

New Hampshire Rail Transit Authority
Meeting May 22, 2009
LOB, Room 201 – 203

Attendees: Representative Mary Allen, Tim Moore, Bruce Woodruff, Jay Minkarah, Representative Bob Williams, Mike Izbicki, Malcolm Taylor, Mark Brewer, Kit Morgan, Ron O'Blenis, Kathy Hersh, Nancy Larson, Tom Mahon, Peter Burling, Ted Starkweather, Senator Martha Fuller Clark, Steve Pesci

Call to Order

Peter Burling opened the meeting at 10:06am.

Public Input

- Mike Smith from the Finger Lakes Railway addressed the Authority. He said our project sounds pretty good. The larger a project gets, the more complicated it is. He suggests we follow the rule of incrementalism. 10 years ago a shuttle was proposed from Nashua to Lowell. It was rejected. It would have cost \$6 million in capital costs, and \$600,000 to operate annually. He was told it is easier to get a lot of money than a little money. There are options to start small and build from there. Rep. Allen asked for the paperwork from 10 years ago. Mr. Smith said he would provide to the Authority.
- Peg Fargo, League of Women Voters, read a letter of support into the record. She especially thanked Mike Izbicki for attending their meeting and for his enthusiasm.
- Peter Griffin, president of the NH Rail Revitalization Authority, said he understands the long term goal of high speed rail. He is concerned we are forgetting about the Northern Line. We need to preserve the infrastructure on the Northern Line; DOT is doing some road straightening that is impacting it. We no longer have a rail connection to Canada. Northern Line not just high speed; freight as well. It is important to have more than one access to NH. He thanked the League of Women Voters for their comments and support.

Peter thanked Peter Griffin; he did a great job on the Laura Canoit show.

MOTION by Senator Clark, seconded by Mike Izbicki to accept the minutes from the March 20, 2009 meeting. Senator Clark requested the minutes be amended to reflect that Senator Kelly is Senator not Representative. Motion passed as amended.

Election of officers

Peter Burling announced that the vice chair position is open since Steve Williams is no longer working for NRPC. He asked for nominations.

MOTION by Jay Minkarah, seconded by Malcolm Taylor to nominate Kathy Hersh as vice chair. Motion was made and seconded that one ballot would be cast. Motion passed.

Peter suggested that since several members are not present today, that we elect a Secretary at the next meeting.

Updates

Peter apologized about not communicating with each of the members individually. He will provide an update today. We are in the middle of a national competition for billions of dollars.

HB613 on the legislative calendar is cause for concern. It proposes studying the ownership of rail ROW in NH. It sounds innocuous enough but Pan Am Railways (PAR) has made it clear that passage of HB613 will cause termination of negotiations. Peter attended the Senate hearing. He offered if the Senate wants a study, then they should request the NHRTA to study. Peter would ask Representatives Williams and Allen to chair a sub-committee of the NHRTA. He said there is no money to buy rail lines. His comments at the Senate hearing provoked negative pushback. He asked all callers if they knew of any support to fund the acquisition. He explained the problems with passage. HB613 was tabled yesterday in the Senate. Senate is in session next week.

Representative Williams said it is interesting how things develop. HB 613 came to committee with no position from DOT or the Department of Safety. There was no opposition; there was some, but not significant. Studying the railroad ownership seemed to be a good idea. It seemed a responsible thing to do. The study would not just be of PAR-owned lines, but also should the State continue to own any rail lines. If he knew, if he had received DOT's letter earlier, it may have been different. He will defend his committee. He still believes this ought to be looked at and he is fine if the NHRTA instead takes it on.

Peter said he did not perceive the importance until it reached the House floor. He said there are three groups supporting the bill: people who do not agree with the stimulus, people who despise PAR and those who support studying the issue. He is concerned that the Senate directive would be for NHRTA to wait until the study is completed.

Yesterday the Senate adopted the amendment to HB76 regarding indemnification and the right of representation. David Hilts said he expects the bill to pass with the amendment. It will get us indemnified, and also allow both DOT and DOJ to provide assistance. The bill will now go back to the House.

Senator Clark said we need to encourage the House to support concurrence with the Senate amendment.

Mike Izbicki asked if we should send a letter as an Authority and everyone agreed.

Representative Allen suggested giving the letter to Representative Williams.

Peter Burling said he is convinced the only way New England will get any money is to do it together. He has asked Senator Shaheen to do everything she can to get the New England delegation together. He has spoken at length with MA Lt. governor, who will set up a meeting with the MA and NH Commissioners of Transportation, himself, Peter and Mike.

An agreement between NH and MA was recently signed for transferring the high speed rail corridor west, bypassing NH. Peter has spoken to Mike Dukakis, who has pledged his assistance. We don't want to oppose any other State's efforts, but we need to work together so we can all get something.

Kathy asked about an organization called the New England Regional Rail Coalition. No one was familiar with it.

Malcolm mentioned the Eastern Border Transportation Coalition. They meet monthly and include all the New England State, NY, and the Maritime provinces. NH does not participate.

Kate Peters said the New England Governors have an organization, which has a transportation sub-committee that meets.

Peter Burling said there's a meeting with the Federal Rail Administration (FRA) on June 2nd in Philadelphia. Mike is going. Others are invited to go, but at their own cost. It will be a technical meeting. The final rules are coming out on June 17th and applications will be due August 17th. The council of State governments is hosting a regional meeting the afternoon of August 2nd on rail in Burlington, VT.

Steve Pesci said we have to work with neighboring states. Need to coordinate with the NNE Passenger Rail Authority. Other states have a leg up on us. We need to have the different authorities working together.

Peter said the Governors of the New England states need to get on the phone and get it done. It is now the chief executives' responsibility.

Kathy said there seem to be a lot of groups organizing and it is difficult to know what is legitimate and who we should be working with. Peter said the Governor and the Commissioner need to determine. Representative Allen said we should be attending every group possible. Peter said if you know of a group, we need to communicate with each other.

Ron O'Blenis said the States' work to date has been individual. He referenced NH's decision to step out of the arena with other States due to a letter from the State in 2004. Peter said we are now catching up.

Ron asked if the State of NH is committed to doing this and where is the money to do this. It needs to come down from the executive branch. We need the larger game plan before going to other groups.

Mike said there are two parts. States are already so far along, we do not want to disrupt. We need to look at the next step. NH needs to show we are on board, not with the first step but with the larger plan. We want to support their plan.

Chris Clement and Mike Izbicki have been meeting with PAR. PAR is proposing a less costly track alternative. DOT is working on an MOU with PAR. Peter said, with regard to operating, we still need to talk to MBTA regarding distribution of public benefit.

Mike said he has been talking to a consultant in Boston to help us write the grant. There's only two months to do. We must include capital costs, operating costs, portions of the stimulus package, etc... Representative Allan asked if this is independent of any regional grant requirements. Mike said yes. Mike said we are pursuing two roads in parallel - stimulus money and reauthorization funds.

Representative Allan asked about the \$1.9 million for alternatives analysis, which will require a 20% match. Mike said we have asked Congressman Hodes to change the use of the funds, but we are not sure it can happen.

Jay asked how we are paying the consulting firm. Peter said he and the Commissioner are working on it.

Senator Clark asked how shovel ready we are. Mike said we need to be able to start in two years and be complete in 3 years.

Peter said the program is for \$247 million. It would be single track to Manchester with passing sidings 5 miles apart. It would include a layover facility, maybe in the vicinity of Bow. It would include basic train stations and a train set. The rumor we may hear is that the \$247 million would come to NHRTA and then we would give it to PAR. That is not true. DOT will contract with whoever needs to make this happen. We are looking at reconditioned cars instead of new. There's a long lead time when ordering steel and cars. We can qualify for high speed since we are going in that direction.

Malcolm suggested it is really 'higher' speed rail. He suggested we could use highway funds for crossings, and other sources of funds for other components of our project.

Kit said he is still posting on DOT's web site. He doesn't know why the new URL is not up yet. He has talked to DOT people from VT and MA. He doesn't think they are talking about redesignating the high speed rail corridor, but instead studying alternative corridors.

Peter said the Governor needs to be talking to the Governors of VT and MA.

Kit encourages everyone to get on the FRA website. www.FRA.DOT.Gov. There is a strategic plan for stimulus funds. There are two alternatives. Our project does not seem ready for either. We can apply for study money to get ready.

The Coalition of Northeastern Governors is hosting the meeting in Philadelphia. They are thinking of having a letter with all States signing on a group plan.

Peter mentioned that we have no business cards or stationery. He is willing to pay for it if someone will take on doing the design. Tim offered to do logo, layout, etc.. Steve Pesci suggested if our logo has the State of NH on it, then we should include the other NE states as well, maybe a little faded. Kathy agreed.

Peter said Chris Clement has been tasked to have weekly meetings to keep everyone up-to-date. It is designed to help the commissioner stay on top of the project.

We discussed communication and meetings. Peter offered that any members of the Authority should feel free to call him or Mike at any time on their cell phones if they want information between meetings. We decided at least for the time being to have NHRTA meetings every second and fourth Fridays.

Peter asked that the media policy review be held until the next meeting.

MOTION by Jay Minkarah, seconded by Malcolm Taylor to adjourn. All in favor.

Meeting adjourned at 11:47am.

Respectfully submitted,
Katherine Hersh

Next meetings:

Friday, June 12, 2009
Friday, June 26, 2009