

**VERMONT RAIL COUNCIL
MINUTES OF MEETING
NATIONAL LIFE BUILDING
5th FLOOR BOARD ROOM
MONTPELIER, VERMONT
May 7, 2013**

MEMBERS PRESENT: Brian Searles (Chairman)
Joann Erenhouse Carl Fowler
Chris Andreasson Dave Allaire
Michele Boomhower Charles Hunter
Charlie Moore Alan Cook
MaryAnne Michaels for Dave Wulfson

OTHERS PRESENT: Chris Cole, VTrans
Dan Delabruere, VTrans
Bob Atchinson, VTrans
Scott Bascom, VTrans
Mladen Gagulic, VTrans
Stephen Smith, VTrans
Lawrence Donna, VTrans
Guy Tapper, VTrans
Erik Filkorn, VTrans
Mark Fitzgerald, VTrans
J. Jeffrey Munger, Senator Sanders Office
John Wilson, Jacobs Engineering
Chris Parker, VRAN
David Simpson, Iowa Pacific

1. Call to Order & Introductions

Chairman Brian Searles called the meeting to order at 1:30 PM. Introductions were made.

2. Public Comments

There were no comments from the public at this time.

3. Approval of Minutes

February 27, 2013

MOTION by Michele Boomhower, SECOND by Carl Fowler, to approve the 2/27/13 minutes with the following correction(s)/clarification(s):

Page 1, List of Attendees – remove Scott Bascom from the list as Mr. Bascom was not in attendance at the 2/27/13 meeting;

Page 2, Item #5, Passenger Rail Topics, Amtrak, 2nd paragraph, sentence reading: “Carl Fowler commented the new management at CP...” – clarify the sentence to read: “Carl Fowler commented the new management at CP is reviewing the status of the former Delaware & Hudson and made it clear they may not be interested in retaining the railroad.”

VOTING: unanimous; motion carried.

4. Passenger Topics

Amtrak – Ridership & Revenue Report

Bob Atchinson highlighted:

- Ridership on the Vermonter is up 6.7%. Revenues are up 11.6%.
- The Ethan Allen Express had a 2.7% increase in ridership and 5.7% increase in revenues.
- On time performance for the Vermonter is strong (on average 80%-90%). There have been some delays in New York (NYS/CP). Ethan Allen Express on time performance is averaging slightly lower than the Vermonter.

Carl Fowler commented on the Amtrak schedule changes, noting that in his experience a 28 minute time savings is attainable in the Vermonter schedule, but the southbound schedule with the stops in Vermont is unattainable between St. Albans and Brattleboro. All southbound running times need to be restrung. It is taking three to five minutes to board the train because the loads are good. Windsor to White River Jct. at 12 minutes for the run is not realistic (16-18 minutes is more likely). Charles Hunter noted Amtrak is aware and will adjust the schedule. Dan Delabruere will follow up with Amtrak.

National Train Day 2013

- May 11, 2013 is National Train Day.
- The celebratory train is full with 200 riders and up to 100 people on the waiting list, many from White River Jct.
- There has not been an offer for an extra car.
- The train route is St. Albans to Bellows Falls then back to White River Jct. for a ceremony and a bus ride home.

PRIA Update

Dan Delabruere reported:

- Vermont, Massachusetts, and Connecticut have a draft agreement for the Vermonter corridor.
- Negotiations on a draft agreement continue with New York for the Ethan Allen Express train.
- Estimated contribution is \$1.6 million for the Ethan Allen Express and \$5.5 million for the Vermonter.

Carl Fowler mentioned the following:

- Massachusetts payment per the agreement – Dan Delabruere said Massachusetts will not pay until they have a train in the Knowledge Corridor (perhaps by 2014, but that date is skeptical).
- Conversation with a New York congressman who is against eliminated the train to Saratoga – the congressman did not offer to have New York pay for the train to go to Saratoga.
- Report issued by the Inspectors General Office of the U.S. Department of Transportation regarding allocated costs and overcharging by Amtrak - Vermont

has grounds to question reallocated costs. Dan Delabruere assured Vermont is working on the matter. Amtrak has been responsive to information requests.

- Possible franchising Amtrak routes to other operators (2008 law) is getting active again – Vermont needs to stay aware. Brian Searles agreed it is increasingly important especially with the recent discussions in the legislature regarding rail service. The Rail Council needs to have options to explore in fairly short order.

Montreal Update

Dan Delabruere reported:

- TIGER work from St. Albans to north of border is moving forward.
- The treaty needs to be signed to allow crossing the border. Brian Searles said the American and Canadian governments set a target for signing the treaty by the end of 2013.
- Plans for the station in Canada are still be drafted.
- Canada is doing a study of track speeds north of the border.

5. Freight Rail Topics

Bridge Management Program

Mladen Gagulic reported:

- The largest operation in the program is the FRA annual bridge inspection. There are 216 bridges to be inspected. All bridges will be done and the overall condition will be known.
- Field work on Green Mountain Railroad is complete and the report is being reviewed.
- In addition to projects, immediate repairs without much cost will be done. There will be a clear distinction between repair work and projects.
- The web based information management software previously demonstrated to the Rail Council is being implemented. Information will be accessible via the web and mobile devices.
- Per the federal program for crossings the condition of crossings in the state will be inspected and reported. There are 364 crossings. The report is done twice a year. The state received \$1.2 million to do the work.
- There is money in the budget for crossing maintenance.
- Bridge 219 is on target for construction next year.

6. Track III Updates

Dan Delabruere stated preliminary engineering materials will be released May 10, 2013 for review. Forward comments to Costa Pappis. Railroad and FRA input will be gathered and preliminary engineering finalized. NEPA and the service development plan will be submitted by fall. Funding on if/how to move the train through Bennington will be explored.

7. Kick Off of State Rail Plan

Dan Delabruere stated Parsons Brinckenhoff is the consultant working on the update of the state rail plan. Existing conditions will be updated first. Decisions to be made will be discussed at the next Rail Council meeting.

8. TIGER V Grant Application

Dan Delabruere stated there is an option for more TIGER money (\$474 million). Application deadline is June 3, 2013. Award in October, 2013. Staff is in preliminary planning to submit for continuous welded rail from the northern part of the Rutland yard to the Middlebury yard. Bridge 219 and crossing projects plus the Middlebury tunnel are in the middle of the corridor and will be included in the overall plan. A meeting will be scheduled with Vermont Rail Systems to discuss specifics.

Carl Fowler asked if remaining Jeffords allocation will be applied to continuous welded rail programmed for the summer. Dan Delabruere confirmed this for Burlington south. With both programmed projects about 14 miles of continuous welded rail will be done leaving about 11 miles to complete.

Dan Delabruere noted Section 130 money will be used to address crossing safety work. Chris Cole added crossings within 1000' of a federal aid paving job are incorporated into the paving job so work is getting done that otherwise would not because of funding.

Michele Boomhower asked about the application value for TIGER V. Dan Delabruere estimated \$11 million (90/10 state match).

9. Operation Lifesaver

Dan Delabruere briefed the Rail Council on Operation Lifesaver activities occurring in other states to educate people on rail safety versus in Vermont (very little to no activity). The program in Vermont must be revamped and revitalized. A meeting with VTrans, the railroads, and the national Operation Lifesaver organization will be scheduled to discuss the best approach to make the program more robust in Vermont. Joyce Rose is the new executive director of the national organization. A progress report will be provided at the next Rail Council meeting.

There was discussion of potential liability exposure for the state with an inactive Operation Lifesaver program. Chris Cole said Nancee Barney who is the director of the program in Vermont has been invited to the last three Rail Council meetings, but has not attended.

Scott Bascom noted each crossing has a unique number with information on ownership, location, and such, but E-911 does not have access to the numbers and should. Each crossing should have an E-911 address which is a task Operation Lifesaver could do. Bob Atchinson stated in training first responders the FRA crossing database is used to get information on crossings and site visits to crossings are made when feasible.

10. Rail Construction Program Updates for FY2014 Budget

Mladen Gagulic reviewed projects under construction including:

- Barre switchback – should be complete by July. Road condition will be returned to better than before construction.
- Four crossings in St. Albans - work is progressing well.

- Two crossings on the OMYA spur – advertisement for a contractor in June.
- Middlebury bridge – bid opening May 10, 2013.
- Bridge 308 and spur – progressing.
- FEMA projects – damage repair from Tropical Storm Irene.
- Additional work on LVRT for FEMA and TIGER V projects - progressing.

MaryAnne Michaels asked about the six miles of continuous welded rail project. Mladen Gagulic said the project will be obligated in 2013. Ties and surfacing will be advertised June 30, 2013 and done this construction season followed by continuous welded rail.

11. Legislative Update

Brian Searles reported the work in the legislature this year was stellar. The two transportation committees worked hard and came up with a good solution. As a result of all the rail work that has been done and is being done rail was not a target for the legislature this year. Rail had a \$600,000 discretionary cut out of a \$35.6 million budget which speaks to the work done by Dan Delabruere and the rail team.

There was discussion of the legislative decision to increase the gas tax which prevented significant budget cuts that would have meant loss of passenger rail service and loss of work. Chris Cole noted having the gas tax pay for rail was controversial and the suggestion was made to use the funds exclusively for roads and bridges. Brian Searles stated staff did a good job to demonstrate rail does generate funding to the general fund and that rail is a transportation agency, not part of highway. Also, the transportation fund supports the entire system, all modes of transportation, not just highway. Regarding Amtrak, VTrans will work with partners to increase fares on Amtrak service to cover 20% of the increase from \$4.8 million to \$7.6 million. The goal is maximum ridership and maximum revenues. The federal subsidy to Amtrak nationally decreased from \$700 million to less than \$400 million so states must make up the difference. All options are being kept open to determine the best way to proceed.

Brian Searles announced Mladen Gagulic and Stephen Smith were recognized for work on rail in a statewide public service recognition event.

MaryAnne Michaels asked the proportions for the Vermonter and Ethan Allen Express out of the Amtrak funding. Dan Delabruere stated of the \$4.8 million, about \$3 million was for the Vermonter and \$1.8 million for the Ethan Allen Express. Proration of the \$7.6 million is not known yet. There is frustration because costs are not matching up with operational costs per mile. Information is needed on whether capital charges are fairly obligated and the cost for long routes versus state supported routes. Also, agreements that were just negotiated with Massachusetts and Connecticut for the Vermonter corridor were based on forecasts from Amtrak on cost/revenues, but then Amtrak sent new numbers that were 30% greater so the agreements have to be revised. The states want to approach Amtrak as a unified entity. An agreement with New York State has not yet been reached for the Ethan Allen Express train. Track III and potentially the train to Bennington and Saratoga could be impacted. There should be a final agreement with New York by the end of May.

Jeff Munger commented Vermont was paying less for Amtrak service than other states until PRIIA.

Carl Fowler noted the 2012 revenue figure for the Vermonter according to the state is about \$2.3 million, but Amtrak says the amount is \$3.9 million so the numbers need to be closely reviewed. Dan Delabruere assured figures are being checked. Mr. Fowler mentioned the Florida Silver Meteor train schedule and the Lakeshore eastbound train. Dan Delabruere is pursuing the issue.

Regarding potential legislation on private crossings, Chris Cole mentioned there are now private crossing agreements that are assignable with a 30 year limit to address title, marketability, and bank loan matters.

12. Other Business/Next Meeting

Next Meeting: August 14, 2013 at 1 PM – 4 PM

13. Adjournment

MOTION by Carl Fowler, SECOND by Charlie Moore, to adjourn the meeting.

VOTING: unanimous; motion carried.

The meeting was adjourned at 2:57 PM.

RScty: M.E.Riordan