for snowmobile trail maintenance and equipment. He noted that the contract would commence upon execution and terminate on December 31, 2007. As per Mr. Beland's resolution request, the Towns of Horicon, Thurman and Lake Luzerne would receive \$25,000 each, while the Town of Hague received \$5,000.

Mr. Belden asked why the Town of Hague would receive less than the other towns listed and Mr. Beland explained during his meetings with the town's snowmobile club it was determined that they

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were not in a position to purchase a large groomer and as such required less funding than the other towns.

Motion was made by Mr. Merlino, seconded by Mr. Stec and carried unanimously to approve the request for a new contract in the amount of \$80,000 to authorize agreements between Warren County and the Towns of Horicon, Lake Luzerne, Thurman and Hague for snowmobile trail maintenance and equipment and the necessary resolution was authorized for the February 16<sup>th</sup> Board meeting.

The second agenda item, Mr. Beland explained, was a request to amend the 2007 Budget to increase estimated revenues and appropriations in the amount of \$40,652.50 to reflect the acceptance of New York State snowmobile grant funds. He noted that during the prior year Warren County had received over \$100,000 in snowmobile grant funding; however, because snowmobile registrations had decreased drastically, the grant funding had also decreased. Mr. Beland advised that the total of the New York State grant funds allotted was \$68,500, of which 70% had been received, resulting in his request to amend the Budget in the amount of \$40,652.50.

Motion was made by Mr. Gabriels, seconded by Mr. Stec and carried unanimously to approve the request to amend the 2007 Budget to increase estimated revenues and appropriation in the amount of \$40,652.50 to reflect the acceptance of New York State snowmobile grant funds and refer same to the Finance Committee. *A copy of the resolution request is on file with the minutes.*

Mr. Haskell advised that the decreased funding would be disastrous for the local snowmobile clubs as they had based their budgets upon a much higher estimation of funding. He noted that requests for assistance might be received from these clubs to avoid becoming defunct, and he asked the Committee members to keep this fact in mind.

Moving to the third agenda item, Mr. Beland presented a snowmobile trail map developed by the South Warren Snowmobile Club. He noted that the map was of excellent quality and he suggested that Warren County consider producing something similar for the next year. Mr. Haskell advised that in the Town of Thurman several requests had been received for such maps; however the only map available reflected a portion of the trails and not all of the routes existing in Warren County. He suggested that the costs of developing and printing the snowmobile trail maps might reasonably be funded by the Occupancy Tax fund in 2008.

Motion was made by Mr. Stec, seconded by Mr. Merlino and carried unanimously to refer the possibility of developing and printing a Warren County snowmobile trail map for 2008 to the Occupancy Tax Committee.

Discussion ensued.

Mr. Beland apprised that the fourth agenda item was a request to amend and extend the existing grant with New York State Department of Transportation (NYSDOT), for an amount not to exceed

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\$350,000 to authorize supplemental agreement #3 for final design and bid administration for railway station project #1755.99 (H890-220). Mr. Beland apprised that although he had yet to receive the Clough Harbor agreement from NYSDOT, he assumed that it would be arriving shortly and the resolution was necessary to proceed with the project. He noted that the supplemental agreement would commence upon execution and terminate at the completion of the project.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to approve the request to amend the existing grant with NYSDOT for an amount not to exceed \$350,000 to authorize supplemental agreement #3 for final design and bid administration for railway station project #1755.99 (H890-220) and refer same to the Finance Committee. *A copy of the resolution request is on file with the minutes.*

Mr. Beland apprised the Committee that railway rehabilitation project #1755 H890-219 had reached completion with final expenditures totaling \$7,701,415.03. He stated that William Lamy, DPW Superintendent, was in attendance to address the fifth agenda item which pertained to awards received from APWA (American Public Works Association).

Mr. Lamy presented each of the Committee members with a copy of correspondence received from APWA which named the Warren County Rail Corridor Restoration Project as their Capital Branch Public Works Project of the year for 2006. In addition, Mr. Lamy advised that Mr. Beland had been named the 2006 recipient of the APWA Capital Branch Distinguished Service Award. He noted that the APWA was composed of over 27,000 members across the United States and was involved in many facets of the public works field. Mr. Lamy explained that the Capital Branch encompassed an area stretching from Poughkeepsie to the Canadian border and from the Eastern New York border to Utica. He apprised that a banquet would be held on the following Friday evening to honor recipients of all APWA awards for 2006, a listing of which was included in the correspondence he had distributed. Mr. Lamy congratulated both Mr. Beland and Warren County on the awards and noted that it was a great honor to be named in both categories.

The Committee members expressed their support for Mr. Beland's recognition with a round of applause.

Mr. Haskell noted that Mr. Beland had been involved in developing the rail project since its beginning over twelve years prior. He noted that this award was a direct reflection of Mr. Beland's dedication to the project and he expressed his appreciation of Mr. Beland's efforts along with all of the other Warren County employees involved in this and other ongoing projects.

Discussion ensued.

Returning to agenda review, Mr. Beland advised that the Upper Hudson River Railroad group had requested the use of the Kellogg Buildings, as they had in 2006, for the return of Thomas the Train in 2007, and also to close the County-owned road leading to the property during the event. Mr. Beland noted that a resolution was not necessary to appease this request, he simply wanted the

Committee to remain updated on the situation. It was the consensus of the Committee that there would be no objections to either request.

Discussion ensued with respect to the prior years Thomas the Train event.

Mr. Beland advised that the agenda included a resolution request for a new contract authorizing an agreement between Warren County and Niagara Mohawk Power Corporation for an easement on County property, specifically at Up Yonda Farm, for a telephone pole and anchors, with no cost to the County.

Motion was made by Mr. Geraghty, seconded by Mr. Stec and carried unanimously to approve the request for a new contract authorizing an agreement between Warren County and Niagara Mohawk Power Corporation for an easement on County property for a telephone pole and anchors, and the necessary resolution was authorized for the February 16<sup>th</sup> Board meeting. *A copy of the resolution request is on file with the minutes.*

Mr. Haskell acknowledged that the agenda noted Mr. Beland's impending retirement was to become effective on March 31<sup>st</sup>, and he suggested that the Committee consider retaining Mr. Beland as a part-time employee for consulting services until the completion of the railroad project. He reiterated that Mr. Beland had been a major influence in the project since its beginning and it would be almost impossible for someone else to step in and complete the project with as much efficiency.

Motion was made by Mr. Merlino, seconded by Mr. Stec and carried unanimously in support of Mr. Haskell's suggestion to retain Mr. Beland's services on a part-time basis for consulting services with respect to the railroad project. Mr. Haskell advised that salary terms and such would be discussed by the Committee at their next meeting.

Mr. Beland advised that the final agenda item pertained to items pending from prior Committee meetings. He stated that the first pending item referred to the possibility of placing a Post Office within the Hadley rail station, and he apprised that he had not heard anything further from the Hadley Postmaster with respect to the issue. Mr. Beland explained that in order to place a Post Office within the rail station, the services of an architect specializing in the construction of Post Office buildings must be secured, adding costs to the project. Mr. Beland said that, in his opinion, the addition was not conducive to the completion of the rail station project; however, he added, retro-fitting the building to include a Post Office might be an option for the future.

The second pending item, Mr. Beland stated, was in connection to a new pavilion to be constructed at the County Fairgrounds as per the Committee's direction during a prior meeting. He advised that the pavilion had not yet been constructed as the grant funding from the New York State Department of Agriculture and Markets, in connection with Cornell Cooperative Extension, was still pending. Mr. Beland advised that upon receipt of the funding the pavilion would be constructed.

Mr. Beland reminded the Committee members that \$2,000,000 in grant funding had been received from former New York State Governor Pataki for the purpose of railroad track improvements; he

added that Saratoga County had also received \$1,000,000 in grant funding for the same purpose. He apprised that in discussions with New York State with respect to the funding he had been advised that the grant was not sponsored by the FHWA (Federal Highway Administration), which was helpful because design reports and approvals would not be required prior to using the funds. However, Mr. Beland noted, the funding was tied to the 2007 New York State Budget and would not be distributed until its approval. Mr. Beland stated that he felt it highly unlikely that the funding would be withdrawn.

With respect to the two rail stations to be constructed, Mr. Beland apprised that the final design and bid amounts were estimated at \$1,423,000. He said that he anticipated the final design and bidding for the construction of the rail stations to be complete by the close of 2007. Mr. Haskell noted that he had requested that Mr. Beland contact Mr. Hanson, who was the NYSDOT (New York State Department of Transportation) Director, to request that the project be advanced as quickly as possible.

Mr. Beland stated that the acquisition of the rail line from the north to the Warren County line was still in question and Mr. W. Thomas advised there were some issues with an environmental group which had delayed the acquisition; however, he noted, the process was ongoing.

Mr. Beland advised that funding was not available within the 2007 Budget to provide the restoration services or the museum development promised for the Kellogg property. He suggested that in the future the Committee might consider the institution of a capital project to increment those services over a prolonged period. The rehabilitation project for freight operation had been estimated at \$1.6 million and was also unfunded, Mr. Beland noted.

As for the RFP (Request for Proposal) for a train operator for Warren County, Mr. Beland suggested that the process begin immediately. He noted the Upper Hudson River Railroad agreement with Warren County stipulated a renegotiation clause which began January 1<sup>st</sup> and continued through the end of June, 2007. Mr. Beland recommended that the Committee meet with representatives of the Upper Hudson River Railroad in a workshop environment to begin these negotiations as they had the opportunity to develop an agreement with Warren County prior to seeking RFP's from outside sources. He noted that the last negotiations had taken one year to finalize and reiterated that they should begin as quickly as possible.

Mr. W. Thomas reminded the Committee that the intention had been for an entity to be developed between Warren and Saratoga Counties for control of the railroad and he asked what the status of this development was. Mr. Haskell explained that initially the two Counties could not come to an agreement as to the number of members that would serve on the Board in control of the railroad, so it was decided by Congressman John Sweeney that the Board would be comprised of an equal number of representatives from each County with a member of his cabinet serving as the tie-breaking member, if needed. Because Congressman Sweeney was no longer in office and the incumbent, Congresswoman Kirsten Gillibrand, had made no contact with respect to the subject, the matter was unresolved, Mr. Haskell apprised. Mr. O'Connor stated that although he had met Congresswoman Gillibrand several times, this topic had never arisen.

General discussion ensued.

Mr. Haskell stated that negotiations would have to be reopened with Saratoga County with respect to the issue. Mr. Geraghty asked who owned the railroad line meeting with Warren County's acquisition and Mr. Beland replied that the Town of Corinth would own the rail for a short period of time, once rehabilitated, prior to surrendering ownership to a non-profit organization, to be developed by the Counties, that would eventually own all of the rail line.

Discussion ensued.

Mr. O'Connor noted that while he could certainly understand the Committee's frustration with the situation, he had met with Congresswoman Gillibrand several times and did not understand why the process could not be resumed and move forward with her help. Mr. W. Thomas stated that after several requests to meet with Congresswoman Gillibrand he had received no response other than to meet with one of her local representatives, which had been unsatisfactory and, as such, the process could not continue without communication.

Mr. Beland noted that the decision still needed to be made as to whom would operate the Caboose and a determination should be made prior to the spring season. He noted that this could be included in the negotiations with the Upper Hudson River Railroad. As for the bid and removal of the Biondi Building, Mr. Beland suggested that the process begin as quickly as possible. In addition, he noted that the process for renewal of the APA (Adirondack Park Agency) herbicide application permit should also begin.

Mr. Haskell apprised that in past conversation, he has suggested that ACC (Adirondack Community College) be contracted with to operate the Caboose, as they maintained both business and culinary courses which could facilitate the operation and in turn provide excellent training opportunities in both the managing and production facets of the business. He noted that this suggestion would be discussed further in negotiations with the Upper Hudson River Railroad.

Mr. Haskell introduced John C. Riegel, co-owner of the Upper Hudson River Railroad, who was in attendance to give a presentation on the events held in 2006. Mr. Riegel began by stating that he felt Mr. Haskell's suggestion to negotiate operation of the Caboose with ACC was an excellent idea. He apprised that 2006 had been the best year yet in terms of ridership numbers, due mainly in part to the arrival of Thomas the Tank Engine. Mr. Riegel expounded that during the Thomas the Tank Engine event, held during the month of May, they had facilitated 17,843 riders which had been the largest percentage of customers from the Capital District to Glens Falls and as far away as Ohio and Maryland. He noted that during the balance of the season there had been 15,470, giving a total of 33,313 riders of the Upper Hudson River Railroad in 2006. Mr. Riegel advised that their second best season had been in 2000, during which there had been 27,000 riders and he added that as shown by the statistical information provided, events such as Thomas the Tank Engine were necessary to achieve the "break-even" point.

Mr. Riegel thanked the Board of Supervisors and Warren County staff for their assistance with the

Thomas the Tank Engine event, which was held at the Kellogg Property and Railroad Place. He displayed a power point presentation which displayed photographs of the event. Mr. Riegel noted that some of the improvements made by the Warren County staff had been: rehabilitation of a large barn on the Kellogg property; construction of a split rail fence surrounding the parking lot and protecting the stream located on the property; new steps and railings from Main Street to the parking lot; electrical wiring in the barn with lighting and exit signs; replacement and repair of barn windows and doors and the painting of the barn. Mr. Riegel thanked the Committee for their assistance and noted that the entertainment company which owned Thomas the Tank Engine had commended the site of the event as the nicest of the 46 country-wide venues that they attended.

Mr. Riegel apprised that in 2006 the Upper Hudson Railroad had begun to make trips further southward as the rehabilitation of the railway to the Hadley Station had been completed. He noted that they began the season with Thurman Station Days which had been a wonderful beginning to their River Raft and Rail Ramble event held each Wednesday. Mr. Riegel advised that they intended to implement regular runs to the Hadley station during the upcoming year using temporary stations pending completion of the permanent structures.

Mr. Riegel introduced Cliff Wells, Operations Manager for the Upper Hudson River Railroad, to speak about requests of Warren County for events in the upcoming season. Mr. Wells stated that Mr. Beland was an excellent asset to Warren County and he applauded the decision to maintain his services through the completion of the rail project.

Mr. Wells distributed documents detailing the services provided by Warren County in 2006 and also the requests made for 2007; *copies of these documents are on file with the minutes*. He thanked everyone involved for their assistance in the past year and noted that in addition to those services listed by Mr. Riegel, Warren County had also provided wheelchair accessible ramps at Thousand Acres and the Hadley station.

For 2007, Mr. Wells apprised that they would request the following:

- 1) Additional split rail fence at Railroad Place in North Creek to protect the railway and stream located on the property;
- 2) That the field located to the south of the Kellogg Buildings be cleaned up, resulting in a more appealing view of the riverscape located there;
- 3) Rehabilitation of the t-shed located to the south end of the Kellogg property;
- 4) Rehabilitation of the middle barn located on the Kellogg property;
- 5) Painting of the two remaining barns on the Kellogg property;
- 6) Additional split rail fence at the Riverside Station;
- 7) Paving of the parking lot at the Riverside Station;
- 8) Placement of lighting in the parking lot at the Riverside Station;
- 9) Construction of a wheelchair accessible ramp at the Thurman Station;
- 10) Renovations and additions to the parking lot and lighting of the Thurman Station.

Mr. W. Thomas asked if there was historic value to the painting of the barn located at the Kellogg property and Mr. Beland advised that the subject had been researched prior with no specific findings.

Mr. Wells suggested that a digital picture could be taken of the building for re-creation at a later date. Mr. W. Thomas asked Joel Boden, associate of the Upper Hudson River Railroad, for his feelings on the subject and he replied that the building was certainly an eyesore as it was and should be rehabilitated and painted. Mr. Beland suggested that the painting be researched once again with the local historian to be sure that it was acceptable prior to painting the building.

In addition, Mr. Beland suggested that, during warmer weather, a tour of the facility should be scheduled to decide if it would be more economically feasible to rebuild the barns located at the Kellogg property or to demolish them. Mr. Haskell agreed with Mr. Beland's suggestion and noted that a future tour should be scheduled for any Committee members wishing to attend.

Discussion ensued.

Mr. Caimano pointed out that the Upper Hudson River Railroad's request for additional services should have been presented late in 2006 for inclusion in the 2007 Budget. Mr. Haskell stated that although he agreed with Mr. Caimano's statement Mr. Beland had been able to find funds within his budget to facilitate the renovations needed during the prior year and he added that although he did not think that the same amount of funding could be produced for 2007, Mr. Haskell thought that some of the requests could be appeased.

Mr. Caimano asked what financial outcome the Polar Express event had received and Mr. Wells replied that he was unaware of what was made at that event as the train was rented for a set fee from the Upper Hudson River Railroad and they had nothing to do with ticket sales.

Mr. Stec asked Mr. Wells if Thomas the Tank Engine would be returning in 2007 and he replied affirmatively. Mr. Stec noted that although the Upper Hudson River Railroad had seen its highest ridership in 2007, without the Thomas the Tank Engine appearance they would have realized their lowest numbers. Mr. Well agreed that Mr. Stec's comment was correct and he advised that they intended to make Thomas the Tank Engine an annual event and to increase such events in anticipation of achieving increased profits, while keeping their excursion trains in line.

Mr. Caimano pointed out that the ridership of the regular schedule was declining as the efforts to include additional special events to their schedule increased and he asked how this would be done. Mr. Wells explained that they were currently working around these issues to develop a schedule which would maintain their regular routes while leaving availability for special events. He noted that the schedule was not yet set in stone, but could be found on their website once completed; Mr. Wells advised that a copy of the schedule would be forwarded to the Committee upon completion.

Mr. Wells apprised that although the Upper Hudson River Railroad was very interested in including regular routes to Hadley and Thurman, it was a fact that industry-wide the numbers were dropping on excursion train rides. He added that it was their hope that trying to put a different spin on the train rides through the addition of special events would lead to increased consumer interest and profitability.

Mr. Haskell announced that an executive session was necessary to discuss the matter leading to the appointment of a particular person.

Motion was made by Mr. Gabriels, seconded by Mr. Stec and carried unanimously to declare executive session pursuant to section 105(f) of the Public Officers law, to discuss matters leading to the appointment of a particular person.

Executive session was declared from 11:26 a.m. to 11:36 a.m.

Upon reconvening, Mr. Lamy read Mr. Beland's notice of retirement, which declared his intent to retire on March 31, 2007 after 35 years of public service. Mr. Lamy noted that he accepted the letter of retirement with regret and noted that he would sincerely miss working with Mr. Beland.

Mr. Beland noted that it was very nice to receive such appreciation for his past and present accomplishments; however, he noted, it would not have been possible for such accomplishments to have been made without the help of the past and present Board members.

Discussion ensued.

Mr. Lamy presented two Notices of Intent to Fill Vacant Position forms, the first promoting Paul Butler, Recreation Facilities Manager, to the position of Director of Parks, Recreation and Railroad and the second requesting permission to fill the vacant position of Recreation Facilities Manager, due to Mr. Butler's promotion.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to approve the request to fill the vacant position of Director of Parks, Recreation and Railroad as well as to fill the vacant position of Recreation Facilities Manager, due to promotion and refer same to the Personnel Committee. *Copies of both requests are on file with the minutes.*

As there was no further business to come before the Parks, Recreation and Railroad Committee, on motion made by Mr. Stec and seconded by Mr. Gabriels, Mr. Haskell adjourned the meeting at 11:41 a.m.

Respectfully Submitted,  
Amanda Allen, Legislative Office Specialist