

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PARKS, RECREATION & RAILROAD

DATE: NOVEMBER 27, 2007

COMMITTEE MEMBERS PRESENT:	OTHERS PRESENT:
SUPERVISORS O'CONNOR	PAUL BUTLER, DIRECTOR OF PARKS, RECREATION &
GABRIELS	RAILROAD DEPARTMENT
VANNESS	REPRESENTING UPPER HUDSON RIVER RAILROAD:
F. THOMAS	CLIF WELZ
STEC	JOHN C. RIEGEL
GERAGHTY	JERRY RIEGEL
MERLINO	WILLIAM THOMAS, CHAIRMAN
	WILLIAM LAMY, DPW SUPERINTENDENT
COMMITTEE MEMBERS ABSENT:	WAYNE LAMOTHE, ASSISTANT DIRECTOR OF PLANNING
SUPERVISORS HASKELL	& COMMUNITY DEVELOPMENT
BELDEN	JOANN MCKINSTRY, DEPUTY COMMISSIONER OF
	ADMINISTRATIVE AND FISCAL SERVICES
	JOAN SADY, CLERK OF THE BOARD
	FRED AUSTIN, BUILDING PROJECTS COORDINATOR
	RICK LOEWENSTEIN, CLOUGH, HARBOUR &
	ASSOCIATES
	CHARLENE DIRESTA, LEGISLATIVE OFFICE SPECIALIST

In the absence of the Committee Chairman, Mr. Haskell and the Vice-Chairman, Mr. Belden, Mr. O'Connor called the meeting of the Parks, Recreation & Railroad Committee to order at 11:03 a.m.

Privilege of the floor was extended to Paul Butler, Director of Parks, Recreation & Railroad Department, who distributed copies of the Agenda to the Committee members; *a copy of the Agenda is on file with the minutes.*

Mr. Butler apprised that Item No. 1 on the Agenda was a request for a new contract with the Towns of Horicon, Lake Luzerne, Thurman and Hague for snowmobile trail maintenance and equipment, commencing January 1, 2008 and terminating December 31, 2008, for a lump sum amount of \$100,000. He added that the amount included \$30,000 each for the Towns of Horicon, Lake Luzerne and Thurman and \$10,000 for the Town of Hague and the funds had been included in the 2008 budget.

Motion was made by Mr. F. Thomas, seconded by Mr. Gabriels and carried

unanimously authorizing the new contract, as outlined above. *A copy of the resolution request is on file with the minutes and the necessary resolution was authorized for the December 21, 2007 Board meeting.*

Mr. Butler said that Item No. 2 on the Agenda was a request for a new contract with Lyme Adirondack Timberlands, LLC for snowmobile trails in the Town of Hague, commencing December 1, 2007 and terminating November 30, 2008, for a lump sum amount of \$3,000. He added that the Town of Hague had developed an additional five miles of trails, which he had anticipated and therefore had included the funds within the budget. He said that a copy of the license agreement was included in the Agenda packet.

Motion was made by Mr. Merlino, seconded by Mr. Stec and carried unanimously to authorize the new contract, as outlined above. *A copy of the resolution request is on file with the minutes and the necessary resolution was authorized for the December 21, 2007 Board meeting.*

Mr. Butler stated that Item No. 3 on the Agenda was a request from Josh Milton, Director of the City of Glens Falls Recreation Department, for assistance in grooming the cross country ski trails in Cole's Woods for the 2007-2008 season. He added that these trails were groomed by volunteers and Mr. Milton was requesting use of County employees and equipment if the need arose. Mr. VanNess asked if this was a request for assistance on an emergency basis only and Mr. Butler responded affirmatively.

Motion was made by Mr. Merlino and seconded by Mr. Gabriels to authorize the Warren County Parks & Recreation Department to assist the City of Glens Falls Recreation Department with grooming of the cross county ski trails in Cole's Woods, on an emergency basis.

Mr. Stec apprised that he had been communicating through email with Mr. Milton and Mayor Akins pertaining to a house on Dixon Road which was owned by the City of Glens Falls. He said the house was adjacent to the cross county ski trail system and the City of Glens Falls was interested in using the land as a trail head with a small parking lot. He said that there were no imminent plans; however, he added, that he wanted the Committee to be aware of the discussions. Mr. O'Connor asked if the house was falling apart and Mr. Stec replied that it was not falling apart but it was unusable. He added that the property was just east of the Northway Bridge on the north side of Dixon Road.

Mr. O' Connor called the question and the motion was carried unanimously to authorize the Warren County Parks & Recreation Department to assist the City

of Glens Falls Recreation Department with grooming of the cross county ski trails in Cole's Woods, on an emergency basis.

Mr. Butler expounded that Item No. 4 on the Agenda pertained to a letter received from Tad Norton, Senior Forester with the New York State Department of Environmental Conservation (NYS DEC). He said that he had been in contact with Mr. Norton concerning the grooming of the Warren County Cross Country Ski Trails at the Hudson Street Extension in the Town of Warrensburg. He added that Mr. Norton had informed him that as per the Memorandum of Understanding (MOU) between Warren County and the DEC, no motor vehicles, including snowmobiles used for grooming purposes, were authorized on this land. He noted that the County had been grooming this area for several years and he had requested an exception. He added the response letter from Mr. Norton was included in the Agenda packet.

Mr. O' Connor asked if this would eliminate part of the trail system and Mr. Butler responded that it would be an ungroomed trail. Mr. Butler apprised that there were two snowmobile groomers that were used to groom the trails, which could no longer be used in this area. He added that the trail was advertised as a groomed trail. Mr. Merlino questioned if these were cross country ski trails, not snowmobile trails and Mr. Butler replied affirmatively. William Lamy, Superintendent of the Department of Public Works (DPW), asked if they would still groom the trail by Cronin's Golf Course and Mr. Butler replied affirmatively and added that they would be unable to cross State land to reach the trails but they would try to find another way. Mr. Lamy asked if the parking lot was excluded from the Lake George Wild Forest and Mr. Butler responded that motorized vehicles were permitted in the parking lot but not beyond that point. Mr. Lamy asked if the County could still plow the parking lot and Mr. Butler replied affirmatively.

Mr. VanNess suggested that Chairman Thomas draft a letter to Senator Little, Assemblywoman Sayward and Congresswoman Gillibrand informing them of the necessity of grooming these trails.

Discussion ensued.

Mr. Gabriels suggested that the letter also be sent to Governor Spitzer and the Adirondack Park Agency. Mr. Lamy suggested that the letter also be sent to the Regional Director of the DEC. Mr. O' Connor questioned if they would request for the MOU to be amended. Mr. VanNess responded that they should request an amendment to the MOU or a waiver that would authorize grooming of the trail. Mr. Lamy said that the County could groom the property that they had access to and not groom the State-owned land and let the public see the difference.

Chairman Thomas said that the letter should also include the fact that the County has had historic use of the property and that the people who were accustomed to using the land for cross country skiing would no longer be able to do so.

Mr. Butler noted that the MOU did specify that no motorized vehicles could be operated on the property, including snowmobiles. He added that there had been complaints of people using the area for parties. He said that all maintenance to this area would have to be done by hand.

Discussion ensued pertaining to the wording of the letter.

It was the consensus of the Committee to authorize Chairman Thomas to send a letter to Senator Little, Assemblywoman Sayward, Congresswoman Gillibrand, Governor Spitzer, the Adirondack Park Agency and the Regional Director of the DEC, informing them of the County's necessity to groom the Warren County Cross Country Ski Trails at the Hudson Street Extension in the Town of Warrensburg.

Mr. Butler stated that Item No. 5 on the Agenda was a report on the progress of the rail stations for the Towns of Thurman and Hadley. He introduced Rick Loewenstein of Clough Harbour & Associates. Mr. Loewenstein distributed the proposed plans for a Hadley Rail Station, a copy of which is on file with the minutes.

Mr. Loewenstein apprised that the plans and specifications had been presented to the New York State Department of Transportation (DOT) and had been approved. He said that he had also received approval from the Town of Hadley Planning Board; however, he added, the Planning Board had requested some minor changes to the plans for esthetic reasons. He expounded that one of the changes that had been requested was the addition of some windows on the East Elevation, which included two 'eyebrow' windows. He said that the 'eyebrow' windows would be false windows and would only be included to improve the outside appearance of the station. He added that the Planning Board had considered requesting that the floor plan be flipped; however, he stated, Clough Harbour & Associates had managed to convince them that it would not be a reasonable concept.

Mr. Gabriels asked what the additional cost would be for the requested changes and Mr. Loewenstein replied that they would be minor. Mr. Loewenstein added that the Saratoga County Planning Board had requested that the station be consistent with the requests of their Planning Consultant; however, he said, that request had been overridden by the Town of Hadley Planning Board. He said the County curb-cut permit would need to be submitted prior to construction and he had already discussed the issue with the Saratoga County Department of Public

Works. He apprised that Mr. Butler had submitted the Adirondack Park Agency permits for the station in the Town of Thurman.

Mr. O' Connor questioned if the 'eyebrow' windows were part of the request from the Town of Hadley Planning Board and Mr. Loewenstein replied affirmatively. Mr. O'Connor stated that he understood that the plans needed to go before the Planning Board; however, he added, it was the County who was expending the funds and they should be content with the County's plans. Mr. VanNess asked what the dimensions of the proposed building were and Mr. Loewenstein said it was 72 feet by 34 feet, totaling approximately 3,100 square feet. Mr. VanNess stated that he understood that the purpose of the station was to increase business for the railroad; however, he added, since they were constructing a substation in another County, he did not feel that the structure needed to be this elaborate. He asked what the fixed costs for the proposed station were. Mr. Loewenstein responded that they had submitted a cost estimate to the State for \$1.1 million, which included the site work.

Mr. Merlino stated that he would like to see a train station in the Town of Hadley; however, he added, to spend \$1 million on a train station in a town where the average home costs \$100,000, was ridiculous. He said that he could have a great train station constructed for \$500,000. He apprised that the station was too elaborate and that there was only about six miles between stations, therefore they did not need to be that elaborate. He said that a covered platform would be more than adequate. He noted that the County had \$1.3 million remaining with which to construct two stations. He said that from a businessman's perspective, if the sales tax and occupancy tax were compared between the Towns of Hadley and Thurman, the County would not build the stations in both Towns, they would only choose one.

Mr. O'Connor apprised that the County had worked hard to reach a decision on the construction of the Health and Human Services Building for a reasonable cost and that to construct this station for \$1.1 million was extravagant. Mr. Stec stated that the cost would be approximately \$355 per square foot. Mr. Loewenstein responded that \$405,000 of the \$1.1 million was the cost of the site work and could not be calculated into the cost per square foot. Mr. VanNess apprised that they were comparing the costs of a building that the purpose was merely a place for people to get on and off a train, to the cost of a building that would be occupied by workers eight or more hours per day. Mr. Loewenstein stated that he had been working on this project for six years and was aware of the budget. He said he was also aware that there was only \$1.3 remaining in the budget. He added that the proposed station in the Town of Thurman would be 1,500 square feet; however, he further added, due to the required site work and the drainage issues, that station would also cost slightly more than \$1 million to construct. He said that

both stations would be of similar wood frame construction, with vinyl flooring and sheet rock. He said that the majority of the costs for both stations would be due to the site work. He noted that the sub-committee that was looking at the plans had done a good job in trying to be cost effective. He added that the feedback from the community had been that they wanted a similar construction to the rail station in the Town of North Creek.

Mr. O'Connor apprised that more than half of the Supervisors would be opposed to spending \$1.1 million for one train station, located in another County. Mr. Loewenstein reiterated that the station in the Town of Thurman would cost slightly over \$1 million and that location would need a run-around that would cost an additional \$150,000. Chairman Thomas said that it was unfair to compare the proposed stations in the Towns of Hadley and Thurman to the station in the Town of North Creek. He added that the Town of North Creek had saved their station for approximately \$300,000 to \$400,000 and that there had not been a lot of site work. He apprised that in 1992, Fred Austin, who at that time was the Superintendent of the Department of Public Works, had approached him about applying for a grant which had started this whole process. Mr. Austin asked how much of the \$1.3 million was County dollars and how much was State and Federal dollars. Chairman Thomas replied that it was all State and Federal dollars and the County had contributed \$400,000 which had been used to purchase the tracks in the 1990's.

Mr. Merlino suggested that the construction for both stations be put out to bid to see what results were received. Mr. VanNess asked why the County did not put up two modular or prefabricated buildings for use as rail stations. John Riegel, Upper Hudson River Railroad (UHRR), noted that the UHRR did not use the North Creek Depot as a base of operations and that the base of operations was the Barton Mines Freight House, which was three times larger than the proposed Hadley Station. He asked if the estimate of \$1.1 million included track work and Mr. Loewenstein responded that it did not. Mr. Riegel asked if the run-around would then have to be added to the cost of the Hadley Station and Mr. Loewenstein responded that they would not construct a run-around at the Hadley Station if Saratoga County moved forward with the plans for the Corinth Station. Mr. Riegel stated that if a run-around was not constructed at the Hadley Station, they would have a million dollar station that they could not go to because they could not turn around. He added that the Corinth Station was a different entity and there was no guarantee that the UHRR would have use of the Corinth run-around. Mr. Loewenstein apprised that there would have to be operational agreements in place for use of the Corinth Station run-around. Mr. Riegel said that there was a run-around at the Thurman Station that would have to be flipped in order to accommodate the new station. Mr. Merlino questioned if it would be flipped to accommodate the size of the proposed station and Mr. Loewenstein

replied affirmatively and he added that the run-around had been constructed out of convenience because there were already switches in place at the time.

Mr. Austin asked if there were enough funds available to get both sites 'building ready' without constructing the stations. Mr. Loewenstein responded that the bids were separated by construction trade (general construction, electrical, mechanical and plumbing), with an independent contract for the track work. He added that the general construction contract contained all of the site work and the construction of the building. Chairman Thomas questioned if they should construct the Hadley Station first or do all of the track work for both sites. He said that if they were going to run out of funds, they should have the run-arounds completed first. Mr. O'Connor noted that if the cost for the Hadley Station was \$1.1 million there would be no funds remaining to construct the Thurman Station. He added that the site work at the Thurman Station would be approximately \$450,000 and there were not many properties in the Town of Thurman that were valued that high. Mr. Loewenstein apprised that the prioritization had been that they would bid out both projects and most likely construct the Thurman Station and run-around first. He added that the Thurman Station was the next station in line following the Town of Riparius Station and a run-around was needed in order to make the Thurman Station operational. Chairman Thomas questioned if the run-around could be constructed first and Mr. Loewenstein responded that the way the permits were set up it was allowable to construct the run-arounds first. Mr. Gabriels apprised that the Committee needed to rethink their priorities due to financial constraints. He added that the public wanted this particular design; however, he said, they might not be able to give the public 100% of what they wanted and may need to scale back the design.

Discussion ensued.

Mr. O'Connor apprised that there was the possibility of obtaining additional State and Federal funding. Mr. Butler stated that initially there was \$2.5 million in funds for the railroad and \$2 million was State and Federal dollars and \$500,000 was County dollars.

Motion was made by Mr. Gabriels and seconded by Mr. VanNess to focus on the track work for both the station in the Town of Hadley and the station in the Town of Thurman and construct the buildings at a later date when more funding was available.

Mr. VanNess questioned if a run-around was necessary for the Hadley Station. He added that funds that were spent on a run-around could not be used for the construction of the station. Chairman Thomas apprised that the County would

have to request additional funding regardless. Mr. Riegel noted that the signalization at Anton Mountain Road had not been completed yet and that would cost approximately \$150,000 and would need to be completed in order to utilize the run-around at the Corinth Station. Mr. VanNess asked how much it would cost to construct the run-around and Mr. Riegel responded approximately \$250,000. Mr. VanNess noted that if \$500,000 was used to construct two run-arounds, there would only be \$800,000 remaining with which to construct the stations. Mr. F. Thomas stated that the site work would need to be completed before the stations could be constructed, he added, \$450,000 for site work for the Thurman Station seemed excessive. Mr. Loewenstein responded that the site of the Thurman Station had serious site constraints that included the need for a retaining wall and underground subsurface storm water retention. Mr. F. Thomas apprised that if they were considering constructing the run-arounds first, they should spend the remainder of the funds on site development. Mr. Lamy said that the site work should be done at the same time so that the foundation did not interfere with the track work. Mr. Loewenstein responded that the run-arounds were separated from the building locations and there would be no interference. He added that there may be issues at the Hadley Station with adjoining property owners who might have infringed on the railroad right-of-way. Mr. VanNess stated that the Committee had initially discussed constructing loading docks and were now discussing constructing \$1.1 million dollar stations.

Mr. Austin exited the meeting at 12:02 p.m.

In answer to a question concerning the possibility of including the site work being done first, Mr. Loewenstein responded that the Committee would have to define what site work they wanted to have done. He added that they could clear the area at each site, construct a gravel parking lot, do preliminary drainage work and site grading in preparation for a future station. He noted that they would have to discuss this phased approach with DOT before they could begin. Mr. VanNess suggested the motion could be worded to say that they would make each site building ready. Chairman Thomas said that they should also add that they would prepare the rail line for future use. Mr. O'Connor stated that he would like to be able to do both sites and that if the Hadley Station was completed first, the Thurman Station would never be completed due to lack of funding. He suggested that the track work and site work be completed at each site and any remaining funds be divided equally and used to construct both stations. He added that the stations may end up being canopied platforms depending on the amount of funds remaining.

Mr. VanNess noted that if the site work for each location was approximately \$400,000, then \$800,000 of the \$1.3 million would already be spent. He added that the track work would require the remaining funds and there would be

nothing left with which to construct stations. Chairman Thomas suggested requesting additional funding from Congresswoman Gillibrand for the construction of the stations. Mr. Lamy stated that some of the site work was not necessary unless a building was to be constructed. He added that a septic system and stormwater retention did not need to be completed until they were ready to construct the stations. Mr. Loewenstein responded that at the Thurman Station they would need to pick up DOT stormwater that came from off site and they would have to discuss this with DOT before anything was done. Mr. Lamy apprised that some of the estimated site work costs were associated with the buildings and could be delayed. He noted that it was the intention of the County for each location to eventually have a station constructed and they only needed to get each site building ready.

Chairman Thomas questioned if the site work would include parking lots and temporary loading platforms. Mr. Loewenstein responded that temporary platforms were low level platforms that were basically sidewalks and were not elevated.

Mr. Gabriels stated that he would like to amend his motion to proceed with the track work, the site work, the construction of a parking lot and a temporary loading platform at both the Hadley Station and the Thurman Station. He added that site work that was not needed until the construction of the stations, such as septic systems, would not be included. Mr. VanNess seconded the amended motion by Mr. Gabriels. Mr. Merlino expounded that the railroad needed to attract new clientele and having two new operational stations would enable this. Mr. Butler questioned what would happen if the County was not awarded additional funding and Mr. VanNess responded that they would deal with that when it came about. Mr. Butler apprised that some sort of station had to be constructed in the Town of Hadley at some point. Mr. Loewenstein stated that the Committee should come up with a plan of action and he would meet with DOT to present the plans. He added that when he received feedback from DOT he would return to this Committee with the results. Mr. Gabriels asked if the current plan of action was clear enough for DOT to consider and Mr. Loewenstein responded that it was clear enough for him to present it to DOT.

Mr. O'Connor called the question and the motion carried unanimously to proceed with the track work, the site work, the construction of a parking lot and temporary loading platform at both the Hadley Station and the Thurman Station and to postpone the construction of the stations and the site work associated with the stations until additional funding was available.

Mr. O'Connor apprised that Item No. 6 on the Agenda was a request for John Riegel, Upper Hudson River Railroad (UHRR), to address the Committee

concerning their request for the County to grant relief of the \$1 per ticket fee for the Thomas the Tank Engine Event for 2008. Mr. Riegel distributed copies of the Thomas the Tank Engine Event budget for 2007 to the Committee, a copy of which is on file with the minutes.

Mr. Riegel stated that the UHRR brush cutting program for 2007 had been completed and added that the repainting of the coaches had also been completed. He said that there has been an ongoing issue at the Riverside Station with DEC, which had been brought to their attention by Mr. Butler, which was leaky oil in the ballasts. He added that the issue had come up before at the North Creek Station and had been corrected by digging out the stone between the ties, laying out new stone and laying filtered fabric on the top tacked into the new ties to collect any additional oil. He further added that the filtered fabric would be replaced every couple of years. He apprised that the UHRR had a run to Hadley-Luzerne every Saturday which had not been as successful as they had hoped. He added that Mr. Merlino had suggested that the train start in Hadley-Luzerne and head north. He said that there were some issues which they had worked out and had a successful run on the 10th Anniversary held on October 13, 2007.

Mr. Riegel apprised that Americade, Inc. had contacted the UHRR for a two day stint in 2008 that would run out of Thousand Acres. He said that a propane heater had been installed in the freight house this year to allow work during the colder months. He apprised that the 'Polar Express' weekend had been renamed 'The Magical Christmas Train' for patent purposes. He said that they anticipated approximately 500 people per day for the 4-day event.

Mr. Riegel stated that at the last meeting the UHRR had requested relief of the \$1 per ticket fee that was paid to the County for the Thomas the Tank Engine Event; however, he added, at that time he had not been prepared to present the budget figures which he had brought with him today. He said that in the first year of the event there had been about 18,000 riders and this year there were about 14,000 riders. He added that the UHRR was requesting the relief for 2008 so that they would be able to afford to continue to operate the event. He said that the event had operated at a loss of \$20,671.23 this year. He apprised that in 2008 the event would be four days rather than seven, which should reduce overhead costs. He added that the event generated sales tax for the County and increased the business in the Towns of Johnsburg and North Creek.

Mr. Riegel stated that Saratoga County was prepared to negotiate for UHRR to operate on their railroad. He said that there had been discussions pertaining to establishing a Railroad Authority, but Saratoga County had indicated that an Authority probably would not become a reality. He added that Saratoga County wanted the UHRR to operate a train from Saratoga to the Town of North Creek on

December 17, 2007; however, due to some restrictions, it would not be possible in that time frame. He apprised that Saratoga County had wanted to do this for Chairman Thomas before he left office in January; however, he added that it would not be possible until Spring.

Mr. Riegel said that the UHRR appreciated everything that Chairman Thomas had done for them and they wished him luck in his future endeavors. Chairman Thomas thanked Mr. Riegel for his comments.

Mr. Riegel stated that the UHRR would like to host the Thomas the Tank Engine Event in 2008 and he asked the Committee if there were any questions regarding the 2007 budget that had been distributed. He said that the UHRR would be willing to attend the next meeting for further discussion if necessary. Mr. O'Connor asked if the UHRR was requesting a reimbursement of the \$1 per ticket fee for the event, or if they were requesting to waive the fee for 2008. Mr. Riegel replied that they were requesting to waive the fee for the 2008 event.

Mr. Geraghty suggested that the Committee enter into an executive session to discuss the contract between Warren County and the UHRR.

Motion was made by Mr. Geraghty, seconded by Mr. Stec and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 12:24 p.m. to 12:30 p.m.

The Committee reconvened.

Pursuant to the executive session, motion was made by Mr. Stec, seconded by Mr. Merlino and carried unanimously to waive the \$1 per ticket fee paid to the County from the Thomas the Tank Engine event for 2008, with the understanding that the issue would be revisited next year.

Messrs. Riegel, Riegel and Welz exited the meeting at 12:32 p.m.

Mr. Merlino requested the Committee enter into an executive session to discuss the employment history of a particular person.

Motion was made by Mr. Merlino, seconded by Mr. Stec and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 12:32 p.m. to 1:09 p.m.

The Committee reconvened.

Mr. O' Connor advised that no action was necessary pursuant to the executive session.

As there was no further business to come before the Parks, Recreation & Railroad Committee, on motion made by Mr. Merlino and seconded by Mr. Geraghty, Mr. O' Connor adjourned the meeting at 1:10 p.m.

Respectfully submitted,

Charlene DiResta, Legislative Office Specialist