

**VERMONT RAIL COUNCIL
MINUTES OF MEETING
NATIONAL LIFE BUILDING
5th FLOOR BOARD ROOM
MONTPELIER, VERMONT
February 27, 2013**

MEMBERS PRESENT: Chris Cole for Brian Searles
Joann Erenhouse Carl Fowler
Chris Andreasson Rick Moulton
Michele Boomhower Charles Hunter

OTHERS PRESENT: Dan Delabruere, VTrans
Bob Atchinson, VTrans
Mladen Gagulic, VTrans
Stephen Smith, VTrans
Akhil Aglewal, VTrans
Larry Donna, VTrans
Guy Tapper, VTrans
Erik Filkorn, VTrans
Jesse Devlin, VTrans
Scott Burbank, VHB Engineering
Chris Parker, VRAN
Matt Levin, VCE
Christopher Natale, Amtrak
Caroline Mael, Amtrak
Evan Lowell, TranSystems
Allison DeMag, RRAV

1. Call to Order & Introductions

In the absence of Brian Searles, Chris Cole called the meeting to order at 1:02 PM. Introductions were made.

2. Public Comments

Matt Levin with Vermonters for a Clean Environment (VCE) asked for an update on the Vermont/New York rail project. Chris Cole explained discussions with New York are ongoing regarding the preferred alternative of either rerouting the Ethan Allen Express through Mechanicville-Bennington-Rutland or running two trains (Rutland-Saratoga-Albany or Rutland-Manchester-Bennington-Mechanicville-Albany). Vermont is in negotiations with New York over the PRIIA, Section 209 subsidy payment. An agreement is needed on revenues and expenses before the preferred alternative can be chosen.

Carl Fowler noted New York's budget included money to keep New York trains running including the Adirondack. Mr. Fowler asked if there is money in the budget to keep the

Ethan Allen Express running. Chris Coles said he does not know, but New York's budget is increasing substantially to cover trains in the state previously supported by Amtrak.

3. Approval of Minutes

December 19, 2012

MOTION by Carl Fowler, SECOND by Chris Andreasson, to approve the 12/19/12 minutes as written. VOTING: unanimous; motion carried.

4. Rail Personnel Update

Dan Delabruere reviewed the current organizational chart and noted that Jesse Devlin is the new Project Manager to help advance projects to completion and Chris Bolen is filling a vacancy as a right-of-Way Agent in the Property Management Section.

5. Passenger Rail Topics

Amtrak – Ridership & Revenue Report

Bob Atchinson reported Hurricane Sandy impacted Amtrak trains. The Vermonter is recovering strongly. The Ethan Allen Express experienced a slump, but revenues are still positive. On Time Performance is a bit off, but some trains are doing well. Mr. Atchinson showed a photo of the community gateway sign advertising the community with Amtrak service. Michele Boomhower suggested additional signs be purchased and posted at each gateway. Carolyn Mael will check into sign packages and additional purchases. Dan Delabruere noted the signs for the Montpelier Station need replacement.

Chris Cole mentioned the impact on the Ethan Allen Express schedule due to conflicts with CP and asked how the host railroad payment is impacted. Carolyn Mael, Amtrak, explained there is some track work that will not be done until fall. The railroad is not reaping any performance incentives. There has been discussion regarding improving performance overall in the country. Chris Cole asked how Vermont can help the situation since passengers are selecting other options for travel and with the amount of money paid by Vermont the current product is not one that the state wants to advertise. Ms. Mael offered to discuss the matter with Paul Vilter, VP of the host railroad group. Mr. Cole asked what the host railroad agreement does to have the Ethan Allen Express get through and ensure the state is getting what it is paying for. Ms. Mael repeated the offer to schedule a meeting with Paul Vilter and key contacts including Chris Cole to resolve the matter. Carl Fowler commented that the new management at CP is reviewing the status of the former Delaware & Hudson, and have made it clear they may not be interested in retaining the railroad..

Newly Approved Amtrak Vermonter Schedule

Dan Delabruere reported the new Vermonter schedule will reflect new track speeds as of 3/18/13. The train will leave 28 minutes later out of St. Albans and arrive 28 minutes earlier in the evening. Regarding connectivity, when the project is done and the timetable changed in all states Amtrak will have a better picture of connectivity. Carl Fowler commented that the proposed early morning (4 AM) departure out of St. Albans (when service to Montreal becomes a reality) would be a catastrophe. Amtrak should also adjust the schedule of the westbound Lakeshore Silver Meteor. Caroline Mael assured Amtrak

recognizes the importance of connectivity, but has to see what can be one with the services in place. Amtrak is not happy with the 4 AM departure and is exploring options internally.

Chris Andreasson asked if there will be any sequester impact. Ms. Mael said nothing has been mentioned internally at Amtrak.

Caroline Mael mentioned the marketing effort by Amtrak with the Vermonter and Ethan Allen Express including Ski Vermont Day at Penn Station in October and January and serving Vermont products and having tourism materials available. More events are planned with the state marketing and tourism division to promote Vermont and the train service. Erik Filkorn noted by partnering with Vermont Tourism, inn keepers, and food producers the event booths have people there to promote the products and the state. A poster advertising a recent event was shown. The poster was placed in all train cars. Carl Fowler mentioned the dining service offered by a private operator on the Ethan Allen Express during the summer months was good and suggested this should be advertised at train stations if the service will be offered again.

Carl Fowler noted the privately run railroad from Saratoga to North Creek connecting to the Adirondack should be in the timetable because both Vermont and Amtrak benefit from this connection. Caroline Mael stated there is an ad on the Ethan Allen Express page for the service. Chris Cole said Amtrak should include the rail line service.

Montreal Update

Dan Delabruere reported the next step in the process for service to Montreal is the treaty which will not be signed for at least a year or more. The treaty is critical in order to have preclearance and customs. Design of the preclearance facility in Montreal continues while waiting for the treaty to be signed. A TIGER grant was received for track upgrade from St. Albans to the border (work should be complete by next summer). There are some track issues with accessing Montreal that need to be resolved. Chris Cole said Vermont will ask Amtrak to reach out to CN to better define the hurdles to get trains into Montreal.

6. Freight Rail Topics

Impacts of Bridge Management Program

Dan Delabruere reported the new GIS program helps manage data once collected which is very helpful in meeting the mandate from the FRA to inspect bridges annually as part of the bridge management program. There are 213 rail bridges in the state (165 owned by the state and 48 owned by Vermont Rail Systems). The bridges must be inspected for condition and load rating of 286,000 pound capacity (some bridges are not at 286,000 capacity and therefore are not load rated). Presently external staff does the load rating analysis, but soon this work will be handled internally. The budget includes funding for engineering to determine load rating. Maps, charts, and graphs providing a snapshot of information on rail bridges in the state were shown to the Rail Council. Mr. Delabruere said reports in the future will provide even more information on rail bridges due to the GIS system.

Michele Boomhower mentioned Regional Planning may have some funding available for load rating analysis.

GIS and Asset Management

Mladen Gagulic and Stephen Smith gave a presentation on the asset management process using GIS data noting the following:

- Asset management includes inventory, inspection, record of existing condition, needed work, definition as a rail project or rail maintenance.
- Assets include items such as culverts, track, switches, crossings, bridges.
- GIS information provides location, responsible party for the asset, inspection report, load rating specifics, and budget information. GIS does not indicate if a crossing is public, private or farm.
- Reports from the GIS Asset Management system are generated from a single source of information rather than having to compile information from several databases. Questions can be answered expediently.
- The GIS software producer offered to work with the Rail Division at no cost to the state to develop asset management software for the 21st century as a pilot project to introduce into their software packages.

Chris Cole stated the GIS and Asset Management process has been a great tool. The legislature has received many reports from the system. Other VTrans departments are doing the same with asset management as Rail. The goal is to have the utility in place for all state assets.

7. Operation Lifesaver

Dan Delabruere reported the state is seeking input on possible changes to the Operation Lifesaver program to be more active and effective especially with the increased train speeds on some routes (increased to 80 mph). Operation Lifesaver in Vermont is administered by a nonprofit organization connected to the national Operation Lifesaver program which is funded through Class 1 railroads (not the FRA). In other states the program is very active. There have been three serious train accidents in Vermont recently and the state wants a more active Operation Lifesaver program with rail safety outreach to schools and communities. Railroads in the state should be involved with participation and funding. Nancy Barney is the Operation Lifesaver coordinator in Vermont. Suggestions are needed on how to administer the program, funding, and selection of an administrator.

The following suggestions were made:

- Have those with the greatest exposure to liability do most of the funding and management of the program.
- Evaluate social media methods to be used.
- Educate the community before trains travel the routes (press releases, local papers, television, and social media).
- Invite the media to ride the train from White River Jct. south to experience and record the speed of the train.

- Do a mailing to people within a half mile of the track to inform them of the increased train speed.

Chris Cole suggested a subcommittee be formed with VTrans staff, railroad representatives, and Rail Council members to develop a RFP scope of work for the rail safety program. Caroline Mael offered to provide the name of the contact person at Amtrak for Operation Lifesaver. Erik Filkorn noted Amtrak, New England Central Railroad, and VTrans is working on a global press release on the increase in track speed.

8. Rail Construction Program Updates for SFY2014 Budget

The GIS tool shows where all projects are located in the state, the type of project (rail, FEMA, etc.), and the cost. There are 41 projects in the Rail Section in FY14 to be managed by the hard working team.

9. SCORT Report

Dan Delabruere reported:

- Joe Boardman (PRIIA) wants all states ready for the October deadline. The state is working on the numbers.
- The FRA presented all the rail projects. There was \$12 billion invested in 2012 by private railroads across the country. Year 2012 was the safest year on record for all railroads. Funding is not known on the legislative side. Positive train control by 2015 may not be met.
- Joyce Rose wants education, enforcement, and engineering by Operation Lifesaver to continue.
- Debra Butler with Norfolk Southern stressed to be successful as a department of transportation there must be a great working relationship with rail short lines. Vermont does this and is successful.

10. Legislative Update

Budget Proposal/Cuts

Chris Cole reported there is \$36.5 million shortfall in revenues to cover expenses in the budget. House Transportation Committee is considering increasing the gas tax to create an assessment of 4%. Per the revised proposal elements of the Administration's proposal would be phased (2% assessment in 2014 and 2% in 2015). House Transportation Committee asked for recommendations for cuts to the budget. Staff offered \$4.4 million in reductions including \$1 million in highway grants to towns, \$600,000 from the Rail Program at the director's discretion, \$400,000 from Aviation for a hangar in Rutland, \$140,000 for equipment, \$1.5 million in maintenance cuts, and delay of the Derby rest area. A proposal that supports the level of investment by the Governor is expected so FEMA and federal funding is not lost which would impact real jobs for Vermonters and real progress in the state.

Joann Erenhouse urged ensuring adjacent states also increase their gas tax so Vermont does not lose revenue to bordering states in gas sales.

Private Rail Crossings

Chris Cole reported meetings were held with Vermont Rail Systems (VRS) to discuss proposed changes to private crossing agreements to include assignable agreements, automatic renewal except if there is noncompliance, and providing the railroad with the ability to revoke the agreement if there is a change of use or safety issue. VRS agreed to the changes. Attorneys for both parties are drafting the agreement with the new provisions. Reaction from banking and insurance companies will be sought. Homeowners must purchase a liability insurance policy between \$1 million to \$2 million and sign a private crossing agreement. Larry Donna confirmed insurance agencies will now issue policies which was not the case up until a few years ago.

Michele Boomhower asked about landlocked parcels that are allowed to subdivide and create additional lots under local zoning. Chris Cole stated the railroads paid property owners for the impact of “land locking” parcels 100 years ago. The state assumed those rights when the land was purchased and is not obligated to compensate property owners again for the land. Town zoning must require easements that allow use of public rail crossings because the state will not allow private crossings.

11. Western Corridor

Jesse Devlin reported the following:

- Gaps in the continuous welded rail (CWR) between New Haven and South Burlington will be addressed in 2014 (six miles) and the balance in 2015. After this work is done there will be 25 miles remaining to do between Rutland and Burlington.
- Bridge work includes B.232 in Salisbury, B.234 in Middlebury, B.72 in Manchester, B.79 in Dorset, B.95 in Clarendon, and B.242 in New Haven.
- The Middlebury tunnel replaces two town bridges and lowers the track grade by three feet.
- The superstructure of Bridge 219 in Pittsford will be rehabbed to support 286,000 capacity and double stack clearance. Abutments will be repaired and the pier replaced.

12. Other Business/Next Meeting

Next Meeting: April 17, 2013 at 1:30 PM – 4 PM

13. Adjournment

There was no further business and the meeting was adjourned at 3:30 PM.

RScty: M.E.Riordan