



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 2, 2023**

The Board of Directors of the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority a meeting at 9:00 AM on October 2, 2023 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 as well as via zoom at the following pre-publicized addresses: 101 East State Street, Room 209, Olean, NY 14760.
201 West Third Street Jamestown, NY 14701
6087 Route 19 North, Belmont, NY 14813

The following persons were in attendance:

Board Members In Attendance

Jay Gould, Chautauqua County
Gary Barnes, Allegany County
Steve Havey, Allegany County
Robert Keis, Southern Tier West RPDB
Keri Kerper, Cattaraugus County
George Prete, Steuben County
Corey Wiktor, Cattaraugus County
Rich Dixon, Chautauqua County

Board Members Not In Attendance

Jeff Gray, Chautauqua County
John Malter, Steuben County
Donald Benson, Cattaraugus County
Jerry Scott, Allegany County

Others Attending

Carl Belke, 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 9:01 a.m. Introductions were made of those present.

2. New Business

Mr. Belke requested that STERA submit an application in the 2023 PFRAP funding cycle for a STERA Bridge and Tie and Rail Replacement PFRAP Project (Southern Tier Extension Line) the STERA Board had authorized submission of an application for \$1,947,550 of NYS DOT PFRAP grant funds, to be matched by \$834,664 of WNYP funds. STERA also had undertaken the SEQRA review and issued a negative declaration on the project.

The project as initially proposed was to involve replacement of 8,400 ties, replacement of some worn rail, and surfacing between Allegany (Cattaraugus County) to Niobe (Chautauqua County), between MP JC-397.86 to MP CE-1.55 (Niobe).

WNYP's current thinking is that the project will:

1. Replacement of timber decks and installation of welded rail across up to 18 bridges between Allegany, NY and Niobe, NY (PA State line).
2. Installation of up to 8,000 new crossties at various locations across the Freight Main Line between Falconer, NY and Niobe, NY.
3. Ballasting, alignment, and surfacing of all areas which receive new ties.
4. Proper disposal of all replaced bridge timbers and crosstie.

The work would be done on the Southern Tier Extension Line. All of the work would be bid by WNYP or done by WNYP itself. If NYS DOT approves an award in a timely fashion, the project could be commenced and completed in 2024.

After discussion, the STERA Board adopted a resolution declaring itself lead agent for SEQRA review on the project Dixon, Wiktor, passing unanimously).

The Board reviewed and discussed a Short Form EAF and noted that the proposed project involved maintenance repairs to the existing rail line, with project construction activities to occur only on existing railroad right-of-way. The Board noted that the existing railroad right-of-way is already improved and is not the locus of any significant habitat or species. The Board noted that project construction activities will not impact the environment any more than do existing operation of trains on this currently operating railroad line and the construction activity itself is seen as a small impact. There will be no impacts on vegetation, animals, stormwater, wetlands, streams, natural resources, historical resources, archaeological resources, or the character or viewsheds of the adjoining lands. There will be no changes in use, intensity of use, or traffic as a consequence of the project. The project is not inconsistent with any approved comprehensive plan, land use plan, or zoning ordinance. STERA has evaluated the magnitude, duration, likelihood, scale and context of any potential adverse impacts, and has determined that the project does not need further analysis in an EIS.

As a result of this analysis, the STERA Board adopted a resolution making a finding that the project would not present any significant adverse environmental impacts on the environment, and therefore to issue a negative declaration on the project (Dixon, Kerper).

After discussion, the Board approved a resolution, consistent with the STERA procurement policy, making a determination that the public interest is best served by making a purchase of goods and services from WNYP related to the project without competitive procurement, finding:

- that WNYP is qualified to perform the work required or provide the commodities, equipment, goods or services required,
- that WNYP is responsible and reliable,

- that the price to be set for the procurement is likely to be either the lowest price if a competitive procurement were followed or a fair market price for the goods and services required, that is, the price is likely to be a Best Value, and
- that there is some valid public purpose for not undertaking a competitive procurement process, to include but not be limited to public safety, public health, and timeliness, and therefore, authorizing entering into one or more contracts with WNYP for the provision of services and the procurement of materials, supplies, and leased equipment in support of the project (Corwin, Harris, passing unanimously, Griffin abstaining). It was noted that WNYP may subcontract portions of the project, and that any such subcontracts must be in compliance with the requirements of NYS DOT and STERA and must be approved in advance by NYS DOT and STERA.

After discussion, the STERA Board adopted a resolution authorizing submission of an application to NYS DOT for the project up to \$3,000,000, authorizing acceptance of a NYS DOT award and WNYP match funds, authorizing implementing the project using the NYS DOT and WNYP funds, authorizing adherence to the NYS DOT contract, authorizing the Chairman and CEO to execute all legal documents pertaining to the project, and authorizing entering into a contract with WNYP for the match funds and for a subcontract for the implementation of the project work (Keis, Kerper, passing unanimously).

Public Comment

There was no public comment.

3. Next Meeting Date and Agenda for Next Meeting

The next meeting will be held on October 16 2023.

There will be an Audit Committee meeting immediately preceding each scheduled Board meeting. The Governance Committee and Executive Committee will meet as required.

Adjournment

The meeting adjourned at 9:15 AM (Dixon, Havey, 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 2, 2023