

**VERMONT RAIL COUNCIL
MINUTES OF MEETING
NATIONAL LIFE BUILDING
5th Floor Board Room
MONTPELIER, VERMONT
April 6, 2011**

MEMBERS PRESENT: Chris Cole (Chairman)
Alan Cook John Cook
Charlie Moore Rick Moulton
Chris Andreasson Arthur Whitman
Carl Fowler Charles Hunter
Dave Wulfson

OTHERS PRESENT: Brian Searles, Secretary of Transportation
Trini Brassard, VTrans
Joe Flynn, VTrans
Bob Atchinson, VTrans
J.B. McCarthy, VTrans
Scott Bascom, VTrans
Doug Zorzi, VTrans
Mladen Gagulic, VTrans
Susan Clark, VTrans
Costa Pappis, VTrans
Dan Delabruere, VTrans
Rep. Bill Aswad, legislature
Charlie Miller
Chris Parker, VRAN
Peter Richter, URS Corp.
Matt Levin, Vermonters for a Clean Environment
Bill Hollister, Amtrak
Kevin Chittenden, Amtrak
MaryAnne Michaels, VRS
Paul Craven
Dan Stein, VHB
Michele Boomhower, CCMPO
John Read, TranSystems Corp.
Douglas G. Low, NECR/RA
Frank Rogers, PW Railroad
John Wilson, Jacobs Engineering
Ted Brady, Sen. Leahy's Office
Brent Raymond, Congressman Peter Welch's Office
R.A. Currier, NH Central Railroad

1. Call to Order & Introductions

Chairman Chris Cole called the meeting to order at 1:30 PM. Mr. Cole is the new director of Policy and Planning of Intermodal Development which oversees rail. Introductions were made.

2. Public Comments

Frank Rogers, PW Railroad

Mr. Rogers gave an update on the increase in freight rail traffic for his railroad as follows:

- 1995 400 cars
- 2006/2005 1800 cars
- 2007 2384 cars
- 2008 2670 cars
- 2009 2497 cars
- 2010 3885 cars
- 2011 1755 cars for the first three months of the year

3. Approval of Minutes

January 26, 2011

MOTION by Carl Fowler, SECOND by Charlie Moore, to approve the 1/26/11 minutes as written. VOTING: all ayes and one abstention (Rep. Aswad); motion carried.

4. Policy, Planning, and Intermodal Development (PPAID) Briefing

Chris Cole reported the reorganization has been seamless. The current structure allows more ability to attend to rail issues. Brian Searles, Secretary of Transportation, acknowledges the emphasis on rail by the Administration which is looking to link rail with all modes, local, state, and regional. Rail passengers cannot be left half way in their travels.

Dave Wulfson requested a copy of the complete organizational chart. Chris Cole will provide a functional chart when it is available.

5. Rail Section Personnel Update

Joe Flynn reviewed the rail organization chart, noting Dan Delabruere is the supervisor for Rail Property Management (filling Larry Donna's position). J.B. McCarthy manages rail projects and will engage consultants as necessary Mladen Gagulic creates the plans for projects. Each PE (professional engineer) has a cad tech working with them. Mr. Flynn said he handles rail passenger and freight matters. Bob Atchinson handles Amtrak issues.

Carl Fowler urged hiring a rail industry individual with freight and passenger rail experience to help with the western corridor project should the state secure funding.

6. Rail Property Management

Dan Delabruere explained the function of the Property Management Section to manage active rail and rail bank property. There is 450 miles of rail property and 150 miles in the

rail bank. A small segment in the rail bank has been reactivated. License agreements are executed for crossings and leases for land. There are private crossing agreements for grade separated crossings. With active crossings the rail operator is involved. There are some crossings in the state without crossing agreements and crossings classified as farm crossings not upgraded to private crossings that are being used as private crossings. Year-to-date annual revenue from rail agreements, leases, licenses, fees is \$299,415 (does not include railroad leases). The money goes into the Transportation Fund. The target for Property Management in FY11 was \$375,000. The FY12 budget for rail administration is \$870,000.

Carl Fowler suggested a positive argument could be made that a higher value could be applied to the crossing easements due to trains traveling at higher speeds creating a bigger issue. Also, the division is offsetting taxpayer expense with the revenue. Joe Flynn explained the Rail Section justifies expenditures. Revenues go into the Transportation Fund and the state decides how the funds are spent. Trini Brassard explained every agreement for a crossing shifts the liability to the owner of the parcel and the user of the crossing. That value cannot really be measured.

Rick Moulton asked about selling state assets along the tracks. Trini Brassard said there is an extensive process and thorough review before any liquidation. The state is not selling assets generally.

Charles Moore said a definition of “private crossing” is needed. Joe Flynn explained a crossing that is not a farm or public crossing and has a private crossing agreement in place is a private crossing. There are many farm crossings that have morphed into private crossings. When the property owners try to sell their houses they find out they do not have legal access across the tracks. Trini Brassard said the right to cross is in the land records or the crossing is on a public road, otherwise there must be an agreement in place to use the crossing. The railroad company signs off on the agreement. Rick Moulton asked who will pay for the upgrade to private crossings if passenger rail service is put in place. Joe Flynn stated the onus is on the state if the crossing is public. If the crossing is not public there is no onus on the state to upgrade the crossing.

7. Rail Project Update

J.B. McCarthy reviewed projects out to bid, under construction, and going out to bid summer 2011. Projects involve Vermont Railway, Washington County/Connecticut River Railroad, Green Mountain Railroad, and New England Central Railroad. Mladen Gagulic reviewed work on rail bridges. Asset management software is used to inventory and assess the condition of bridges in the state to determine a plan of action.

8. CLP Level of Utility

Bill Hollister, Amtrak, reported Amtrak is concerned about delay and speed restriction on the CLP line. CLP, Vermont Rail Systems, and Amtrak met to review the plan drafted to attack the speed restriction on the line and decrease delay minutes. The plan will be publicized once it is finalized. The speed restriction issue will be addressed this construction season, April through October, in monthly increments. There is agreement

on how delays are reported and how freight train interference was handled in January and February. Amtrak is satisfied so far and will continue to meet with CLP and VRS on a regular basis. Dave Wulfson added the short term was the focus rather than long term for the time reduction. In the long term the plan is rail replacement that should have been done in 1995 and some crossing upgrades. VRS will meet with Amtrak to draft a report for VTrans. In the long term, help is needed with improvements on the CLP to maintain on-time performance. Bill Hollister noted part of the plan includes scheduled work which will cause reduction in speed. Amtrak is willing to work on plans to address this. Regarding freight train interference with Amtrak, adjusting the schedule continues to be discussed, said Mr. Hollister. Impacts along the entire line must be reviewed. Dave Wulfson stated much effort was put into the “get well” plan. VRS and Amtrak had been asking CP to make a schedule change for the past two years. The initial change was only a half hour which was not effective. Following further discussion a change of one hour was made which is a huge step to address the freight train interference issue.

Chris Andreasson asked when the short term work is anticipated to be done and train speeds back up. Dave Wulfson stated the work should be complete by October, 2011. Crossings and slow orders can be done immediately to help on-time performance in the next month or so. Larger projects will disrupt the track and impact on-time performance temporarily. There is also ongoing maintenance. The track is worn out forcing trains to travel at slow speeds.

Charlie Moore asked why short term problems were not corrected prior to now and if the long term work is on hold until grant money is received. Joe Flynn said the \$16.8 million FRA grant outcome will not be known until the FRA informs the state. The grant money will address many issues such as ballast and resurfacing. Mr. Moore asked about the impact on on-time performance by the track restrictions. Bill Hollister stated slow orders have a significant impact on on-time performance. The plan decreases delay minutes by about 18 minutes overall if the projects are completed. Amtrak is satisfied with the plan and is cautiously optimistic. Dave Wulfson noted the new rules for funding have changed the way Amtrak measures on-time performance. The metrics are different on how performance of the host railroad was reported in the past. Bill Hollister said Amtrak is always monitoring host agreements stringently and holding the host railroad to the agreement. The FRA now requires a report from Amtrak and oversees the matter.

Rick Moulton asked about work done last year on the CLP with funding from New York State. Dave Wulfson said New York State has one project under contract to be done summer, 2011. New York Department of Transportation has a project awarded for rail replacement, but a contract is not yet in place.

Carl Fowler asked about the running time goal. Kevin Chittenden said the Amtrak schedule has been lengthened due to delays. Amtrak is trying for a pure running time that is close to the timetables for the railroad. Bill Hollister added Amtrak has taken the speed restrictions and tried to find a steady average level of speed. There will be significant improvement if the train can run at a consistent level.

Frank Rogers, PW Railroad, cautioned against slipping the freight schedule. Chris Cole agreed to have success the benefits of both freight and passenger rail must be acknowledged. Bill Hollister stated there are tight slots on the Hudson line in New York State with freight and Amtrak movements.

Carl Fowler spoke in support of continued connection of the Ethan Allen Express passenger service to Florida bound trains.

9. Freight Topics

WACR

VTrans did a carrying capacity analysis and Vermont Rail Systems has been informed of the results. Dave Wulfson said the bridge evaluation shows less than 263,000 pound capacity which has basically put the railroad temporarily out of service. The strength of the bridge will be tested and if acceptable the railroad will reopen late April or early May. Mladen Gagulic said a contractor has been hired to do non-destructive testing of the steel on the bridge.

Middlebury Spur

Discussion continues with the FRA. Dave Wulfson said the amount of money needed for the project has to be determined in order to secure a RIF loan. Borings under the floodplain of Otter Creek are needed. Neighbors to the project are being kept informed.

Rutland Rail Yard

Federal Highway is to schedule a meeting with stakeholders. The project can go forward under the EIS.

Middlebury Tunnel

Additional design and engineering work is programmed in FY12. Main Street and Merchants Row bridge project have been removed due to lack of funding at this point in time.

Green Mountain Railroad Rail Replacement

Seventeen miles of rail needs to be changed. Materials are on hand. Cars carrying ethanol run on the line. VTrans needs to consider the project. Charles Hunter noted excess rail from NECR projects can be purchased from Unitrak. The rail is already delivered so there is a savings on freight charges.

10. Passenger Topics

Track 1 Update

Charles Hunter reported the amended agreement has been approved so the number of ties was increased. Preconstruction and safety meetings with contractors have been held. More welded rail has been delivered. The goal is to get all rail, three-quarters of the ties, the bridge work, and crossings done this year. A plan for bus service to cover disrupted Amtrak service is being drafted to ease the inconvenience. Charlie Miller urged Amtrak and the state to inform the public of the work and the anticipated improvements. Chris Cole agreed serving the customer and their needs is paramount. Chris Parker suggested

avoiding fall foliage travel time and students returning to school. Matt Levin stated information on the positive improvements should be publicized so communities are informed. Websites, press releases, contact numbers should all be up to date.

Track 2 Submittal

Joe Flynn reported the state met the 4/4/11 deadline for the application. The state's package is \$80.3 million for the CLP to Rutland and Vermont Rail Systems from Rutland to Burlington. There are 90 application totaling \$10 billion (only \$2 billion is available). Money from the Florida project is included so a "richer" project was proposed to include fully gated crossings, passing sidings, and upgrade of existing sidings. Chris Parker asked if there is a service development plan. Mr. Flynn said there is a draft template of the service outcome agreement so all parties are informed. Costa Pappis clarified the service development plan is a technical document that looks at ridership and revenue forecasts. Matt Levin asked if CONEG is involved. Brian Searles explained Governor Shumlin is the lead governor in CONEG working on a package with links to enhance service in the northeast. Vermont's application supports the other applications and vice versa.

Track 3

Costa Pappis reviewed the planning study that is looking at different routing options in southwest Vermont. A stakeholder and public group meeting was held. VHB Engineering is the consultant. The study will be done in 18 months and will meet all FRA requirements for high speed rail. Dave Wulfson mentioned the southern portion of PanAm is involved in the project (Hoosick Jct./Mechanicville to Schenectady). Carl Fowler asked if defects on the line by Mechanicville will be addressed. Chris Cole assured the choke point was clearly identified in Mechanicville. Costa Pappis said the list of criteria for service options is being finalized, including speed and cost factors.

National Train Day and White River Junction Station

Train Day is May 7, 2011. There is a celebration planned at the White River Jct. train station with 90 invited guests on board the train from St. Albans to White River Jct. Amtrak will continue south. Bus service will be available to shuttle people back north. Regarding the White River Junction train station, the state is trying to find funding to acquire the station for \$875,000. VTrans is authorized to find money to add to the budget for the station. Also, surplus state funds can be used. The station is third on the list of purchases by the state. Charlie Miller suggested the box lunch that was available on the Vermonter be reintroduced for the event. The lunch contained all Vermont products. Amtrak now uses a national catering service and discontinued the Vermont products box lunch. Staff will investigate the Vermont box lunch item for train day.

Amtrak Marketing & Ridership Update

Bob Atchinson reported ridership on the Ethan Allen Express north through Albany is up 8.8% over last year for February and the Vermonter north through Springfield is up 1% over last year. Revenues for the Ethan Allen Express are level with last year. The Vermonter shows .3% increase. Ridership shows a 2% decrease on the Ethan Allen Express, but ticket sales are up 2%. The Vermonter ridership is up 7.5% and ticket

revenues are up 10%. Joe Flynn noted the state paid \$800,000 less in subsidy because ridership and revenues are up. The marketing effort spearheaded by Charlie Miller and Rob Ide is showing success and the ads will continue. Other suggested marketing ideas include a mural at the airport, advertisement with Vermont Lake Monsters and Vermont Symphony Orchestra in Rutland, and banners in the Norwich hockey stadium and on CCTA buses. Bill Hollister said ridership on the Vermonter from Essex Junction is growing each month and was the highest station in February. Rutland and Brattleboro are also doing well as is White River Junction.

Brian Searles relayed the positive experience he had while riding the Vermonter except for the conditions at the train station in Essex Junction where passengers had to wait outside in the weather because there was no room in the building. Chris Cole assured the station will be added to the list of projects. Dave Wulfson suggested Amtrak use station improvement stimulus money for the Essex Junction station. Charles Hunter noted NECR's dispatch disaster recovery room is in the Essex Junction station. Charlie Miller said the back space in the building can be reclaimed for train station space.

Carl Fowler asked about blocked space south of Albany impacting the availability of seats. Bill Hollister said there have been no complaints received about blocked space, but Amtrak will continue to monitor the situation. Mr. Fowler suggested on holidays and college weekends extra coach cars be available on the train.

Bill Hollister mentioned e-ticketing is being done in Maine on the Downeaster service. Carl Fowler mentioned the list he generated of travel agencies selling at least \$3,000 in Amtrak tickets per year. There are only seven agencies out of 23 selling Amtrak tickets, and none in St. Albans, Rutland, Montpelier, or White River Jct. Outreach to travel agencies is needed because agents are missing an opportunity for commission on ticket sales. Bill Hollister stated Amtrak wants passengers to visit the Amtrak website. Chris Cole commented to be competitive sales techniques in the market place are needed, such as links to allow customers to access rail tickets.

11. Other Business

Mike Coates Update

Joe Flynn reported Mike Coates is unable to attend Rail Council meetings due to ill health, but is being kept informed on matters.

Next Meeting

June 29, 2011 at 1 PM, National Life Building, Montpelier

12. Adjournment

MOTION by Carl Fowler, SECOND by Rick Moulton, to adjourn the meeting.

VOTING: unanimous; motion carried.

The meeting was adjourned at 3:50 PM.