

WARREN COUNTY PUBLIC WORKS

PARKS, RECREATION AND RAILROAD COMMITTEE MEETING

March 26, 2013

9:30 am

AGENDA

- CALL TO ORDER..... Chairman Ralph Bentley
- APPROVAL OF MINUTES..... Chairman Ralph Bentley
- NEW BUSINESS..... Chairman Ralph Bentley

Page #

Saratoga North Creek Railway - Update.....Steve Torrico, Justin Gonyo

Kings School RR ROW Pedestrian CrossingCory Patterson, Administrator, King’s School
..... Pastor Derek Bevan

1-5 (R) Kings School - Request for Pedestrian RR Crossing.....Paul Butler

6-11 Request use of County Property for Archery Practice Range.....Paul Butler

~~12 (R) Use of Up Yonda Farm for a Fund Raising Event.....Jeff Tennyson~~

13-14 (R) Accept Donation of Memorial Tree and plaque.....Paul Butler

15 (R) Recognizing the generous donations to Up Yonda Farm in Memory of Pat Steele.....Paul Butler

16 (R) Authorize agreement w/ Kingsbury Snowmobile Club- NYS Parks Pass-through.....Paul Butler

17 AND (R) Amend Reso. 229/2010 to include Kingsbury Snowmobile Club – NYS Parks Pass through

18-23 (R) Authorize agreement between NYS DOT and SNCRR.....Jeff Tennyson

Up Yonda Budget Review.....Jeff Tennyson

Items of Interest:

UpYonda Farm:

Follow up - Maple Festival/ Breakfast – Sunday, March 3, 2013.....Paul Butler

OLD BUSINESS..... Chairman Ralph Bentley

REFERRALS..... Chairman Ralph Bentley

NONE

PRIVILEGE OF THE FLOOR..... Chairman Ralph Bentley

ADJOURNMENT..... Chairman Ralph Bentley

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

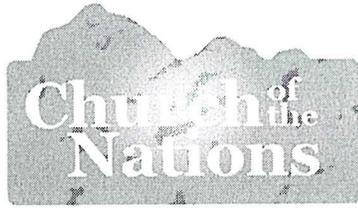
DEPARTMENT NAME: Parks, Recreation & Railroad

DATE: 3/26/13

- (a) Purpose of Request: Authorize an agreement between Warren County and Church of the Nations/King's School for a Railroad Pedestrian Crossing on the Warren County owned railroad ROW in the Town of Hadley , N.Y.

- (b) Details: The RR pedestrian crossing is on the Warren County owned RR ROW between Harris Rd. and Antone Rd., Saratoga County, Town of Hadley, N.Y. The location of the Railroad Pedestrian Crossing is identified on The Delaware and Hudson Company Valuation map # 10, at Station # 998 +33. The pedestrian crossing is 710 feet south of mile marker A 57 identified on valuation map included in the 3/26/13 Parks and Recreation agenda. An aerial location map is also been provided. Draft plans of the pedestrian crossing map have been provided within the P & R agenda package. Contact : Cory Patterson, Administrator, Church of The Nations/ The Kings School, P.O. Box 300, Lake Luzerne, N.Y. 12846 phone : 518-654-6230 email ; cpatterson@kingssschool.info

- (c) Previous Resolution Number:



PO Box 300
Lake Luzerne NY 12846
main_office@kingsschool.info

The King's School Railroad Crossing Safety Procedures

The King's School is incredibly invested in the safety of our students. To ensure their safety, The King's School will do the following:

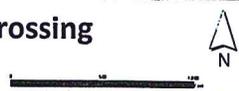
1. Train all staff and students in Crossing Safety Procedures.
2. Include, in ADDITION to the plan project as proposed by the railroad, locked gates on the top of crossing path, with keys/or combination given to staff members.
3. Include signage on the pathway that indicates the crossing procedure and current railroad timetables.
4. Require a staff member to be present for EVERY crossing.
5. Monitor the pathway on school side entrance by surveillance cameras on a recorded loop.
6. Adhere to the following procedures at every crossing:
 - Staff member approaches the locked gate with students in line behind.
 - Staff member unlocks and opens gate, and allows students to proceed, staying near the staff member and at the top of the pathway area.
 - Staff members locks gate behind and proceeds to front of the line.
 - Staff members leads line of students to the bottom of gated path area.
 - Staff member looks both ways and determines that crossing is safe only if there is no train in sight AND sound distance.
 - Staff member gives the approval and monitors the students quickly and orderly crossing the tracks.
 - Students proceed up the other side of the path and wait at the top for the teacher to unlock the gate.
 - Staff member goes to front of line and opens the gate on the other side.
 - Students exit the pathway, and the staff member locks the gate behind them.



Proposed Crossing

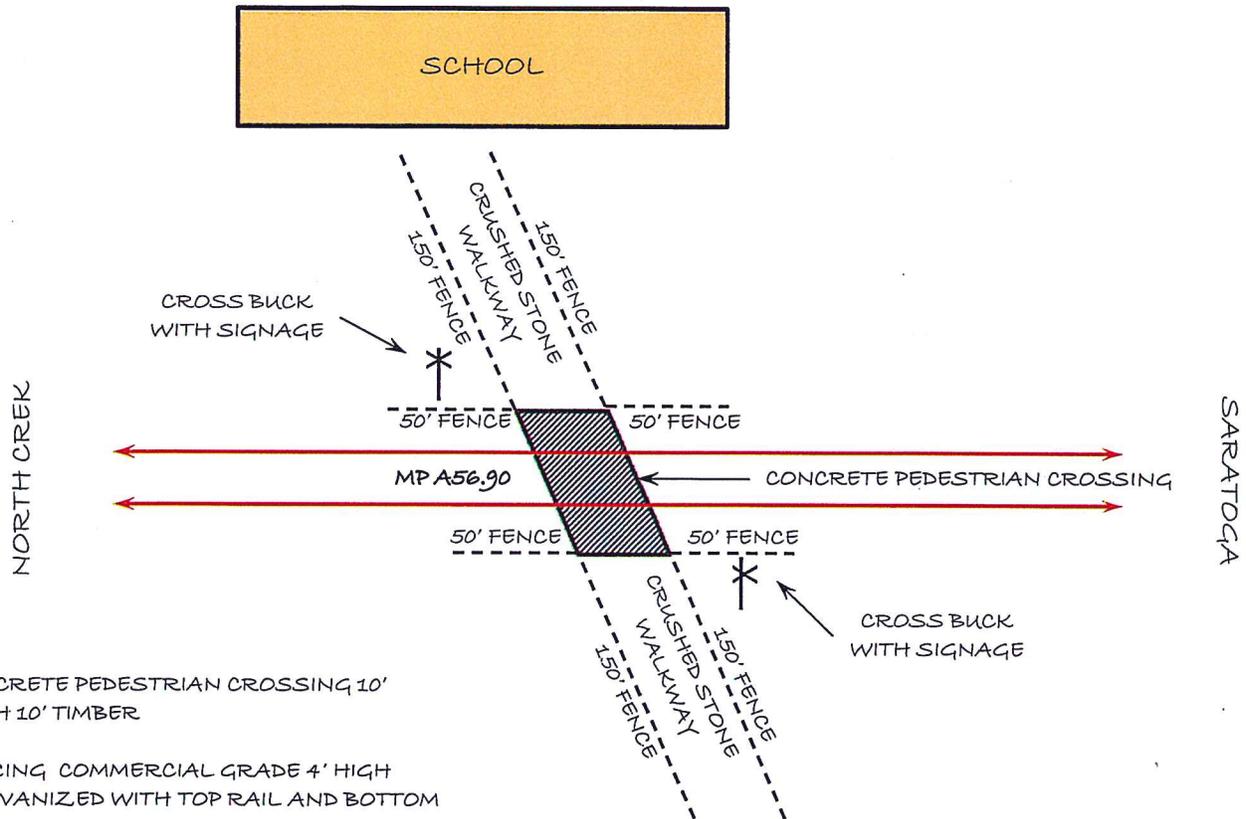
King's School Pedestrian Crossing

prepared by Warren County GIS March 2013
data sources: ESRI, Warren County Parks and Rec, NYS GIS



Page 3

SCHOOL



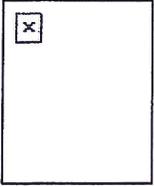
- CONCRETE PEDESTRIAN CROSSING 10' WITH 10' TIMBER
- FENCING COMMERCIAL GRADE 4' HIGH GALVANIZED WITH TOP RAIL AND BOTTOM TENSION
- WALKWAY SUB-BASE COARSE, OPTIONAL TYPE
- ALL SIGNAGE REQUIRED BY MUTCD PASSIVE DEVICES FOR PATHWAY GRADE CROSSINGS

ATHLETIC FIELDS

February - 2013
 Saratoga & North Creek Railway
 Kings School Crossing
 * Map Not to Scale

SARATOGA & NORTH CREEK RAILWAY
ADIRONDACK BRANCH
COST ESTIMATE
FEBRUARY 2013

ITEM NO	DESCRIPTION	UNITS	UNIT PRICE	PROPOSED PEDESTRIAN CROSSING MP A56.90		REMARKS
					COST	
SNC .203.02	Unclassified Excavation and Disposal	CY	\$50.00	40.0	\$2,000.00	As Needed
SNC .303.00	Furnish and Install Fencing	LF	\$40.00	500.0	\$20,000.00	Channelized Pathway
SNC .304.15	Furnish and Install Subbase, Optional Type	CY	\$30.00	50.0	\$1,500.00	Walkways
SNC .9812	Furnish and Install Corrugated Polyethylene Drain Pipe	LF	\$60.00	20.0	\$1,200.00	West Side of Crossing
SNC .7103	Furnish and Install Required Signage	EA	\$100.00	13.0	\$1,300.00	FRA-Whistle-Flangeway etc
SNC .0002	Brush Cutting	MI	\$15,000.00	0.2	\$3,000.00	Improve Site Distance
SNC .0003	Establishing Ditches and Slopes	LF	\$20.00	300.0	\$6,000.00	Drainage
SNC 1300	Furnish and Place Ballast	TN	\$50.00	50.0	\$2,500.00	As Needed
SNC 2216	Remove, Furnish and Install Jointed Rail	LF	\$60.00	100.0	\$6,000.00	Area of New Crossing Welded
SNC 3000	Remove, Furnish and Install Wood Cross Ties	EA	\$150.00	30.0	\$4,500.00	Includes Spikes, Plates & Anchors
SNC .5600	Furnish and Install Compromise Rail Joint Assembly	EA	\$500.00	4.0	\$2,000.00	132/136 to 130re
SNC .8300	Furnish and Install Precast Concrete Pedestrian Crossing	TF	\$2,000.00	10.0	\$20,000.00	Concrete Panels/10'Timbers/Underdrain
SNC .8900	Furnish and Install Passive Warning Devices	EA	\$1,000.00	2.0	\$2,000.00	Cross Bucks
SNC 9000	Raise, Align and Surface Track	TF	\$20.00	400.0	\$8,000.00	200' Each Direction From Centerline
Subtotal Construction Cost					\$80,000.00	
699 .04	Mobilization	LS		1.0	\$10,000.00	
Total Estimated Construction Cost					\$90,000.00	
SNC 0099	Project Administration and Coordination	LS	\$5,000.00	1.0	\$10,000.00	Pre-Const/Safety/Meetings
Total Estimated Miscellaneous Cost					\$10,000.00	
Contingency		LS	N/A	1.0	\$20,000.00	Estimated
TOTAL ESTIMATED PROJECT COST					\$120,000.00	



The Society for Creative Anachronism, Inc.
Shire of Glenn Linn

www.glennlinn.eastkingdom.org
Jonathan R. Bushey, President – 12A Chelsea Way, Glens Falls, NY 12801 – 518-598-3769
seneschal@glennlinn.eastkingdom.org

Thomas D. Apple
68 Hudson Street
Warrensburg, NY 12885
Phone: 518-623-2248 (h)
518-791-3015 (c)
E-mail: tdba1@verizon.net

Warren County Department of Public Works
Mr. Jeff Tennyson
4028 Main Street
Warrensburg, NY 12885

March 25, 2013

Dear Mr. Tennyson:

Thank you for considering my request to hold archery practices near the Warren County Fair Grounds, in Warrensburg. During its preparation, I frequently consulted with Paul Butler, Warren County Department of Parks, Recreation and Railroad; John Bowe, Cooperative Extension for Warren/Washington/Saratoga counties; Louis Gerrin, DEC Enforcement Officer; and Kevin Geraghty, Warrensburg Town Supervisor. I also obtained written consent from the owner of the only residential property within 500 feet of the proposed site – this consent is required by state law, but because the law is not clear about whether consent is assumed until withdrawn or has to be prior and/or written, I made sure. I also have written consent from the owner of the next nearest privately owned property, although his property line alone is far beyond the legally required distance.

The Shire of Glenn Linn is the local chapter of the “Society for Creative Anachronism, Inc.” (SCA), a nationwide and international not-for-profit educational organization for preserving and promoting interest about the Middle Ages, particularly in Europe during the years 600-1650AD. Our chapter serves Warren and Washington counties, and portions of Saratoga, Essex, and Hamilton. I am Glenn Linn's archery safety officer, and the deputy safety officer for our region (Maine, New Hampshire, Vermont, and northern New York state), which, in turn, is part of the “East Kingdom” (northeast United States and eastern Canada). Our chapter's executive committee has authorized me to present this request and an appeal for waiver of usage fees. However, only our chapter president is allowed to sign a permit agreement or contract, if you offer one.

In brief, we would like to reserve, for our exclusive use, a portion of Warren County property, as indicated on the accompanying map, for archery practice and vehicular parking from 12:00 noon until 4PM on most Sunday afternoons from May 5 through October 27, 2013, and their equivalent weekend Sundays for the subsequent years. The public is allowed, and invited, to take part in all of our practices

2.

and events. On average, we expect six to 10 archers and vehicles per practice, and can accommodate a maximum of 18 archers. Our chapter is already familiar with this site and parking lot, as is Warren County with our using it – our organization has held archery on these same grounds during our large annual event, Northern Regional War Camp, **without incident, for more than 25 consecutive years**. Of course, though we would like to hold practice on each date listed, we fully recognize there will be times when we cannot, such as if the county or Cooperative

Extension requests us not to, or when we hold practice outside Warren County. In addition, the SCA safety protocol requires us to cancel when no safety marshal is available, when extreme weather conditions threaten or exist, or when there is a safety concern for any reason on or near the field.

We would like to reserve these Sunday afternoons from 12-noon until 4PM for the year 2013, and for their equivalent dates in subsequent years:

May	05/05; 05/12; 05/19;	July	07/21	September	09/15; 09/22; 09/29
June	06/02; 06/16; 06/23; 06/30	August	08/11; 08/18; 08/25	October	10/06; 10/13; 10/27

In the SCA, we use only medieval-style longbows, recurves, and light crossbows – our arrows are wood with field points. Compound bows, modern crossbows, and the use of hunting tips are not allowed. Every bow is required to be clearly marked with its “draw weight,” which is a measurement of the maximum amount of arm strength needed to safely draw the bow without harm to the archer or damage to the bow. Beginners generally use a bow of 10–30 lbs draw weight; and accomplished archers rarely draw more than 45 lbs. Our furthest target would be placed at 40 yards. However, even when intentionally shot for distance by experienced archers, our usual maximum range is less than 125 yards: **three times farther than we intend to shoot.** We carry full liability insurance (see attachment), and the use or consumption of alcoholic beverages and/or illegal drugs is prohibited. In addition, before each practice, every participant is required to sign a waiver of liability – those under 18 years old must be accompanied by his or her own parent who also must sign, and, for participants under 14, that parent must remain present at all times. Every archer must also pass an equipment inspection, with additional inspection required at any time.

Our guidelines are very strict. Our safety zones are large and must be clearly marked (see “Policies” attachment), and the ground safe to walk across. Our practice range would have one to 20 targets (usually 3-5 targets), with the furthest set at 40 yards. The shooting area would be eight yards wide X 40 yards deep; with the total shooting area and safety zone that would be 143 yards wide X 80 yards deep). The front half of the open field in front of, and downhill from, the Cooperative Extension buildings on the northwest side of Schroon River Road, across from the county fairgrounds, fits this criteria easily.

In the SCA, every archer has to obey the safety rules, properly maintain his or her own equipment, and show he or she can shoot safely. Every archery practice or event is supervised by at least one SCA trained and warranted marshal – we usually have two or more, with another in training. These marshals oversee the shooting line, the field and safety zones, and all adjacent terrain. They are authorized to exceed and enforce the safety standards as needed. I have been a safety marshal for five years, and have served at more than 130 practices and events within and outside our region. I assist in the training and supervision of 36 marshals, and have participated with at least 60 more. I have yet to see or hear of any injury associated with any part of the SCA archery program, whether during or before my involvement.

3.

Membership in the SCA is completely volunteer. We are very family oriented. Public participation welcome, and invited. There are no dues. All practices and workshops are free, as are most events. We offer free educational demonstrations for schools, church and community groups, youth clubs, and other community organizations. **Most of our income comes from our annual July 4th weekend event at the fairgrounds – as a not-for-profit educational organization, we are required by law to be spend nearly all of it on program and activity expenses.** As a result, our operating budget is very limited. Unfortunately, this means we are unable to afford the county's regular permit use fees, which we understand is \$150 per day for each of the 17 days requested. Currently, we are allowed to offer a donation up to \$300 – however, we would deeply appreciate it if were possible that the fees could be waived for these practices.

Thank you for your consideration. Please contact me if you have any questions or concerns.

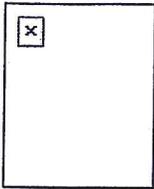
Sincerely,



Tom Apple

Attachments:

- Warren County Parks, Recreation & Railroad Facility Event Fact Sheet, completed and signed
- Map, based on Warren County GIS; requested site and dimensions indicated
- Letter from U.S. Department of Treasury, IRS Acknowledgment of section 501(c)(3) status
- Sample Certificate of Liability Insurance [date specific proof, etc., will be provided to the specifications required by Warren County]
- Participation waivers: Consent to Participate and Release Liability, Minor's Consent to Participate
- Policies of the East Kingdom Captain-General of Archers, appropriate sections indicated
- Signed letter of consent from each neighboring property owner, William D. Oehler and Mark K. Brown
- A Guide to Introduce Our Organization to Site Owners and Managers for Potential Use of Facilities by the SCA



The Society for Creative Anachronism, Inc.
Shire of Glenn Linn

www.glennlinn.eastkingdom.org
Jonathan R. Bushey, President – 12A Chelsea Way, Glens Falls, NY 12801 – 518-598-3769
seneschal@glennlinn.eastkingdom.org

Permit Requested:

1. What: Reserve, for exclusive use, a portion of Warren County property for archery practice
2. Who: SCA Inc., Shire of Glenn Linn, 6-10 archers average/18 archers maximum per practice
3. When: Most Sunday afternoons, 12:00 noon to 4 PM, from May 5 through October 27, 2013, and their equivalent weekend Sundays for the subsequent years.
4. Where: The front half of the open field in front of, and downhill from, the Cooperative Extension buildings on the northwest side of Schroon River Road, across from the county fairgrounds.

About the applicant:

The Shire of Glenn Linn (a chapter of SCA, Inc.) is an incorporated (Section 501(c)(3)) not-for-profit educational organization

Official contacts:

- Jonathan R. Bushey, Chapter President; SCA, Inc., Shire of Glenn Linn
- Thomas D. Apple, Deputy Regional Archery Safety Officer; Glenn Linn Archery Safety Officer

Individuals consulted:

- Jeff Tennyson, Commissioner, Warren County Department of Public Works
- Paul Butler, Warren County Department of Parks, Recreation and Railroad
- John Bowe, Cooperative Extension for Warren/Washington/Saratoga counties
- Louis Gerrin, DEC Enforcement Officer
- Kevin Geraghty, Warrensburg Town Supervisor

Written consent obtained:

- Mark K. Brown; owner, adjacent-property
- Jim Lieberum, District Manager; Warren County Soil & Water Conservation District
- William D. Oehler, owner, adjacent-property
- Deanna Park, director; Countryside Adult Home
- Dr. James A. Seeley, Executive Director; Cornell Cooperative Extension; as per John F. Bowe

Benefit to Warren County:

- Family and community focused
- Educational through participation
- The public is invited to take part in all of our practices, activities, and events

Please note: Our organization offers to conduct or share free workshop services to all community organizations such as the 4-H, Boy Scouts, Girls Scouts, church groups, mens and womens clubs, etc.

Archery equipment used:

Only medieval-style longbows, recurves, and light crossbows; wood arrows with field points.
Compound bows, modern crossbows, and the use of hunting tips are not allowed.

Safety criteria, range and field layout (also see "Policies" attachment):

- All safety zones must be large and clearly marked

– The ground must be safe to walk across

– Sample range:

One to 20 targets (usually 3-5 targets), with the furthest set at 40 yards.

Shooting area, 8 yards wide X 40 yards deep;

Combined shooting area and safety zone, 143 yards wide X 80 yards deep)

Safety criteria, equipment:

- Each archer must obey the safety rules and be able to safely use his/her bow.
- Each bow must be clearly marked with “draw weight”
- Bows and arrows must pass safety inspections
- Additional inspection may be required at any time

Insurance liability:

Full liability coverage; 1-million/individual, 2-million aggregate

A signed waiver is required at each practice for each adult and child

Children under age 18 must bring parent to also sign

Children under age 14 must remain accompanied by parent at all times

Safety marshals:

- Oversee the shooting line, the field and safety zones, and all adjacent terrain.
- May exceed and enforce the safety standards as needed.
- At least one SCA trained and warranted marshal – we usually have two or more

Appeal for fee waiver:

1. Under federal and state laws, require our income to be spent on program and activities.
2. Our organization is “all volunteer.”
3. Public participation is welcome, and invited.
4. There are no dues.
5. All practices and workshops, and most events, are free.
6. We offer free educational demonstrations and workshops for schools, church and community groups, youth clubs, and other organizations.

Unfortunately, this means we are unable to afford the county's regular permit use fees, which we understand is \$150 per day for each of the 17 days requested.

Currently, we are allowed to offer a donation up to \$300 – however, we would deeply appreciate it if were possible that the fees could be waived for these practices.

Proposed Archery Practice Area

MAP LEGEND

- A** Archers shooting line (six stations, 4 ft. each) 8 yds wide
- B** Target area 8 yds wide X 40 yds deep
- C** Safety zone 143 yds wide X 80 yds deep
- D** Back line of safety zone 80 yds (240 ft.)
- E** Typical longest possible shot for experienced archers 125 yds (375 ft.)
- F** Private property line; Mark K. Brown, owner; consent obtained 240 yds (720 ft.)
- G** Private property; William D. Oehler, owner; consent obtained 107 yds (320 ft.)
- H** Parking area for participants and observers; accessed via gate entrance from Schroon River Road 100 ft. X 200 ft.



RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

**Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.*

DEPARTMENT NAME: Parks, Recreation & Railroad

DATE: 3/26/13

- (a) Purpose of Request: Resolution to accept the donation of a tree and plaque in memory of Pat Steele. The tree will be planted at Up Yonda .

- (b) Details: The donation will be made by Emily Mosher, President of SUNY Adirondack Culinary Club, and other students in the Culinary Arts program at the Adirondack Community College.

- (c) Previous Resolution Number:

Dear Up Yonda Farm,

3/4/13

First of let me say thank you for listening to our idea about a memorial tree in honor of Patricia Steele. Pat was the wife of our Director of the SUNY Adirondack Culinary Arts program. As a Culinary division we just moved into a new facility about a year ago. Pat was not only there to support her husband but the students as well. She did all she could do to help set up the building to make sure it was a great building for the students, staff and customers. She would call the building and always had the sweetest words to say. Her tone was cheery and it was as if you could see her smile through the phone. Chef Bill Steele (her husband) would also share many stories of their life. Pat was a wonderful person and her passing touched many hearts at the Culinary Facility.

As far as the memorial tree, we as a School are taking donations for the tree and plaque. We are looking to plant the tree in mid-April when the ground will become ready. We are not 100% of the tree that will be planted as far as the species (were thinking Apple) but are more than happy and willing to take suggestions. The Plaque is a 12x8" stone plaque that is 2" deep. It weighs 21lbs. It will state the following

IN LOVING MEMORY OF PAT STEELE

Dec. 19, 1949-Feb. 27, 2013

"Don't be ashamed to weep; 'tis right to grieve. Tears are only water, and flowers, trees, and fruit cannot grow without water. But there must be sunlight also. A wounded heart will heal in time, and when it does, the memory and love of our lost ones is sealed inside to comfort us."

— Brian Jacques, *Taggerung*

I am unable to tell you how many people will be present in the planting of the tree but if I had to guess I would say no more than 25 people including Chef Bill, and their children. We want this to be a small "ceremony" and show our support for Pats family. We are more than happy to plant the tree and place the stone (with any guidance/ direction Up Yonda would like to provide.) We will transport the tree and stone to Up Yonda Farm.

Again I say Thank you for looking into this for us and helping us with a memorial for a fantastic lady!

~Sincerely

Emily S. Mosher, President of SUNY Adirondack Culinary Club.

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

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Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Parks, Recreation & Railroad

DATE: 3/26/13

- (a) Purpose of Request: Authorizing BOS recognition of the generous donations to UpYonda Farm by the friends and family of Pat Steele.

- (b) Details: Donations totaling \$510.00 were made to Up Yonda Farm in memory of Pat Steele. Contact information will be provided to the Clerk of the Board .

- (c) Previous Resolution Number:

Donations made to Up Yonda Farm in Memory of Pat Steele

Amount Paid	Name	Address
\$25.00	Greater Oswego-Fulton Chamber of Commerce	44 E. Bridge Street Oswego, NY 13126
\$25.00	Sara Cutshall King	693 County Route 49 Cossayuna, NY 12823
\$25.00	Cindy Stoner	15 Lester Drive Queensbury, NY 12804
\$10.00	Alexis Clayton Bennett	2 Sgt Weidemann St. Unit 1 Newport, RI 02840
\$25.00	Faculty-Student Assoc of SUNY ADK Inc.	612 Bay Road Queensbury, NY 12804
\$100.00	Susan B. Kryger	8607 Village Terrace Houston, TX 77040
\$50.00	American Culinary Federation GF Chapter (John Winnek, President)	68 Baker Drive Gansevoort, NY 12831
\$50.00	Ronald and Sally Briggs	49 Bardin Drive Queensbury, NY 12804
\$50.00	Linda Bennett	PO Box 601 Bolton Landing, NY 12814
\$50.00	Wolfgang Neuffer	39 South Farm Road Bolton Landing, NY 12814
\$100.00	Mark and Heidi Hess	PO Box 133 Bolton Landing, NY 12814
\$510.00	Total	

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: Parks, Recreation & Railroad

DATE: 3/26/13

- (a) Is this a Result of a Bid or Request for Proposal? No
- (b) Purpose of Contract: Resolution authorizing an agreement between County of Warren and the Kingsbury Barnstormers Snowmobile Club, Inc. for the pass through of NYS Snowmobile Grant in Aid Program Funds. Reso. 145/03, 654/07
- (c) Name of Contractor: Kingsbury Barnstormers Snowmobile Club, Inc.
- (d) Address of Contractor: P.O. Box 121, Hudson Falls, NY 12839
- (e) Contractor's Contact Person and Telephone Number: Rob Brileya, 747-6987
Club President
- (f) Has or will the Contract be provided, if so, please attach: NO
- (g) Commencement Date of Contract: Upon Execution
- (h) Termination Date of Contract: Annually Renewed w/o further resolution
- (i) Payment Provisions: i) _____
ii) Hourly rate amount
iii) Total amount not to exceed
iv) How will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.) _____
- (j) Where are the Funds for this Contract? List Budget Code, (with title), Object Code (with title), and Amount: OR Capital Project OR Capital Reserve Project Number, and Title, and Amount:

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Parks, Recreation & Railroad

DATE: 3/26/13

- (a) Purpose of Request: Amend resolution 229/2010 by adding the Kingsbury Barnstormers Snowmobile Club, Hudson Falls, NY. The resolution allows for automatically amending the budget when Warren County is in receipt of the NYS Parks Snowmobile Grant - in -Aid funding and also being able to remit payment to the snowmobile clubs.

- (b) Details: Kingsbury Barnstormers Snowmobile Club, P.O. Box 121, Hudson Falls, NY, 12839. President : Rob Brileya, 518- 747-6987

- (c) Previous Resolution Number: 229/2010

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Parks and Recreation

DATE: 3/26/13

- (a) Purpose of Request: To authorize Chairman to sign and acknowledge agreement between New York State Department of Transportation (NYSDOT) and Saratoga North Creek Railroad (SNCR) associated with bridge repair work.

- (b) Details: NYSDOT will be performing Bridge repair work, PIN 1223.16; BIN No. 1-05366-0, Route 28N over Saratoga & North Creek Railway railroad tracks; SH 5185 & 736; (Concrete Bridge Piers Repair and Bridge Painting of Structural Steel) in the Town of Johnsburg and Chester, Warren County, NY and will need to enter into agreement with SNCR. SNCR will need to assist NYSDOT (flagging, inspection, etc.) in and around the tracks during train operations. As part of the agreement between NYSDOT and SNCR, DOT requests formal acknowledgement of the project by the owner

- (c) Previous Resolution Number: NA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.nysdot.gov

JOAN McDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

March 18, 2013

Mr. Jack Kilgallon, Roadmaster - Riparius
Saratoga & North Creek Railway
464 Riverside Station Road
Riparius, NY 12862

Re: PIN 1223.16; BIN No. 1-05366-0, Route 28N over Saratoga & North Creek Railway railroad tracks; SH 5185 & 736; Concrete Bridge Piers Repair and Bridge Painting of Structural Steel in the Towns of Johnsburg and Chester, Warren County, NY.

Dear Mr. Kilgallon:

The State of New York anticipates letting a contract for the project noted above. At the location identified above with the BIN number, the bridge carries a NY State Highway over the Saratoga & North Creek Railway (S&NCR) railroad tracks. In connection with this contract, DOT proposes to perform bridge rehabilitation including concrete piers repair and bridge painting over S&NCR railroad tracks. No construction of new permanent facilities is planned and no impact on the rail traffic is expected while the work is performed. It is estimated that it would take up to 90 working days to complete this job.

As such, it is necessary for DOT and S&NCR to enter into a State-Railroad Agreement to provide Railroad Force Account Services necessary to advance the project. DOT anticipates the project will be let on **April 2013** and the project work will begin in **June 2013** and is expected to be completed by **October 2015**. The department does not anticipate the Contractor's schedule will include night work. The following conditions will be met during project operations:

- (1) The Contractor will submit their method of operations for S&NCR's approval.
- (2) S&NCR property will not be used as a storage or staging area.
- (3) The project will not affect S&NCR's tracks.

S&NCR's cost of providing preliminary and field engineering, inspection, protective flagging services and any other expenses incurred by S&NCR relative to this project will be fully reimbursed by the State of New York under the terms of a State-Railroad Agreement. Enclosed for your review and execution are three original versions of a proposed Agreement between the State of New York and S&NCR. If the terms are acceptable, please:

- (1) prepare an itemized estimate of projected costs.
- (2) enter the amount of the estimate on pages 2 & 5.
- (3) enter the date of the estimate on page 5.
- (4) sign and notarize all three copies (please be reminded that the signature of the S&NCR official signing for the railroad must be notarized by a public notary holding a current commission).

(5) return the agreements along with the estimate to me at your earliest convenience.

Also enclosed, please find a blank Railroad Data sheet for this project. The railroad data information is necessary in order for our contractor to plan his construction operations and to procure the required liability insurance. The completed form will be included as part of the contract bid documents. Please complete the form and return to me at your earliest convenience.

If you have any questions, please call Arvind K. Salgam at (518) 457-9773 or me at (518) 485-8960.

Thank you for your cooperation.

Sincerely,



Michael A. Mariotti, P.E. 
Rail Agreement Section

MAM/aks
Enc.

E. Macri, Project Designer, R-1

Project File

AGREEMENT NUMBER _____

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

AGREEMENT FOR ENTRY UPON LANDS OWNED BY WARREN COUNTY, NY

AND OPERATED BY SARATOGA & NORTH CREEK RAILWAY

AND

FOR CHANGES OF FACILITIES

This Agreement made this 18th day of March, 2013, by and between: **The People of The State of New York** (hereinafter called "STATE"), acting by and through the Commissioner of Transportation (hereinafter called "COMMISSIONER"), whose office is the Department of Transportation Administration and Engineering Building, 50 Wolf Road in the Town of Colonie and County of Albany and State of New York; and **Warren County, NY** (hereinafter called "OWNER") and the operator '**Saratoga & North Creek Railway**', a corporation organized under and existing by virtue of the laws of the State of New York and having its general office at: P.O. Box 105, North Creek, NY 12853.

WHEREAS, the railroad property that is the subject of this agreement is included among the property being owned and operated by the OWNER.

WHEREAS, the STATE, in accordance with the Highway Law, will prepare plans and specifications for the project: **PIN 1223.16; BIN No. 1-05366-0, Route 28N over Saratoga & North Creek Railway railroad tracks; SH 5185 & 736; Concrete Bridge Piers Repair and Bridge Painting of Structural Steel in the Towns of Johnsburg and Chester, Warren County, NY.** (hereinafter called "PROJECT"), and has acquired or will acquire the necessary lands and easements therefore and intends to let a contract for the work outlined therein and will supervise the work performed under such contract, and

WHEREAS, the PROJECT will be carried across the aforesaid right-of-way of the OWNER in accordance with the aforesaid plans and specifications which have been heretofore approved by the OWNER, and the STATE has requested the OWNER to consent to the entry upon such lands and also to perform certain work hereinafter generally described, for the accommodation of such construction primarily.

NOW, THEREFORE, in consideration of the benefits moving to each of the parties hereto, they do mutually agree as follows:

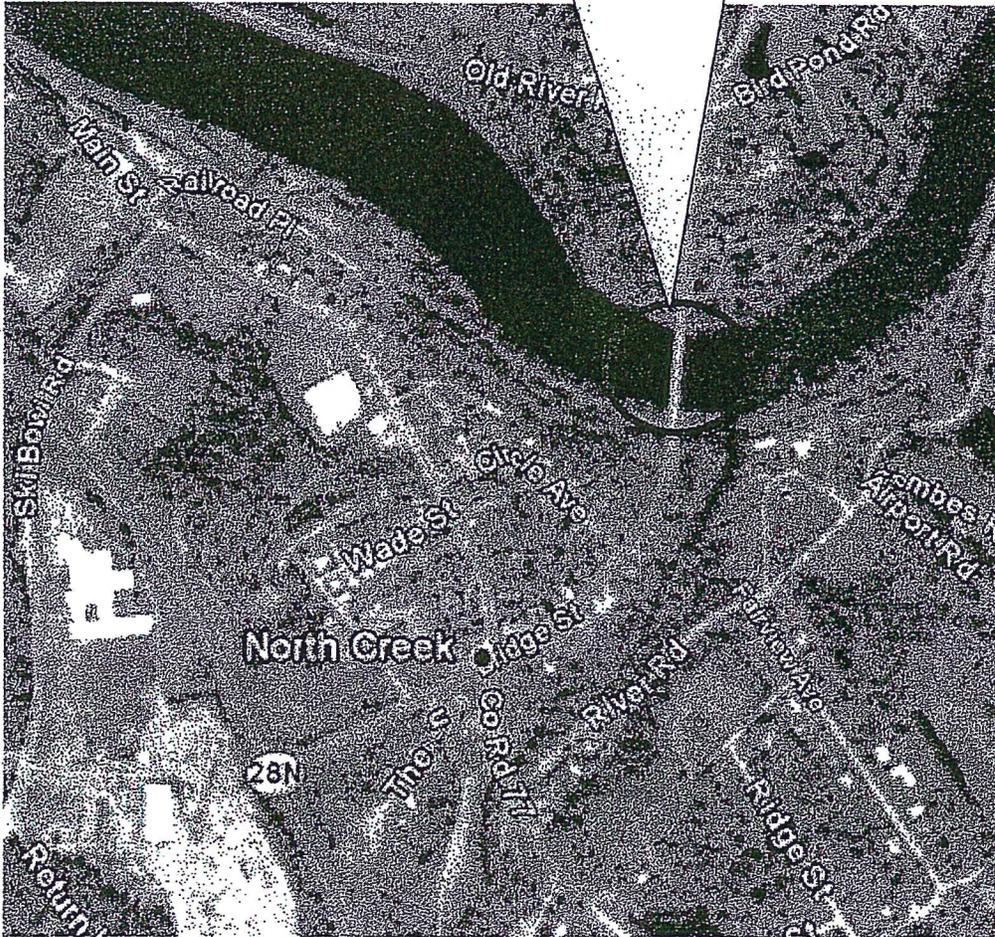
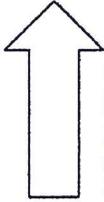
ARTICLE 1. CONSENT TO ENTRY UPON LANDS. The OWNER does hereby authorize and consent to the entry by the STATE, its representatives and contractors, upon the OWNER's lands and premises shown on the plans referred to above for the purpose of performing all necessary work in connection with the construction of the PROJECT by the STATE and described in said plans and specifications heretofore mentioned, which plans and specifications are hereby made a part of this Agreement by reference. This consent to enter shall be coterminous with the aforementioned highway contract.

ARTICLE 2. CONTRACT WORK. The STATE agrees that the construction shall be carried on with due regard to the protection and maintenance of the property, traffic and operations of the OWNER, and in such a manner as to cause no damage to, or unreasonable interference with such traffic or operations.

ARTICLE 3. DESCRIPTION OF WORK. The OWNER agrees to make necessary changes in its railroad and railroad facilities to the extent required for the construction of the PROJECT and to construct and provide such additional facilities as may be needed in connection with the maintenance and protection of railroad traffic during such changes in its railroad and the construction of said PROJECT. The OWNER further agrees to coordinate its said work with that of the Contractor of the STATE and to cooperate with said Contractor.

BIN: 1-05366-0
Route 28N over Hudson River and Upper Hudson
River Rail Road
SH 5185 and 736
Towns of Johnsburg and Chester
Warren County
Length = 454 ft
From RM 28N17031041 to RM 28N17031043

NORTH



AERIAL PROJECT PHOTO