

Authorizing The Issuance Of An Operating Permit To Catskill Mountain Railroad Company Inc. For Use Of The Eastern Segment Of The Ulster And Delaware Railroad Corridor For Tourism Railroad Operations With Revenues To Exceed \$50,000.00 – Department Of Public Works

Referred to: The Public Works, Capital Projects and Transportation Committee (Chairwoman Petit and Legislators Erner, Fabiano, Litts, and Nolan), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Criswell, Roberts, and Ronk)

Chairwoman of the Public Works, Capital Projects and Transportation Committee, Laura Petit, and Deputy Chair Dean J. Fabiano offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of the Public Works; and

WHEREAS, Ulster County owns approximately 38.6-miles of the Ulster & Delaware Railroad Corridor (“U&D Corridor”) running from the City of Kingston to the County border at Highmount in the Town of Shandaken; and

WHEREAS, the Ulster County Legislature adopted Resolution No. 488 dated December 15, 2015 which delineated two segments of the U&D Corridor for future tourist rail operations, and required the County to release a Request for Proposals (“RFP”) within ninety (90) days of the effective date of the Resolution; and

WHEREAS, pursuant to the above-mentioned Legislative policy, the Purchasing Department released UC16- 033: Tourist Railroad Operator(s) for Ulster & Delaware Railroad and the Catskill Mountain Railroad Company, Inc. (“CMRR”) was the selected operator and was issued a five (5) year permit for the Eastern Segment of the U&D Corridor, which extends approximately 4.5 miles from the eastern end of Kingston Plaza in the City of Kingston to Route 28A in the Town of Ulster (“Eastern Segment”); and

WHEREAS, pursuant to Resolution No. 609 of 2021 such permit was extended to December 31, 2023; and

WHEREAS, the Ulster County Purchasing Department released a Request for Proposals (“RFP”) for Tourist Railroad Operations UC23-042 and CMRR was the selected operator for the Eastern Segment; and

WHEREAS, Ulster County desires to issue a permit for tourist railroad operations to CMRR for a period of 5 years as provided for the RFP; now, therefore be it

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RESOLVED, that the Commissioner of Public Works is hereby authorized to issue a permit to CMRR for the Eastern Segment of the Ulster and Delaware Railroad Corridor as on file with the Clerk of the Legislature and any amendments thereto as recommended by the County Attorney with concurrence with Legislative Counsel along with any forms, certificates, assurances, applications or material necessary to be provided by CMRR to effectuate the foregoing; and, be it further

RESOLVED, the Ulster County Legislature has determined that the issuance of a permit substantially similar to that currently in place for the Eastern Segment is a Type II action under NYCRR Part 617 (SEQRA) and no further consideration under SEQRA is required,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Public Works, Capital Projects and Transportation with permit as amended on November 1, 2023

Passed Committee: Ways and Means on November 8, 2023

FINANCIAL IMPACT:

REVENUE ANTICIPATED TO EXCEED \$50,000.00 – 2024 REVENUE DOLLARS

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 14th Day of November in the year Two Thousand Twenty-Three, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 17th Day of November in the year Two Thousand Twenty-Three.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
17 Day of November 2023.

Approved by the County Executive this
27th Day of November 2023.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Jen Metzger
Jen Metzger, County Executive