



**Chautauqua, Cattaraugus, Allegany and Steuben Counties**  
**Southern Tier Extension Railroad Authority**  
Center for Regional Excellence, 4039 Route 219, Suite 200, Salamanca, New York 14779  
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“This institution is an equal opportunity organization”

Frank “Jay” Gould, Chairman  
Richard Zink, Chief Executive Officer

**Minutes of Board of Directors Meeting  
October 17, 2022**

The Board of Directors of the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority held a meeting at 9:30 AM on October 17, 2022 in the Conference Room in the office of the Southern Tier West Regional Planning and Development Board, 4039 Route 219, Suite 200, Salamanca, New York. The following persons were in attendance:

**Board Members In Attendance**

Jay Gould, Chautauqua County  
Brooke Harris, Allegany County  
Steve Havey, Allegany County  
Robert Keis, Southern Tier West RPDB  
Keri Kerper, Cattaraugus County  
George Prete, Steuben County  
Corey Wiktor, Cattaraugus County

**Board Members Not In Attendance**

Rich Dixon, Chautauqua County  
Jeff Gray, Chautauqua County  
James Griffin, Steuben County  
John Malter, Steuben County  
Eric Wohlers, Cattaraugus County

**Others Attending**

Bob Babcock, WNYP RR  
Carl Belke, WNYP RR  
Stephanie Beneng, guest from Southern Tier West  
Jeff Bauman, WNYP RR  
Kylie McLaughlin, WNYP RR  
Richard Zink, STERA CEO

**1. Call to Order and Introduction of Those Present**

Recognizing a quorum, Chairman Jay Gould called the meeting to order at 9:38 a.m. Introductions were made of those present.

**2. Reading and Approval of the Minutes of the June 13, 2022 Meeting**

The Board adopted a resolution approving the minutes of the June 13, 2022 Board Meeting (Harris, Kerper, passing unanimously).

**3. Election of Officers**

Richard Zink nominated new Southern Tier West employee Stephanie Beneng to the role of corporate secretary, which was left vacant by the retirement of her predecessor, Thomas Barnes. The Board approved a resolution electing Beneng to the office (Harris, Wiktor, passing unanimously).

#### **4. Communications**

##### **Letter from Seneca Nation of Indians**

Mr. Zink explained that STERA had received a letter from the SNI requesting that STERA cede its railroad right-of-way on a small parcel in Salamanca. The Nation noted that they felt the track was abandoned and that they would like to commence work on a trails project. As the track has a car on it STERA reached out to the Seneca Nation for a meeting. Mr. Belke also explained that the term “abandonment” in railroading requires an STB procedure processed at the federal level, and that the track is not abandoned by that definition. STERA sent a letter to that effect, indicating that STERA would work with them on the trails project, and there has been no response.

#### **5. Treasurer’s Report**

Mr. Zink presented the Treasurer’s Report for September 30, 2022. Mr. Zink noted that the Audit Committee had met to review and approve the financial statements. For the year to date ending September 30, 2022, the treasurer reported the following:

- Net income of \$16,022.51 on revenues of \$103,611.16
- Net assets of \$3,782,904.26 on assets of \$3,870,066.40
- Cash balance of \$87,162.14
- Accounts payable \$5,000.00
- Accounts receivable and grants receivable \$0

The following treasury resolutions were adopted:

- Approval of the Treasurer’s Report for September 30, 2022 (Kerper, Prete, passing unanimously)
- Approval a check for \$5,000 to Southern Tier West RP&DB (Keis, Havey, passing unanimously)
- Approval of the 2023 budget as presented (Havey, Wiktor, passing unanimously)
- Approval of the four-year budget plan as presented (Harris, Kerper, passing unanimously)

#### **6. Reports of Committees**

##### **A. Audit Committee**

The Audit Committee had met earlier that day, reviewed and approved the interim financial statements, and recommended that the Board approve the interim statements.

##### **B. Governance Committee**

The Governance Committee did not meet this quarter.

## **7. Old or Unfinished Business**

### **A. WNYP RR Operating Status Report**

Carl Belke introduced new president Bob Babcock, who began in September. There is also a new chief engineer, Andy Lawton.

Kylie McLaughlin, assistant vice president and general manager, provided a management report to the STERA Board. There were no injuries and one derailment in the third quarter. The company held a successful Family Day in September, with a train ride from Olean to the Salamanca Rail Museum.

Employees have been difficult to find in 2022, as have some supplies: steel and cement are much higher in cost, and wood is available but increasingly difficult to ship. Some orders of ties for current projects are delayed until next year.

Vice president for sales and marketing Jeff Bauman said that there are more cars on the rails than there have been in the past five years, and that potential customers are talking about switching to rail for their shipping.

### **B. Status Reports on Current and Proposed Rehabilitation Projects**

- 1) Completed Projects:  
2018 STERA/WNYP NYSDOT PRFAP
- 2) Active Projects:  
2016 STERA/WNYP NYSDOT PFRAP – estimated completion 2023  
STERA/WNYP NYSDOT PFRAP – estimated completion 2023  
2021 PennDOT RTAP
- 3) Proposed Projects:  
2019 WNYP Federal CRISI GRANT – begin 2024  
2022 PennDOT Multimodal Project – TBD  
2022 PennDOT RTAP – TBD  
2022 CRISI Grant – TBD

The STERA board passed a resolution authorizing a grant application to NYSDOT for \$3,000,000 as a match to \$15,000,000 in federal funds that are being applied for (Harris, Keis, passing unanimously).

### **C. Seneca Nation of Indians Representation on STERA Board**

There has been no movement on the appointment of representatives to the STERA Board by the Seneca Nation of Indians. This will possibly require changes at the state level to revise STERA's original paperwork, adding three new representatives for SNI. Mr. Gould volunteered to talk with Sen. George Borrello about the issue.

### **D. Compliance with NYS Public Authorities Accountability Act (PAAA) and Public Authorities Reform Act (PARA) and Other Statutory and Regulatory Requirements**

1. Compliance Status – NYS ABO Training Requirements

Follow-up is needed to confirm that new member Eric Wohlers has completed his training.

2. ABO Policy Guidances - none

3. Discussion of Any Desired Policy Modifications - none

**E. Other Old or Unfinished Business**

Ms. Kerper brought up the subject of a small railroad parcel in Olean, which a company has been interested in purchasing as part of their housing development plan. Negotiations need to include Norfolk Southern in these cases. Due to the parcel's proximity to her work in Olean and information she can access in her job, Ms. Kerper indicated that she would need to recuse herself from a vote, if this subject is revisited next meeting.

**8. New Business**

It was suggested and agreed that a thank-you card and gift be sent to Tom Barnes in recognition of his retirement.

**9. Public Comment**

It was suggested and agreed that Jim Griffin is suffering from severe health problems, and some cards and phone calls would be a nice gesture.

**10. Next Meeting Date and Agenda for Next Meeting**

The December meeting is canceled. The next meeting will be held in March 2023 on a date to be determined.

There will be an Audit Committee meeting immediately preceding each scheduled Board meeting. The Governance Committee and Executive Committee will meet as required. Additional special meetings of the committees may be called as needed during 2022. The meetings of the committees will be held at the office of the Southern Tier West Regional Planning and Development Board in Salamanca, NY.

**11. Adjournment**

The meeting adjourned at 10:35 AM (Prete, Harris, passing unanimously).

I certify that this is an accurate summary of the meeting of the Board of Directors of the Chautauqua, Cattaraugus, Allegany, and Steuben Southern Tier Extension Railroad Authority held on the date indicated above.

Name: \_\_\_\_\_

Office: Secretary

Date: October 17, 2022