

Public Works and Capital Projects Committee Meeting Minutes

DATE & TIME: September 4, 2019 – 6:00 PM
LOCATION: COB, 6th Floor, K. L. Binder Library
PRESIDING OFFICER: Chair Laura Petit
LEGISLATIVE STAFF: Nettie Tomshaw
PRESENT: Legislators Fabiano, Greene, Litts
ABSENT: Legislator Nolan
QUORUM PRESENT: Yes

OTHER ATTENDEES: DPW Commissioner Tom Jackson, SUNY Ulster Dean of Admin. Jamie Capuano, Deputy Dir. Planning Chris White, Dept. Environment Coordinator Amanda LaValle, Woodstock Conservancy & Friends of Catskill Mtn. Rail Trail Kevin Smith, CMRR David Hilliard

Chair Petit called the meeting to order at 6:00 PM.
Pledge of Allegiance to the Flag.

Motion No. 1: Moved to Approve the Minutes of the August 7, 2019
Motion By: Legislator Litts
Motion Seconded By: Legislator Greene
Discussion: None
Voting In Favor: Legislators Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Minutes **APPROVED**

Resolutions for the September 17, 2019 Session of the Legislature

Resolution No. 375: Declaring Ulster County A Pollinator Friendly Municipality And Promoting Landscape Maintenance and Practices To Attract And Sustain Pollinator Species

Resolution Summary: This resolution declares Ulster County as a pollinator friendly municipality.

Motion No. 2: **Motion to Discuss & Amend Resolution No. 375**
Motion By: Legislator Greene
Motion Seconded By: Legislator Litts

Discussion:

Upon Legislator Litts recommendation, the committee amended the resolution adding a Whereas; Pollinators are critical to Ulster County's agriculture, and

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution **ADOPTED**

Motion No. 3: **Motion to ADOPT Resolution No. 375 As Amended**
Motion By: Legislator Litts
Motion Seconded By: Legislator Fabiano
Voting In Favor: Legislator Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 384: Amending The 2019 – 2024 Capital Improvement Program To Establish Capital Project No. 548 – Department Of Social Services Basement Restoration, And Amending The 2019 Capital Fund Budget – Department Of Public Works

Resolution Summary: This resolution amends the 2019-2024 Capital Improvement Program establishing Capital Project No. 548 for DSS Social Services basement restoration and amending the 2019 Capital Fund Budget. \$31K, A Bond Resolution Will Be Required.

Motion No. 4: **Motion to Discuss & ADOPT Resolution No. 384**
Motion By: Legislator Greene
Motion Seconded By: Legislator Fabiano

Discussion:

Commissioner Jackson provided an overview noting the basement offices where water has infiltrated has been vacated, however the conference rooms are being used under the monitoring of the Safety Department for mold etc. Mitigation of watering entering the basement was repaired in 2004 however the leak returned and has become worse – possibly due to a high-water table in the area. The area encompasses 4000-5000 SF of useful office space. Chair Petit confirmed the existing well piezometer functionality will be evaluated and replaced if necessary. The contractor is Tectonic Engineering & Surveying Consultants P.C. and agreement comes in under \$50K.

Voting In Favor: Legislator Petit, Fabiano, Greene
Voting Against: None
Votes in Favor: 3
Abstention: 1 (Litts)
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 387: Approving The Execution Of A Work Order With The Dormitory Authority Of The State Of New York (DASNY) To Provide Design And Construction Management Services Related To Capital Project No. 486 – Window Replacement Project – Amending Capital Project No. 486 – Window Replacement Project For Jacob Hardenbergh Hall – Amending The Capital Fund Budget – SUNY Ulster

Resolution Summary: This resolution approves the execution of a work order with the Dormitory Authority of the State of New York (DASNY) for design and construction mgmt. services related to Capital Project No. 486 for the replacement of windows for Jacob Hardenbergh Hall, amending the Capital Fund Budget – SUNY Ulster. \$452K 50% reimbursable from DASNY. A Bond Resolution Will Be Required.

Motion No. 5: **Motion to Discuss & ADOPT Resolution No. 387**
Motion By: Legislator Greene
Motion Seconded By: Legislator Litts

Discussion:

SUNY Ulster Jamie Capuano provided an overview noting the advancement of Phase 2 to include all window replacement for Hardenbergh Hall, fully executing the removal of PCB's and asbestos – closing the building down for one full summer instead of two. Last window replacement was in the 1960's. Chair Petit confirmed classes will be relocated to other areas on campus during construction.

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 389: Authorizing The Chair Of The Ulster County Legislature To Execute A Grant Agreement With The Community Foundations Of The Hudson Valley For The Ulster County Midtown Linear Park Project – Department Of Planning

Resolution Summary: This resolution authorizes the Chair of the UC Legislature to execute a grant agreement with Community Foundations of the Hudson Valley for the UC Midtown Linear Park project. \$1,000,000.00 additional capital project revenue dollars. 20% County share is covered by the grant going toward the Linear Park and any left over for a future pocket park for children in the old Cornell rail yard. The rail yard has extensive contamination and clean up issues.

Motion No. 6: **Motion to Discuss & ADOPT Resolution No. 389**
Motion By: Legislator Fabiano
Motion Seconded By: Legislator Litts

Discussion:

Deputy Dir. Of Planning Chris White noted the Novo Foundation committed \$1 million dollars through the Community Foundations Of The Hudson Valley a couple years ago. Chair Petit confirmed this funding has not be spent yet – currently in the design phase.

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 390: Amending Capital Project No. 479 To Provide For Additional Engineering And Right-of-Way Incidental Services For The Ulster County Midtown Linear Park (PIN 8761.82) – Department Of Planning

Resolution Summary: This resolution amends Capital Project No. 479 to provide for additional engineering and right-of-way incidental services for the UC Midtown Linear Park. \$32.9K additional capital project revenue dollars.

Motion No. 7: **Motion to Discuss**
Motion By: Legislator Fabiano
Motion Seconded By: Legislator Greene

Discussion:

Chair Petit noted the increased amount on the resolution should read \$32,945.00. Although the resolution is for additional engineering work, Chair Petit shared concerns with both the additional engineering costs and opposes removal of any more track. Chris White provided the committee with an overview of the \$1.5million dollar Federal DOT project which equals to 80% of the funds for the project. The City of Kingston Police Department previously made the request to remove the 200-300 feet of track by I 587 and Colonel Chandler Drive for sight distance, concealment and safety issues. The County agreed to leave in place 800 feet of track for CMRR east of West Brook Lane to continue to utilize, however does not include the 280+ feet of track in question by CMRR by I 587 and Colonel Chandler Drive. All designs must be approved by the DOT. David Hilliard with CMRR provided handouts of the area in question. Discussion ensued Resolution No. 488 of December 2015 vs. the signed UC - CMRR permit. Chris White articulated the need to keep the planning process moving along and was amendable to submitting a letter leaving the 300 ft. of track in place at no additional cost to the County. Legislator Greene and Litts expressed the need to hold a TRAC meeting before voting on this resolution. Legislator Litts expressed the County should determine what the scope of work is, then implement a plan. Committee discussion ensued.

Motion No. 8: **Motion to Postpone 1-Month**

Motion By: Legislator Greene

Motion Seconded By: Legislator Litts

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts

Voting Against: 1 Fabiano

Votes in Favor: 3

Votes Against: 0

Disposition: Resolution **POSTPONED 1-MONTH**

Resolution No. 391: Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Construction Of The Ulster County Midtown Linear Park (PIN 8761.82) – Capital Project No. 479 – Department Of Planning

Resolution Summary: This resolution adopts and issues a negative declaration for the construction of the UC Midtown Linear Park, Capital Project No. 479. Pursuant to SEQRA the UC Legislature determined the project will not require the preparation of a draft environmental impact statement as the project will not have a significant adverse environmental impact.

Motion No. 8: **Motion to Discuss & Postpone Resolution No. 391**

Motion By: Legislator Greene

Motion Seconded By: Legislator Litts

Discussion:

Legislator Litts inquired as to the level of contamination vs. issuing a negative declaration, clarifying the proposed action the County is taking to clean the area. Amenda LaValle discussed the AEF documents attached. Legislator Litts emphasized the need for transparency. Committee discussion ensued. Tim Weidemann, Director of Innovation for the record shared his disappointment holding up a resolution that would clean up decades old contamination in midtown Kingston.

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 3
Votes Against: 1 Fabiano
Disposition: Resolution **POSTPONED 1-MONTH**

Resolution No. 395: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New England Interstate Water Pollution Control Commission (NEIWPCC) To Accept Grant Funds And Amending The 2019 Ulster County Adopted Budget – Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the UC Legislature to execute an agreement with the New England Interstate Water Pollution Control Commission to accept grant funding and amending the 2019 UC budget. This project supports the County's commitment to furthering actions under Pledge Element 7 Action in the NYS Climate Smart Communities program. \$106.6K additional 2019 appropriation dollars.

Motion No. 9: **Motion to Discuss Resolution No. 395**
Motion By: Legislator Greene
Motion Seconded By: Legislator Fabiano

Discussion:

Legislator Litts confirmed with Amanda the proposal for the grant funds are for additional culvert assessment for aquatic passage hydraulic and sizing assessment and infrastructure condition focusing on the lower Esopus watershed and also working with the Towns of Kingston, Woodstock and Saugerties on their town route stream crossings. Legislator Litts noted there is an additional \$50 million dollars available to fix and or replace culverts and asked Amanda LaValle for the in-condition county roads reports be shared with DPW Commissioner Tom Jackson and with the municipalities affording them your available findings.

Chair Petit upon returning confirmed a road street crossing inventory and management plan for Esopus with grant funds from DEC was done and utilizing a private consulting firm.

Motion No. 10: **Motion to ADOPT Resolution No. 395**
Motion By: Legislator Greene
Motion Seconded By: Legislator Litts

Voting In Favor: Legislator Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 3 (Petit not in the room at the time of the vote)
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 396: Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The New York Power Authority (NYPA) For Completion Of A Geothermal Clean Energy Challenge Stage 3 Design Study – Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the UC Legislature to execute an intermunicipal agreement with NY Power Authority for the completion of a geothermal clean energy challenge Stage 3 Design Study. \$79.8K additional 2019 revenue state aid.

Motion No. 11: **Motion to Discuss & ADOPT Resolution No. 396**
Motion By: Legislator Greene
Motion Seconded By: Legislator Fabiano

Discussion:

Amanda LaValle provided an overview to execute an Authorization to Proceed (ATP) for the Geothermal Clean Energy Challenge Stage 3 Geothermal Design and Procurement service/study for a retrofit in the UC Office Building. The County and NYSERDA each will pay 50% of the cost.

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 397: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Department Of Environmental Conservation (NYSDEC) To Accept Grant Funds Under The 2018 Municipal Zero-Emission Vehicle (ZEV) And ZEV Infrastructure Rebate Program – Department Of Public Works

Resolution Summary: This resolution authorizes the Chair of the UC Legislature to execute an agreement with the NYSDEC to accept grant funds under the 2018 municipal zero-emission vehicle ZEV and infrastructure rebate program. \$27.5K additional 2019 revenue dollars.

Motion No. 12: **Motion to Discuss & ADOPT Resolution No. 397**
Motion By: Legislator Greene
Motion Seconded By: Legislator Litts

Discussion:

Tom Jackson confirmed the grant in the amount of \$27.5K is what the County purchased and qualified for reimbursement.

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 398: Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The New York Power Authority (NYPA) For Solar Advisory Services At The Quarryville Site And Declaring Intent To Act As Lead Agency Under SEQRA – Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the UC Legislature to execute an Intermunicipal Agreement with NYPA for solar advisory services at the Quarryville site and declaring the intent to act as lead agency under SEQRA. Financial Impact TBD.

Motion No. 13: **Motion to Discuss & ADOPT Resolution No. 398**
Motion By: Legislator Fabiano
Motion Seconded By: Legislator Litts

Discussion:

Amanda LaValle provided the history leading up to this intermunicipal agreement – now county owned – never transferred to a Sportsman’s Club. Legislator Greene was delighted to hear this area was cleaned up and will be used for energy solar services.

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 399: Amending Resolution No. 160 Of 2019, Establishing Capital Project No. 540 – For The Samsonville Road Culvert In The Town of Rochester (PIN 8762.35) – Bridge NY Program – Authorizing The Chair Of The Ulster County Legislature To Execute Agreements, Certifications Or Reimbursement Requests For Federal Aid On Behalf Of Ulster County With The New York State Department Of Transportation– Department Of Public Works (Highways And Bridges)

Resolution Summary: This resolution amends Resolution No. 160 of 2019, establishing Capital Project No. 540 – for the Samsonville Road Culvert in the Town of Rochester. Professional Services \$10K, Eng. Services \$80K, Materials \$460K, Serial Bond Revenue \$550K.

Motion No. 14: **Motion to Discuss & ADOPT Resolution No. 399**

Motion By: Legislator Litts

Motion Seconded By: Legislator Fabiano

Discussion:

Tom Jackson explained state language was previously omitted from a sample resolution provided to the County which did not contain a clause required for eligibility for reimbursement through the Bridge NY Program. As a required action the verbiage was inserted.

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts

Voting Against: None

Votes in Favor: 4

Votes Against: 0

Disposition: Resolution **ADOPTED**

Resolution No. 400: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Sealcoat USA, Inc. – Department Of Public Works

Resolution Summary: This resolution approves the execution of a contract in excess of \$50K with Sealcoat USA, Inc. for crack sealing for various County roads. 100% County, 10/1/19-3/31/21.

Motion No. 15: **Motion to Discuss & ADOPT Resolution No. 400**

Motion By: Legislator Fabiano

Motion Seconded By: Legislator Litts

Discussion:

Legislator Litts confirmed this is annual/standard crack seal work.

Voting In Favor: Legislator Petit, Fabiano, Greene, Litts

Voting Against: None

Votes in Favor: 4

Votes Against: 0

Disposition: Resolution **ADOPTED**

New/Old Business

Chair Petit will forward to Tom Jackson a draft resolution adopting policy that all or fully renovated/replaced roofs on county buildings shall be engineered for solar. Committee input noted including a feasibility study. The Energy and Environment Committee plan to discuss further.

Legislator Greene noted for the record having Legislative Counsel David Gordon who is an expert on SEQRA provide insight as to how we should move forward regarding Resolution No. 391.

Adjournment

Chairwoman Petit asked if there was any other business, and hearing none;

Motion Made By: Legislator Litts

Motion Seconded By: Legislator Greene

No. of Votes in Favor: 4

No. of Votes Against: 0

TIME: 7:45 PM

Respectfully submitted: Nettie Tomshaw, Legislative Staff

Minutes Approved: September 30, 2019

Midtown Linear park
PIN 8761 82

PRELIMINARY PROPERTIES TO BE ACQUIRED

Map #	Parcel #	Reputed Owner(s)	Deed		Parcel Size ±AC	Area Of Acquisition ±SF	Area Of Acquisition ±AC	Type of Take	% of Take	Cost / Acre	Acquisition Cost	Comments
			Liber	Page								
1	1	Herzog Supply Co	3870	001	46.40	9500	0.22	FE	0.5%	\$ 2,030.00	\$ 442.00	
2	2	Jacob Burthans	168 / Brook R	116 / 210	0.85	36942	0.85	FEE	100.0%	\$ 60,750.00	\$ 51,520.00	
3	3	Edwin W. Budington	151 / 1327	114 / 330	0.06	2740	0.06	FEE	100.0%	\$ 38,000.00	\$ 2,380.00	
4	4	Edwin W. Budington	135	151	0.32	13758	0.32	FEE	100.0%	\$ 38,000.00	\$ 12,001.00	
5	5	Sarah B. Reynolds and Robert R. Rodie	485	434	0.27	11882	0.27	FEE	100.0%	\$ 38,000.00	\$ 10,385.00	
6	6	Village of Kingston	48	15	0.24	10491	0.24	FEE	100.0%	\$ 38,000.00	\$ 9,151.00	
7	7	Peter J. Dolson and heirs	168	105	0.01	589	0.01	FEE	100.0%	\$ 38,000.00	\$ 513.00	
8	8	Margaret Ann Chambers	168	106	0.03	1232	0.03	FEE	100.0%	\$ 38,000.00	\$ 1,074.00	
9	9	John H. Hudler and his 4 heirs	168	103	0.18	7945	0.18	FEE	100.0%	\$ 38,000.00	\$ 6,930.00	
10	10	Harrison Brock	168	102	0.02	888	0.02	FEE	100.0%	\$ 38,000.00	\$ 774.00	
11	11	Estate of Thomas Cornell	168	92	0.10	4428	0.10	FEE	100.0%	\$ 38,000.00	\$ 3,862.00	
12	12	Estate of Thomas Cornell	168	92	0.19	8189	0.19	FEE	100.0%	\$ 60,750.00	\$ 11,420.00	
Total					99.084	2.27					\$ 110,000.00	

**RESOLUTION ADOPTING POLICY THAT ALL NEW OR FULLY
RENOVATED/REPLACED ROOFS ON COUNTY BUILDINGS SHALL BE
ENGINEERED FOR SOLAR**

WHEREAS, Ulster County has been a front runner in Climate Smart Initiatives since 2010, and

WHEREAS, the County Executive has issued a County initiative to follow the Green Plan goals in 2019, and

WHEREAS, as County owned buildings, under the Capital Improvement budget, having old roof systems renovated/replaced, and

WHEREAS, as such new buildings may be erected in the future.

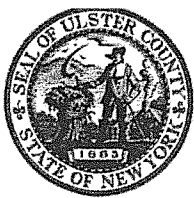
Now therefore be it

RESOLVED, that the County of Ulster as a Green Initiative and Climate Smart leader shall engineer all new, renovated and/or replaced roofs to support solar arrays.

Resolution Adopted Date: _____

Vote: Ayes _____ Nays _____ Abstentions _____

Signed: _____



PATRICK K. RYAN
County Executive

COUNTY OF ULSTER

PLANNING DEPARTMENT

244 Fair Street, PO Box 1800
Kingston, New York 12402
(845) 340-3340

RECEIVED

SEP 05 2019

ULSTER COUNTY LEGISLATURE

DENNIS DOYLE
Director

CHRISTOPHER WHITE
Deputy Director

September 5, 2019

Hon. Laura Petit, Chair
Public Works Committee
PO Box 1800
Kingston, NY 12402

RE: Ulster County Midtown Linear Park
Resolutions No. 390 and 391

Dear Chair Petit:

I am writing to follow-up questions raised at the Public Works Committee meeting yesterday evening. The Committee questioned the proposed removal of approximately three-hundred (300) feet of existing railroad track located immediately westward of the I-587 Underpass in the City of Kingston for the Midtown Linear Park project (the "subject track"). Currently, the preferred design calls for the removal of the subject track to address public safety concerns in the immediate vicinity of this underpass, which has experienced criminal activities, illegal drug use, trespassing and nuisance activities in recent years.

Removing the subject track with the large railroad box cars and other equipment currently parked on it would eliminate a potential area for people to conceal themselves to trail users, improve visibility for trail users at night, and allow better maintenance and lighting of this sensitive location along the proposed trail. This proposed design is consistent with the Legislature's Rail and Trail Policy pursuant to Resolution No. 488 of 2015. The subject track is also not included in the Permit issued to the Catskill Mountain Railroad, which has used the subject track for equipment storage since at least February 2018 in violation of its Tourist Railroad Permit.

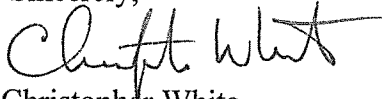
In the interest of moving this project forward in a timely manner, I offered verbally-- and hereby document-- my commitment that if the Legislature as a full body determines that the subject track should be left in place, the Planning Department's engineer will make this minor alteration to the plans for the Midtown Linear Park project. Construction cannot begin until at least spring 2020 and will require additional votes of the Legislature to authorize, so the Legislature would have ample opportunity to examine this matter in more detail and make its determination. I have confirmed with our project engineer that if the Legislature requests this revision from the current proposed design, the effort to complete is minor and would not cost the County any additional funds (please see attached letter from HVEA Engineers).

In light of these concerns being addressed, I would respectfully request that the Public Works Committee reconvene to pass Resolutions No. 390 and 391 so that they may progress to the full Legislature for a vote. As I highlighted, the delay of these resolutions will push back the planned

bidding and construction of the Midtown Linear Park project next year, which is under aggressive time deadlines linked to the \$1.5 million federal Transportation Alternatives Program grant funding awarded to the County.

Thank you for your consideration of this matter.

Sincerely,

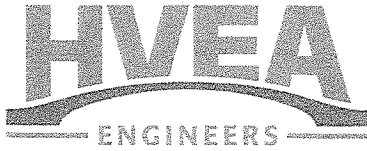
A handwritten signature in black ink, appearing to read "Chris White", with a stylized flourish at the end.

Christopher White

Deputy Director

Project Manager, Midtown Linear Park

Enc/



September 5, 2019

Chris White, Deputy Director
Ulster County Planning Department
244 Fair St
Kingston NY 12401-3806

Re: Kingston Midtown Linear Park

Dear Chris,

Per our conversation, we understand that the limits of existing rail west of Colonel Chandler Drive may remain in place on the Midtown Linear Park project.

If the existing limits of rail are to remain, HVEA considers this change to be minor in nature and will update the project plans accordingly at no additional cost to the County.

Feel free to contact me with any further questions.

Sincerely,

A handwritten signature in black ink, appearing to be "JG", written over a light blue horizontal line.

Jack Gorton, P.E.
Project Manager



Catskill Mountain Railroad Company, Inc.
P. O. Box 1415
Kingston, NY 12401
(845) 332-4854
www.catskillmountainrailroad.com

March 22, 2019

Thomas Jackson
Commissioner
Ulster County Department of Public Works
317 Shamrock Lane
Kingston, NY 12401

RE: Tourist Railroad Permit, Eastern Segment (Kingston Area);

Dear Mr. Jackson,

As you know, a point of contention between the CMRR and the County over the past year has been the CMRR's use of 200 feet of track between the end of its official permit area and Chandler Drive.

As we have explained before, the CMRR desperately needs this space for equipment storage, which we believe is unsafe on the 2% grade west of Route 209. We are looking to buy flat land adjacent to the County right of way for storage elsewhere, but have as of yet not been able to purchase such a property.

On April 16, 2018, the CMRR made a request to extend its permit to cover this additional 200 feet (see attached letter).

In December of 2018, the County constructed the Kingston Midtown Linear Park around the disputed 200 feet of track with no apparent difficulty, giving us a showcase example of Rail with Trail "RTW" in Ulster County (see attached photos). We have also reviewed the design document for the trail, which shows that the proposed trail design can also be easily rerouted around the existing tracks (see attached drawing) without any negative impact to the trail.

Additionally, we have measured the space under Chandler Drive itself (see attached profile), showing the existing RWT could even be extended instead of truncated.

The CMRR requests that the County extend our permit (possibly through a side letter agreement) 200 feet to Chandler Drive in Kingston and that the County incorporate these tracks into the Kingston Linear Park trail design. Doing so can eliminate this issue as a source of friction between the CMRR and the County, and extend an excellent example of where Rail with Trail can work on the U&D Corridor.

Sincerely,

Ernest E. Hunt
President, CMRR

Cc: Hon. Tracey Bartels, Chairman UC Legislature



Current End of Track just west of Chandler Drive. There is no reason to remove any more rail here as the trail has all the room it needs. The CMRR desperately needs the extra 200 feet of track for seasonal storage of rail equipment now that we have lost access to our former yard at Cornell Street.



View of the new Kingston Midtown Linear Park Trail running east besides the CMRR tracks at Westbrook Lane. This is a perfect showcase of where Rail with Trail can work along the U&D Corridor. This Rail with Trail section is only 42 feet wide and occupies only 2/3 of the 66 foot right of way typical in Kingston. This type of Rail with Trail should be extended, not truncated.

AS-BUILT SEALS	ALTERED BIT
NO	NO

AS-BUILT SECTIONS
 DESCRIPTION OF ALTERATIONS

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY, IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL, IS ALTERED. THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

COUNTY: LASTER
 REGION: B

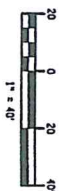
LOCATION: LINCOLN PARK
 PIN: 876142

BRIDGES
 CULVERTS

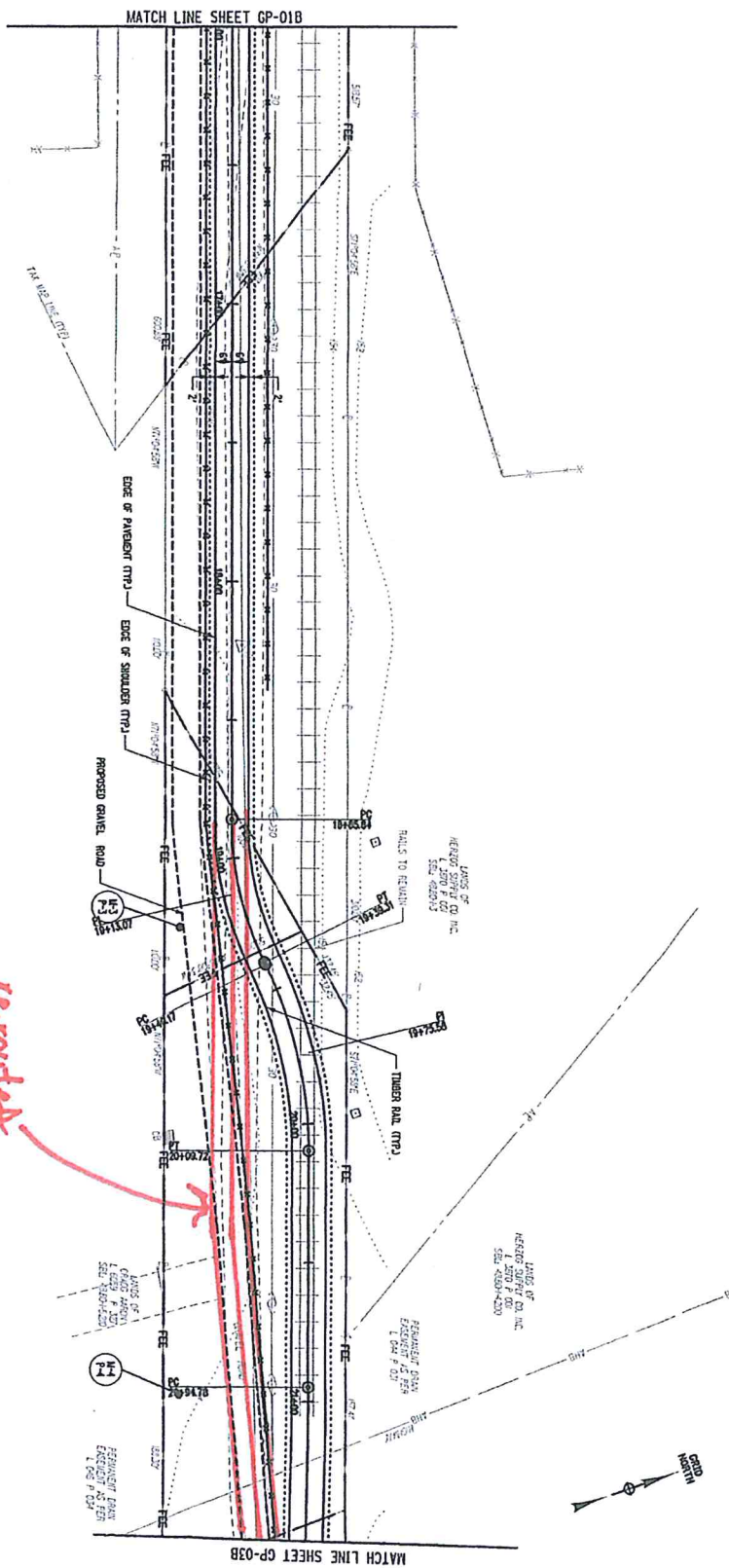
ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED

GENERAL PLAN
 ALTERNATIVE B

CONTRACT NUMBER
 DRAWING NO. GP-008
 SHEET NO.

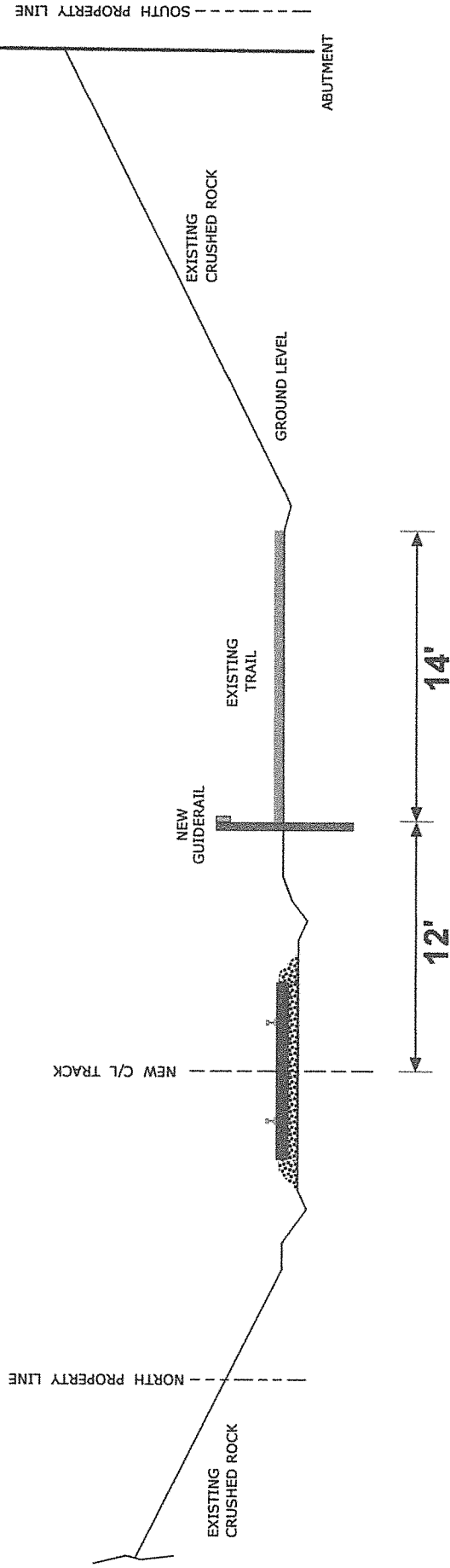


re-routed trail



RAIL WITH TRAIL - COL. CHANDLER DRIVE
 PROPOSED CONFIGURATION
 MARCH 2019

66' Right of Way



Revised		Signature	
No	By	Date	

17 March 2019



KINGSTON
 PROPOSED RAIL WITH TRAIL PROFILE
 COL. CHANDLER DR OVERPASS

Catskill Mountain Railroad
 Company, Inc.
 P.O. Box 1415, Kingston, NY 12401



Catskill Mountain Railroad Company, Inc.
P. O. Box 1415
Kingston, NY 12401
(845) 688-7400
www.catskillmtrailroad.com

April 16, 2018

Thomas Jackson
Commissioner
Ulster County Department of Public Works
317 Shamrock Lane
Kingston, NY 12401

RE: Tourist Railroad Permit, Eastern Segment (Kingston Area); eastern boundary location.

Dear Mr. Jackson,

In light of your letter dated April 12, 2018 part of the violations listed involve the correct location of the eastern boundary of the permit area.

Resolution 488 defines the rail area for the permit to be from the "east end of Kingston Plaza to MP 8.33". The east of Kingston Plaza is about 1000 feet east of Westbrook Lane (see attached resolution and map from the Ulster County Parcel Viewer. Parcels 48.80-1-3 and 48.80-1-4.200 are listed in the parcel viewer as being owned by Herzog Supply Company, Inc, (the owner of Kingston Plaza).

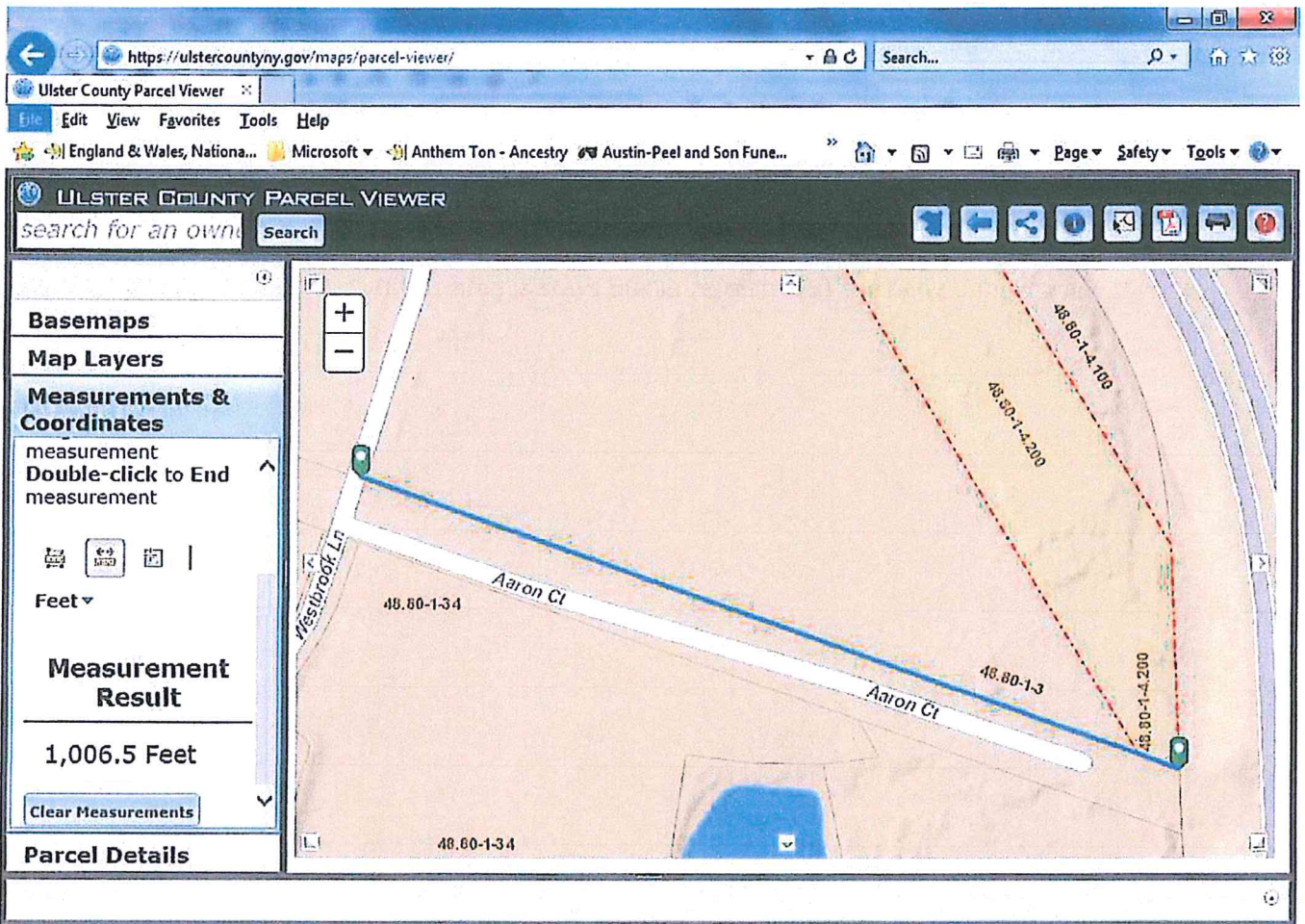
As you know, the permit says the eastern boundary is 800 feet east of Westbrook Lane. However, since this additional 200 feet of track must stay in place to be consistent with Resolution 488, and that it has been subject of dispute between the County and the CMRR (because of the inconsistency between Resolution 488 and the permit), the CMRR asks that the County modify the permit to include this additional 200 feet of track (or allow us to use it by letter from the County) to make the permit consistent with Resolution 488.

If the CMRR and the County come to terms on this matter, the CMRR will mark the track brightly at this location to make sure that no equipment goes east of this mark. I believe if we can come to terms on this boundary, it will greatly assist in reducing any further disputes on this matter in the future between the CMRR and Ulster County.

Sincerely,

Ernest E. Hunt
President, CMRR

Cc: Hon. Ken Ronk, Chairman UC Legislature
Hon. Jim Maloney, Chairman, Ulster County TRAC Committee



**Amending Resolution No. 275 Of 2014, Establishing A Policy For A
"Rail With Trail" Along The County-Owned Ulster And Delaware
Railroad Corridor**

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Richard Parete and Legislators Donaldson, Greene, Roberts and Ronk)

The U&D Corridor Advisory Committee (Chairman Tracey Bartels and Legislators Archer, Belfiglio, Donaldson, Greene, Litts, Maloney, Provenzano and Ronk) offers the following:

WHEREAS, the County of Ulster purchased the 38.6-mile Ulster and Delaware Railroad (U&D) corridor in 1979 to promote economic development through expanded tourism and to provide recreational opportunities; and

WHEREAS, the Ulster County Legislature determined that it was critical to establish a policy for the future uses of the U&D Corridor following the termination of the current lease on May 31, 2016; and

WHEREAS, via adoption of Resolution No. 275 of 2014 the Ulster County Legislature established a policy to support a segmented "rail with trail" plan to convert the U&D corridor to a trail only in the segment between Kingston and Boiceville, and continue operation of a tourism railroad west of the Ashokan Reservoir; and

WHEREAS, Resolution No. 155 of 2015 established the Ulster & Delaware Corridor Advisory Committee for the purposes of conducting a thorough reexamination and study regarding the optimum use of the full U&D Corridor, and to recommend possible modifications to the existing policy to ensure the Corridor would be utilized for the greatest benefit to the residents and tourists of Ulster County; and

WHEREAS, the U&D Corridor Advisory Committee successfully retained the services of an independent consulting firm, Stone Consulting & Design, P.C., to advise the Committee on recommendations for the highest and best use for various segments of the Corridor; and

WHEREAS, the Committee met frequently, completed field visits, interviewed stakeholders, reviewed existing reports and available data, and vetted the recommendations of Stone Consulting; and

WHEREAS, Resolution No. 387 of November 2015 authorized the U&D Corridor Advisory Committee to report its findings to the Legislature before December 31, 2015 and the findings of the Advisory Committee are reported herein; and

Resolution No. 488 December 15, 2015

**Amending Resolution No. 275 Of 2014, Establishing A Policy For A
"Rail With Trail" Along The County-Owned Ulster And Delaware
Railroad Corridor**

WHEREAS, the Committee has determined that the segmented approach to the Corridor, which includes railroad only segments, trail only segments, and rail with trail segments will maximize the public benefits of the Corridor; and

WHEREAS, the Committee recommends several modifications to the established segmented "rail with trail" policy that would help the County realize the maximum benefits from the Corridor and accommodate both railroad and recreational trail uses; now, therefore, be it

RESOLVED, the segmented "rail with trail" policy shall be amended to convert to trail only on the segment between Cornell Street and the east side of the Kingston Plaza to enhance quality of life and improve public health in the City of Kingston, provided sufficient track shall be left to load passengers at Kingston Plaza; and, be it further

RESOLVED, the "rail with trail" policy shall include an increased available railroad segment, co-located with public trail wherever feasible, in the segment from the east end of Kingston Plaza to MP 8.33, which would increase the potential for possible future tourism theme trains without sacrificing trail connectivity from Kingston to the Ashokan Reservoir; and, be it further

RESOLVED, the segment between MP 8.33 and Basin Road will require further investigation on the future feasibility of rail with trail and shall be the last segment to be altered or converted on the east side of the Ashokan provided that trail connectivity co-located on the corridor shall be preserved; and, be it further

RESOLVED, the segment from Basin Road to Route 28A in Boiceville, which includes all of the U&D Corridor within New York City Department of Environmental Protection (NYCDEP) lands, shall be converted to a public recreational trail; and, be it further

RESOLVED, from Route 28A in Boiceville to Bridge Street in Phoenicia shall be designated as railroad segment with a co-located trail where it is found to be feasible; and, be it further

RESOLVED, the segment from Bridge Street in Phoenicia to the Ulster County line in the Town of Shandaken shall be utilized as a recreational trail with a co-location of a possible rail station and rail connection to Delaware County immediately near the County border at Highmount; and, be it further

Resolution No. 488 December 15, 2015

**Amending Resolution No. 275 Of 2014, Establishing A Policy For A
"Rail With Trail" Along The County-Owned Ulster And Delaware
Railroad Corridor**

RESOLVED, within 90 days from the effective date of this Resolution, Ulster County shall release a Request for Proposals ("RFP") for potential tourism railroad operators to begin following the expiration of the current U&D lease on May 31, 2016 for the segments designated as railroad segments pursuant to this policy; and, be it further

RESOLVED, that the Ulster County Legislature requests that the County Executive submit a revised plan outlining projects in compliance with this policy, including secured funding sources to advance planning and design for the segmented rail with trail conversion, as well as on-going maintenance,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Laws and Rules, Governmental Services on December 14, 2015

FINANCIAL IMPACT:
NONE

Resolution No. 488 December 15, 2015

**Amending Resolution No. 275 Of 2014, Establishing A Policy For A
"Rail With Trail" Along The County-Owned Ulster And Delaware
Railroad Corridor**

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 15th Day of December in the year Two Thousand and Fifteen, 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 16th Day of December in the year Two Thousand and Fifteen.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
16th Day of December, 2015.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the County Executive this
22nd Day of December, 2015.

/s/ Michael P. Hein
Michael P. Hein, County Executive



Catskill Mountain Railroad Company, Inc.

Rail with Trail – Kingston Midtown Linear Park

May 2019

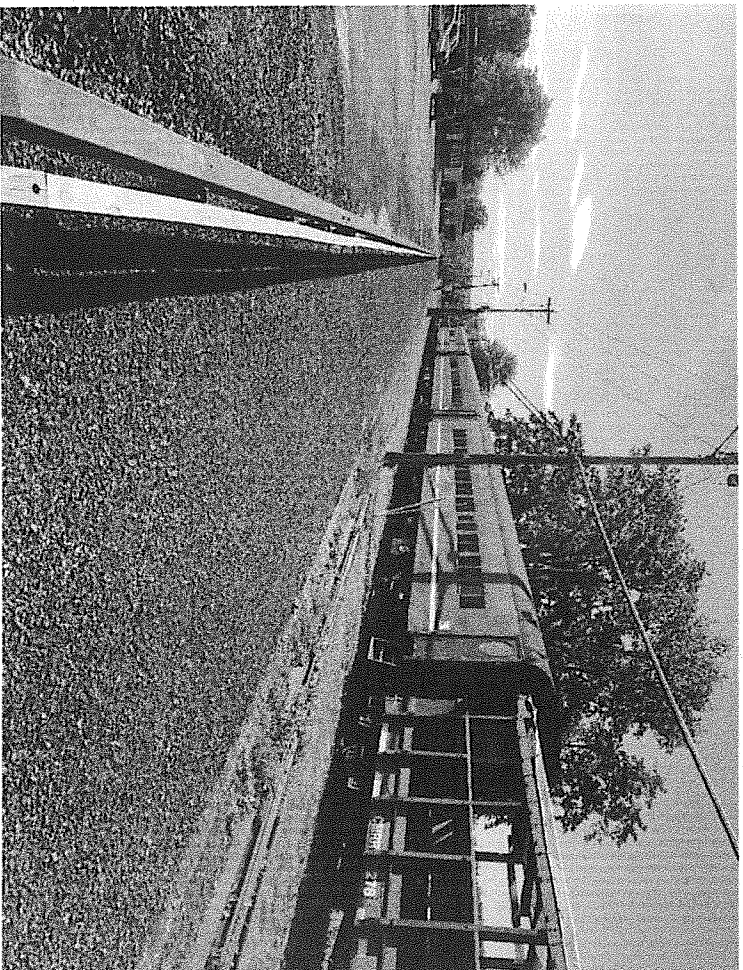
Kingston Linear Park

- CMRR Supports the Kingston Linear Park
- However the CMRR also believes long-term access to the national rail connection at Smith Avenue needs to be preserved.
- Except for the Bridges at Elmendorf Street and Albany Avenue, there is plenty of room for Rail with Trail in this section.
- CMRR believes that with careful planning, the rail corridor can be preserved in this segment until it is needed in the future.
- The remaining rails can be left in place with no interference with the new trail or park at Cornell Street.
- Trail will still be the priority use for this segment. Rail use can be restricted to off-hours.
- 11 Railroad-Only Easements do not need to be purchased.

Westbrook Lane To Chandler Drive

- Kingston Linear Park Trail was constructed in December 2018.
- Since then rail and trail use have been entirely compatible.
- This is the first example of Rail with Trail (RWT) in Ulster County.
- Rail with Trail is only 42 feet wide and does not take up the entire 66 foot corridor.
- This stretch of RWT is a blueprint for future shared rail/trail use.
- To those who said it can't be done – they should come and see it.
- See RWT profile on next slide.

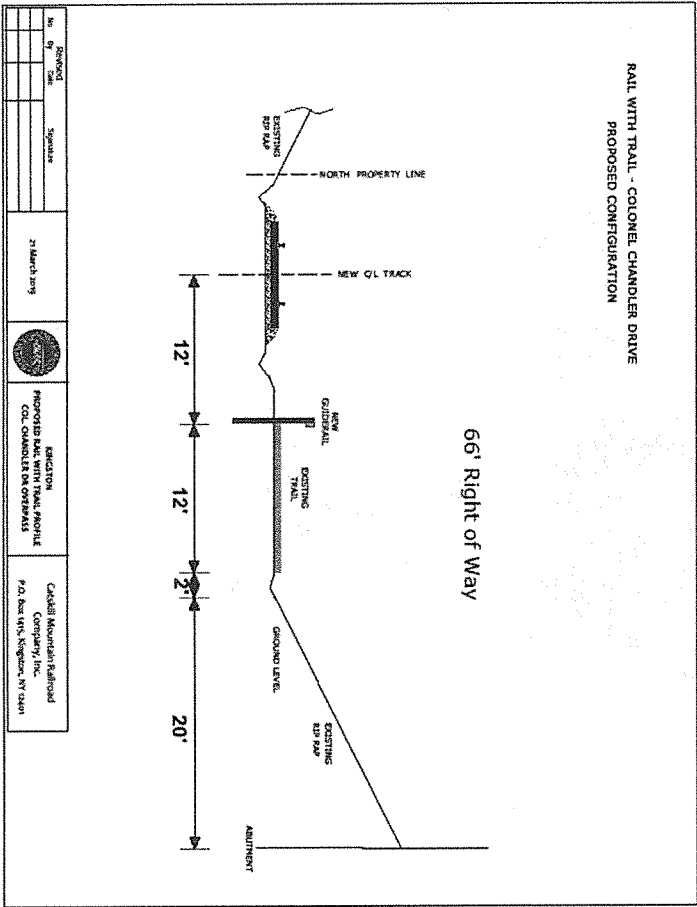
Rail With Trail – Westbrook to Chandler Drive



RWT - Westbrook Lane to Chandler Drive



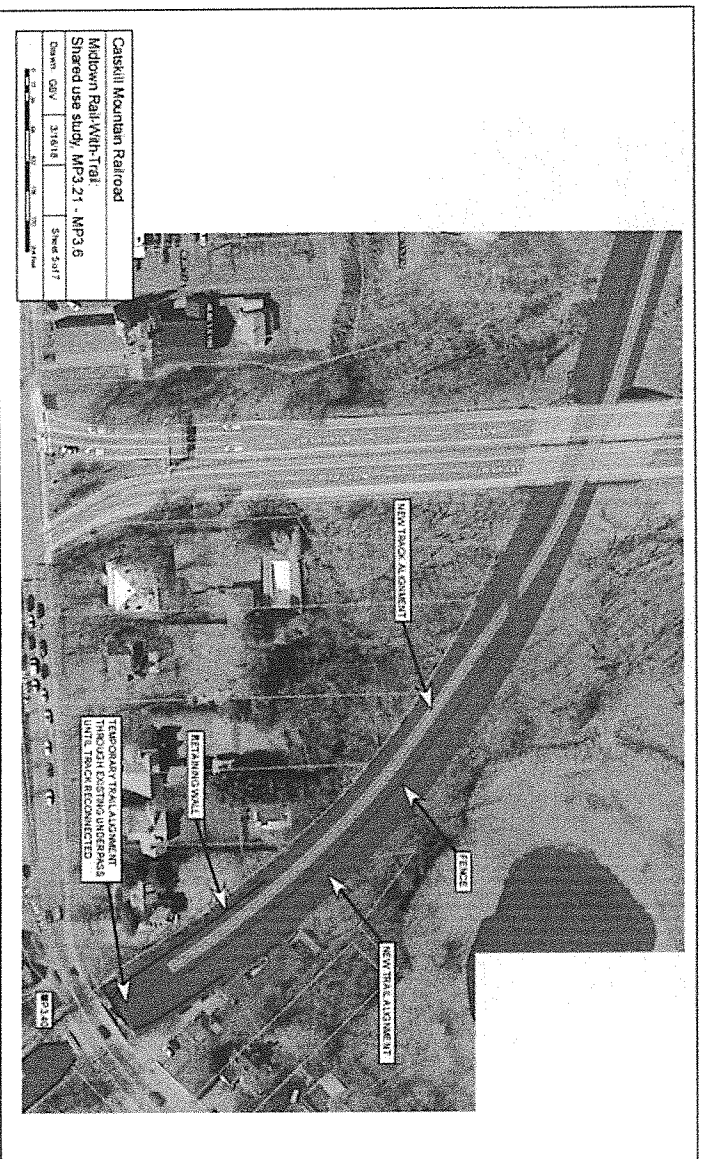
Rail with Trail – Chandler Drive



Chandler Drive



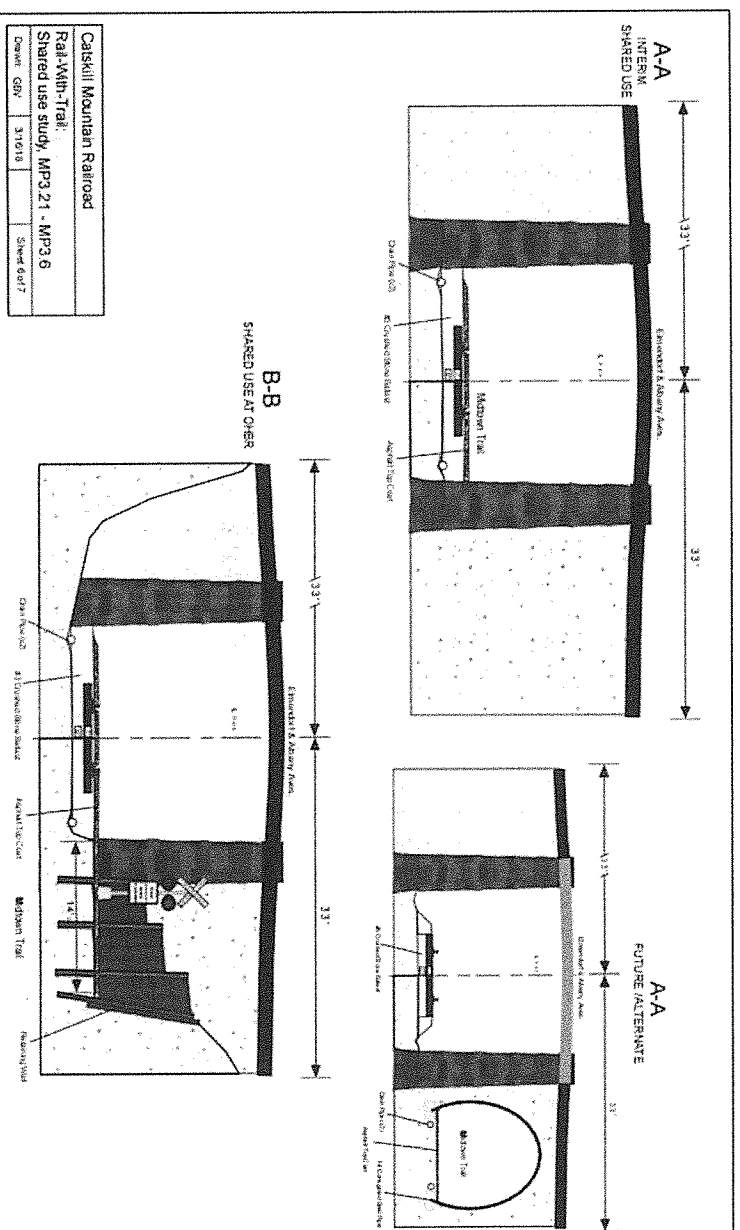
Chandler Drive to Albany Avenue



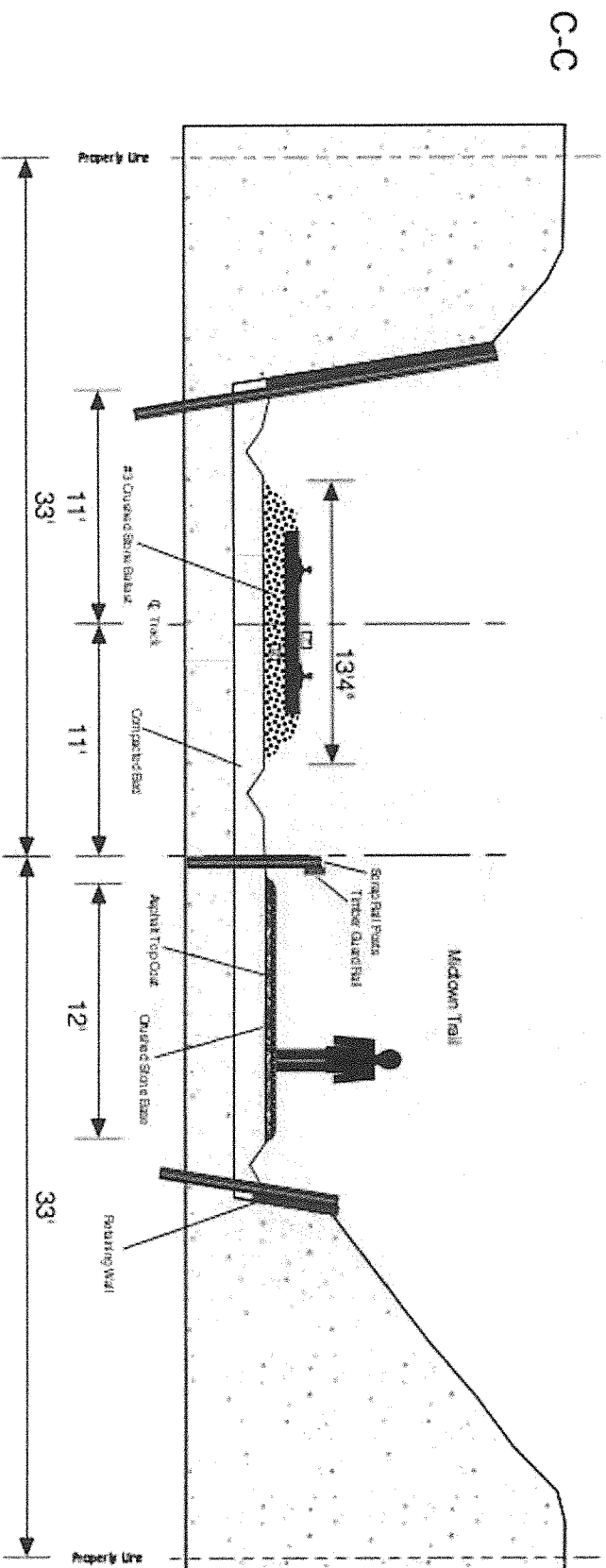
Albany Avenue

- Reconstruction of Rail can wait until bridge is rebuilt and widened.
- If rail use needs to be returned earlier, the ROW can be shared for a short stretch, similar to a grade crossing.
- Potential for trail to run in oversize culvert inserted into bridge approach.

Albany Avenue – Possible Solutions



Albany Avenue to Elmendorf Street

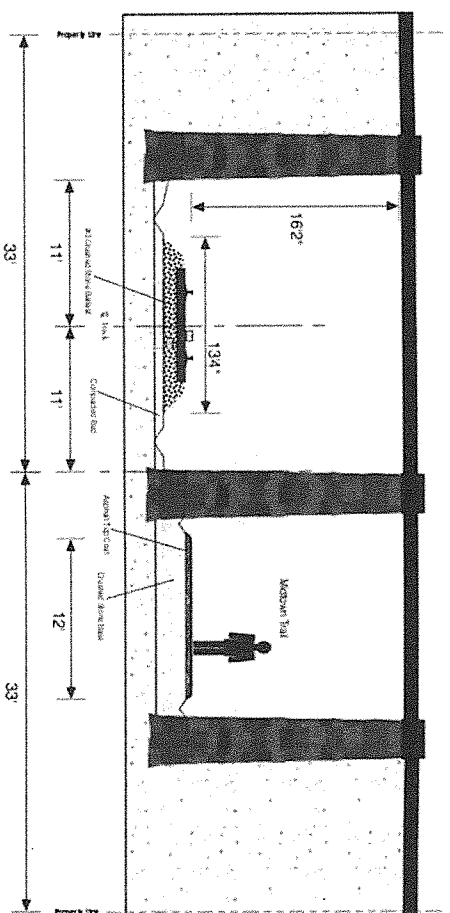


Elmendorf Street

- Reconstruction of Rail can wait until bridge is rebuilt and widened.
- Current bridge is wooden and must be replaced in the near future.
- When rebuilt, the bridge can be widened to accommodate rail with trail.
- If rail use needs to be returned earlier, the ROW can be shared for a short stretch, similar to a grade crossing.
- Potential for trail to run in oversize culvert inserted into bridge approach as per Albany Avenue.

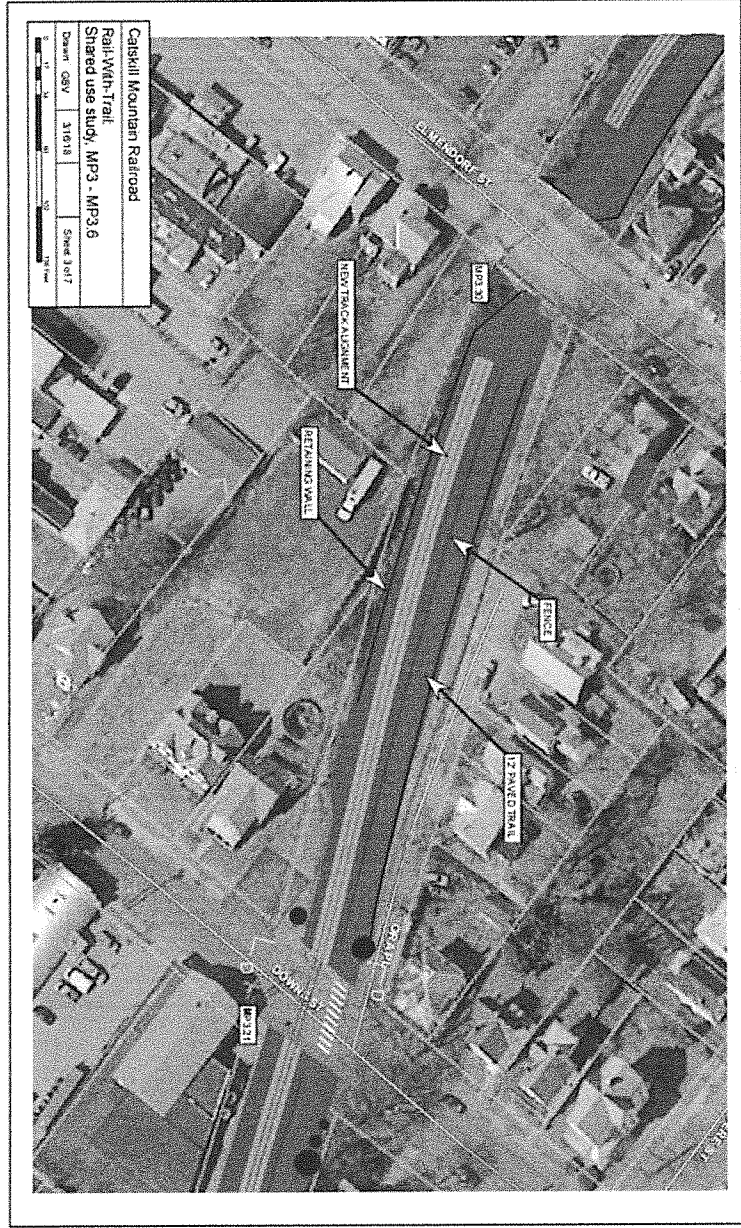
Elmendorf Street – Replacement Bridge

Elmendorf & Albany Aves.
Replacement Bridges - General Arrangement

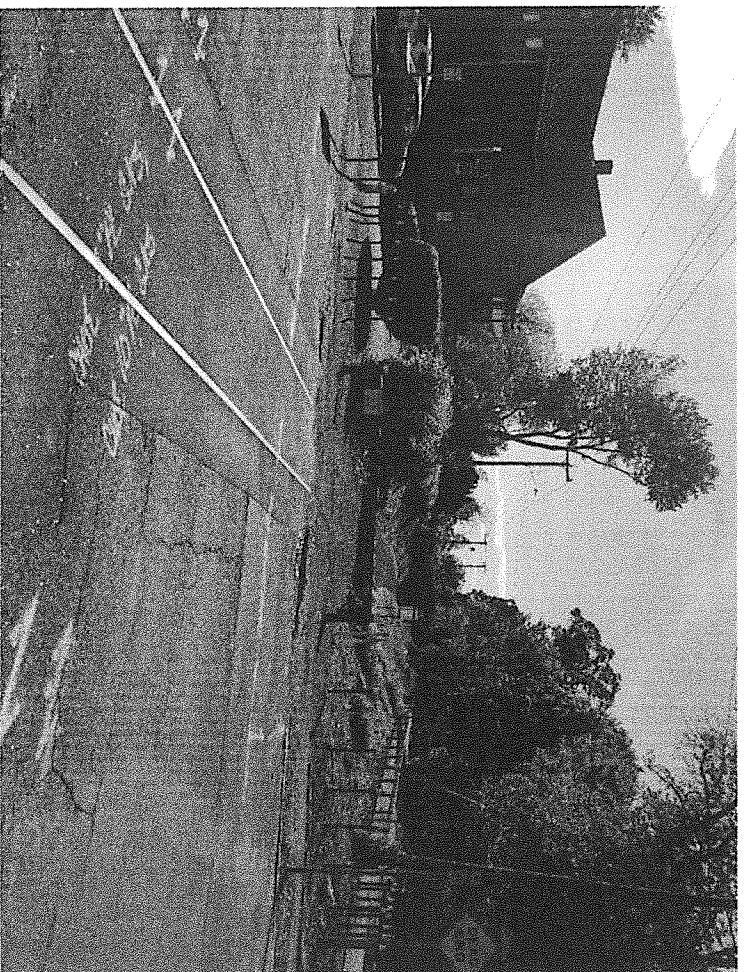


Catskill Mountain Railroad		
Rail/With-Trail		
Shared use study, MP3.21 - MP3.6		
Drawn: GSB	5-2-019	Sheet 1 of 1

Elmendorf Street to Downs Street



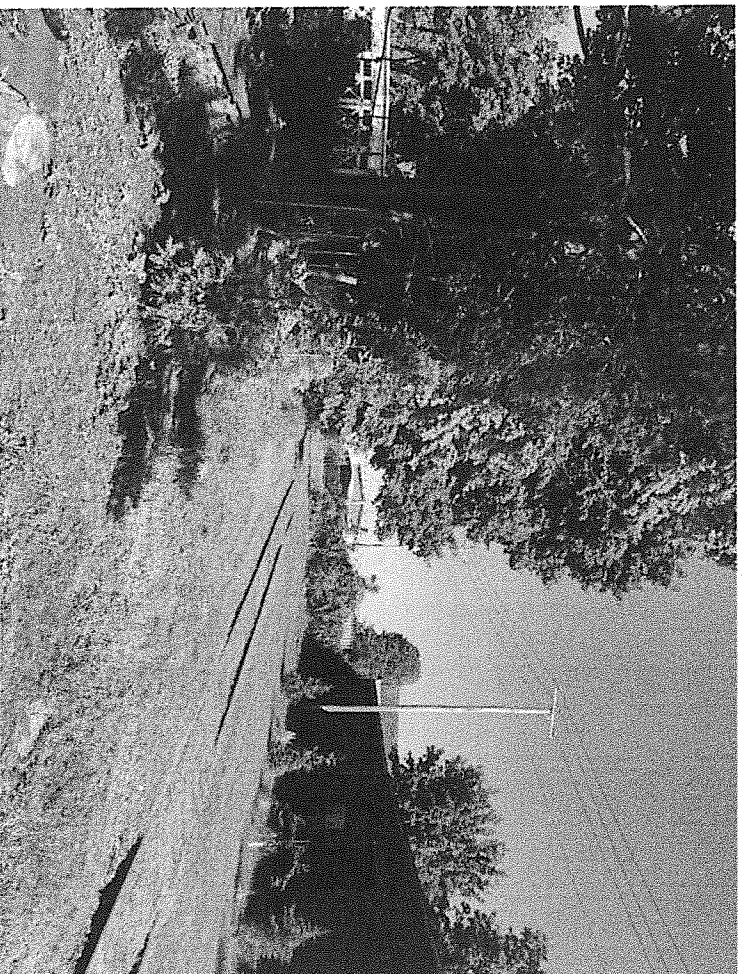
Elmendorf Street to Downs Street



Downs Street to O'Neil Street

- There is enough Room to build Trail north of existing tracks.
- Same configuration as Westbrook Lane.
- Existing tracks do not need to be removed.

Downs Street to O'Neil Street – View East



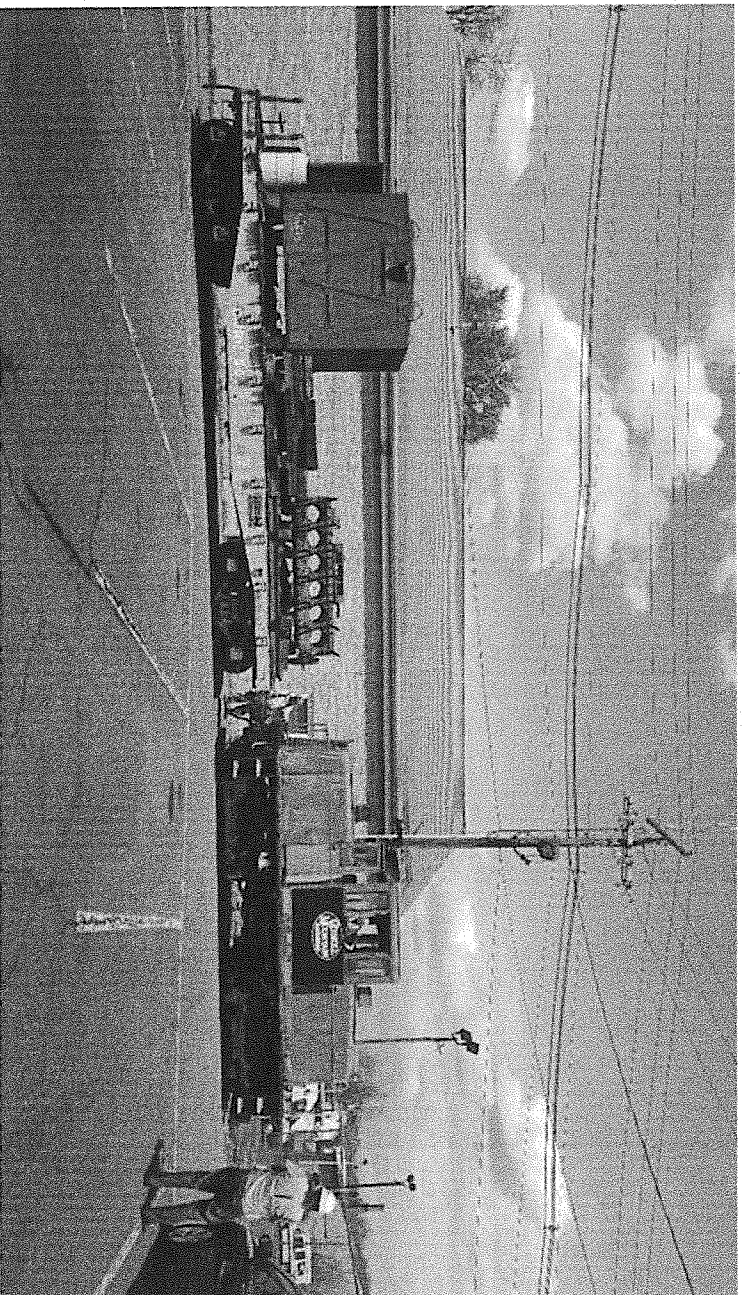
O'Neil Street to Cornell Street

- Track can be moved to south side of new park.
- Track can be imbedded in asphalt similar to east of Cornell Street.
- Any use would be limited to off-hours.

Cornell Street to Smith Avenue (CSX)

- Rails have been embedded in asphalt for 30 years.
- Embedding rails in asphalt is a common practice in urban shared-use areas.
- DEP Parking lot rail use is limited to after-hours.
- Switch with CSX can be reinstalled for light use.
- CMRR ran on this section during previous lease (see photo)

Cornell Street to Smith Avenue (CSX)



Conclusion

- It is vital to the Ulster County railroad to keep a connection to CSX
- Connection is not needed now, but is important for future potential
- Maintaining Rail Connection removes need to buy out easements.
- Removal of rail infrastructure should stop until a Rail with Trail design is approved.
- Trail portion of RWT can be built before railroad is reconnected.
- Future rail use can be limited to off-hours and will be limited in nature.
- Rail with Trail can allow both the rail and trail to “win” instead of the current policy to favor one over the other.