

**Columbia County Board of Supervisors * Village of Castleton-on-Hudson * Town of Germantown
City of Hudson * Town of Hyde Park * Town of Rhinebeck
Town of Stockport * Town of Stuyvesant * Village of Tivoli**

March 16, 2021

Dear Deputy Secretary Santiago-Martinez:

As a result of the ongoing and incremental loss of river access due to railroad practice and policies, the Columbia County Board of Supervisors and municipalities of Castleton-on-Hudson, Germantown, Hudson, Hyde Park, Rhinebeck, Stockport, Stuyvesant, and Tivoli have each passed resolutions outlining our concerns and authorizing letters requesting your assistance. These resolutions are attached.

We the undersigned are writing with one voice to ask the New York State Department of State (DOS) to assist the municipalities between Poughkeepsie and Rensselaer to help us coordinate our public access goals, improving river access while at the same time reducing the risk of danger along the Empire Corridor's Hudson Line. We believe that a regional shoreline access plan that identifies places where people use the river, places where new access is needed, and projects that would facilitate that access is the best way to help us achieve our collective river access goals.

Background

When Amtrak in January 2018 proposed gates and impasse fencing at eight locations in five municipalities between Rhinecliff and Stuyvesant, we viewed this as another step in the longstanding, decades-long, incremental loss of river access. We also witnessed in reaction to Amtrak's proposal an outpouring of public interest in engaging in a more collaborative approach to balancing the need for public shoreline access and reducing risk along the rail corridor. During public meetings held by Scenic Hudson between December 2018 and January 2020, it became apparent that river access needs are extensive—some communities have little formal access in parks; many people use the shoreline in informal places for water-related recreation; in some places access has been closed; in at least one place a costly and obtrusive pedestrian overpass will be required; and several unmaintained historic truss bridges have been closed. Many of these bridges are in State parks, and if restored and reopened new river access could be provided.

Fortunately, the DOS has established a set of statewide coastal management policies, including policies that protect the public's right to river access along the State's coastline. We appreciate that the DOS required Amtrak to apply for a Coastal Consistency Determination for the plan for gates and fencing. Likewise, we applaud the NYS Departments of State and Transportation for asking Amtrak to withdraw its application and in collaboration with municipal officials, develop a five-year plan that looks beyond the railroad's needs at the original eight locations.

Some municipalities have Local Waterfront Revitalization Programs (LWRPs). Others have programs in progress. Others have no program. Likewise, River access varies from municipality to municipality. But the limiting factor to river access is the railroad's siting along the shoreline. Much of the rail line is on formerly submerged State lands, conveyed by New York State to the railroad in the mid-19th Century. Our residents have for decades enjoyed access to New York's coastal waters for water-related recreation. While some shoreline access occurs at limited parkland, many people access the foreshore

across the rail line or by walking or driving along the access road along the shoreline. While our river access varies from municipality to municipality, we share in common the need to protect and increase river access. That is why we write you today.

Our ask

Now, with Amtrak working on a *5 Year Fencing Program on the Hudson Line Section of the Empire Corridor*, we ask your assistance to help us create a plan that coordinates our river access goals and identifies a path forward to achieving these goals. We believe such a plan is needed to strike an appropriate balance of protecting existing river access, creating new access, and reducing risk along the corridor.

Conclusion

Therefore, the Columbia County Board of Supervisors and municipalities of Castleton-on-Hudson, Germantown, Hudson, Hyde Park, Rhinebeck, Stockport, Stuyvesant, and Tivoli request that the NYSDOS work with us to create a regional shoreline access plan that coordinates our public access goals, identifies places for new public access, and ensures that existing shoreline access is protected in the future. We believe that by working together we can find common sense ways to provide river access for water-related recreation while at the same time reducing risk along the rail line. Please let us know how we can make this happen.

Sincerely,



Matt Murell, Chairman
Columbia County
Board of Supervisors



Mayor Joe Keegan
Village of Castleton-on-Hudson



Supervisor Robert Beaury
Town of Germantown



Mayor Kamal Johnson
City of Hudson



Supervisor Aileen Rohr
Town of Hyde Park



Supervisor Elizabeth Spinzia
Town of Rhinebeck



Supervisor Matt Murell
Town of Stockport



Supervisor Ron Knott
Town of Stuyvesant



Mayor Joel Griffith
Village of Tivoli



Resolution
Board of Supervisors
County of Columbia
New York

Resolution No. 236-2020

Sponsored by Supervisor J. Guzzi

A RESOLUTION URGING NEW YORK STATE DEPARTMENT OF STATE TO JOIN WITH OUR COMMUNITIES IN A COLLABORATIVE EFFORT TO REVIEW LOCAL GOVERNMENT AND REGIONAL PUBLIC ACCESS NEEDS AND IMPLEMENTATION FOR LOCAL WATERFRONT REVITALIZATION PROGRAMS

UPON, recommendation of the Finance Committee; at a meeting held on the 6th day of August, 2020;

WHEREAS, on January 12, 2018 Amtrak submitted to the New York State Department of State (NYS DOS) an application for Consistency Review for a series of gates and fences at eight locations in five municipalities between Rhinebeck and Stuyvesant along the Empire Corridor South Hudson Line; and

WHEREAS, five of these eight locations were in the Columbia County municipalities of Germantown (at Cheviot Park, Germantown Lower Main Street, and Ernest R. Lasher Jr. Memorial Park), Stockport (at Stockport Creek), and Stuyvesant (at Stuyvesant Landing, Mile Post 123.88 and Ferry Rd) and are enjoyed by residents throughout the County; and

WHEREAS, the hundreds of people expressed concern in comments to the NYSDOS that the construction of gates and fencing at these locations would reduce access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River; and

WHEREAS, on September 6, 2018 five Columbia County Supervisors wrote to the NYS Department of State expressing serious concerns with the process that the DOS was conducting to review the proposal for gates and fences; and

WHEREAS, the September 6, 2018 letter stated that Columbia County Supervisors believed that "DOS has a greater responsibility to the people of the State of New York than to Amtrak" and requested that "the DOS take an interest in how the outcome of this (Amtrak's) application will have on the immediate and negative impact on our communities"; and

WHEREAS, on December 15, 2018 the Town of Germantown hosted a public meeting attended by approximately 115 people at which Scenic Hudson announced its white paper *At-Grade Passenger Rail Pedestrian & Trail Crossings.*, the white paper documented modern techniques used to reduce risk and allow public access along and across Amtrak lines in other parts of the United States; and

WHEREAS, on January 7, 2019 a letter was sent to NYSDOS Secretary of State Rossana Rosado signed by 11 mayors and Supervisors between Hyde Park and Castleton-on-Hudson, including the Mayor of Hudson and Supervisors of Clermont, Germantown, Livingston, Stockport and Stuyvesant. This letter reiterated and expanded upon concerns raised in the previous September 6, 2018 letter; and

WHEREAS, on January 18, 2019 Amtrak, after meetings with the NYS Department of Transportation (NYSDOT) and NYSDOS, withdrew its proposal for gates and fences so it could be revised in conjunction with a five-year corridor plan to improve safety. Amtrak's press release also stated that Amtrak would continue to work with affected communities, Town officials, and State agencies in formulating the revised plan; and

Resolution No. 236-2020 (page 2)

WHEREAS, on January 3, and 4, 2020 as part of public outreach for its *Hudson River Access Plan, Poughkeepsie to Rensselaer*, Scenic Hudson conducted three stakeholder meetings and three public meetings in Castleton-on-Hudson, Germantown, and Rhinebeck, at which approximately 300 people attended expressing the need to protect existing river access and expand future access; and

WHEREAS, during January 2020, Scenic Hudson conducted additional public outreach for the Hudson River Access Plan, which resulted in over 5,500 votes for various public access location and 1,000 comments on access needs were submitted;

WHEREAS, based on these meetings and public comments, Scenic Hudson on March 26, 2020 published the *Hudson River Access Plan, Poughkeepsie to Rensselaer*, which received letters of support from the Columbia County Board of Supervisors, County Legislatures of both Rensselaer and Dutchess Counties, County Executives of both Rensselaer and Dutchess Counties, municipalities of Castleton-on-Hudson, Hudson, Tivoli, Rhinebeck, Hyde Park, not-for-profit organizations Hudson River Heritage, Franklin D. Roosevelt-Hyde Park Foundation;

WHEREAS, on March 6, 2020 Congressmen Tonko, Delgado and Maloney sent a letter to Amtrak expressing hope that "Amtrak will work with all relevant state and local representatives to effectively reduce safety risks without compromising the public's ability to access the Hudson River;"

WHEREAS, this letter also supported cooperative efforts such as *Scenic Hudson's Hudson River Access Plan*, stated that "railroad development along both shores of the Hudson River has also created numerous barriers that may affect the public's ability to access the Hudson River," and expressed "a deep concern that the potential for loss of access runs contrary to New York State's Coastal Program;"

WHEREAS, on May 22, 2020 Congressmen Tonko, Delgado, and Maloney followed up with a second letter to Amtrak expressing that "the loss of access with which we are concerned is not limited to designated public parkland, but also other places along the shoreline where generations of people have fished or simply enjoyed river views;"

WHEREAS, this letter also stated that Congressmen "remain concerned that Amtrak should do more to address local officials' concerns regarding the past, ongoing and future loss of shoreline access" and expressed an interest in seeing a "cooperative effort that maintains, and ultimately increases, shoreline access throughout the corridor;"

WHEREAS, this letter referenced the *Hudson River Access Plan's* "11 clear recommendations and over 70 case-specific examples of crossings that need to be maintained or improved," urged Amtrak's project staff "to read the entire report before continuing to reformulate fencing and gate locations; adjust the proposal accordingly; and then explain on a case-by-case basis how risk can be managed without reducing river access at each location"

WHEREAS, on July 16,2020 we were disappointed to learn via an Amtrak-convened video conference, that the reformulated *Five Year Fencing Program on the Hudson Line Section of the Empire Corridor* would expand the locations of gates and fencing to additional locations in Rensselaer, Dutchess and Columbia Counties, including new locations in the City of Hudson and Towns of Greenport and Stuyvesant;

WHEREAS, we are vitally concerned with decades-long erosion of public river access, most of which is due to railroad policy and its operational procedures and the Columbia County Board of Supervisors views this loss of access as an impediment to our ongoing individual and collective efforts and initiatives to improve the economic health and social well-being of not only our individual communities, but to the region that defines us;

WHEREAS, each of our municipalities is in a different place with respect to articulating our vision for the future with some having adopted Local Waterfront Revitalization Programs (LWRP), others not benefitting by an LWRP, and still others working on draft LWRPs for approval; and

WHEREAS, every municipality in Columbia County, whether it benefits by a Hudson River location or not, shares a common interest in increasing our collective access to the Hudson River.

Resolution No. 236-2020 (page 3)

NOW, THEREFORE BE IT

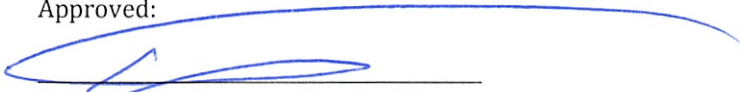
RESOLVED, that the Columbia County Board of Supervisors believes It would be valuable for the New York State Department of State to join our communities in a collaborative effort to review local government and regional public access needs and implementation; and be it further

RESOLVED, that a letter to the Secretary of State will be sent requesting assistance from the NYSDOS in developing a regional riverfront access plan; and be it further

RESOLVED, that the Columbia County Board of Supervisors urges every municipality along the eastern shore of the Hudson River between Rensselaer and Poughkeepsie to make a similar request of the Secretary of State; and be it further

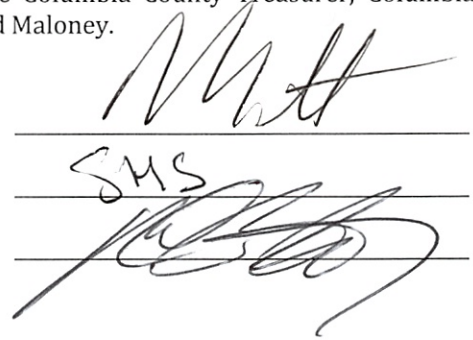
RESOLVED, that certified copies of this resolution be forwarded to the Columbia County Treasurer, Columbia County Attorney, NYS Dept of State, NYS Congressmen: Tonko, Delgato, and Maloney.

Approved:



Robert J. Fitzsimmons, County Attorney

**Resolution
Committee**



STATE OF NEW YORK
COUNTY OF COLUMBIA } *ss:*

This is to certify that I, undersigned Clerk of the Board of Supervisors of the County of Columbia, have compared the foregoing resolution with the original resolution, now on file in the office of said clerk, and which was adopted by said Board of Supervisors on the 12th day of August, 2020; and that the same is true and correct transcript of such original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Board of Supervisors this 13th day of August, 2020.


Kelly S. Baccaro, Clerk of the Board

RESOLUTION NO. __
December 15, 2020

A RESOLUTION OBJECTING TO THE INSTALLATION OF A GATE ON THE RAILROAD MAINTENANCE ROAD NEAR BROAD STREET AND URGING NEW YORK STATE DEPARTMENT OF STATE TO JOIN WITH HUDSON RIVER COMMUNITIES IN A COLLABORATIVE EFFORT TO REVIEW LOCAL GOVERNMENT AND REGIONAL PUBLIC ACCESS NEEDS AND IMPLEMENTATION FOR LOCAL WATERFRONT REVITALIZATION PROGRAMS

WHEREAS, the City of Hudson's approved Local Waterfront Revitalization Program (LWRP) explicitly prioritizes and proposes increased access to the Hudson River shoreline;

WHEREAS, the Hudson River Railroad, constructed in the 1850s and now owned by CSX and managed by Amtrak, runs along the Hudson River shoreline and, as stated in the City's LWRP, prevents river access in Hudson;

WHEREAS, with approximately 1.5 miles of Hudson River shoreline, the railroad has limited the City's public river access to approximately 540' at the Henry Hudson Waterfront Park;

WHEREAS, on January 12, 2018 Amtrak submitted to the New York State Department of State (NYSDOS) an application for Consistency Review for a series of gates and fences at eight locations in five municipalities between Rhinebeck and Stuyvesant along the Empire Corridor South Hudson Line;

WHEREAS, hundreds of people, including many Hudson residents, expressed concern in comments to the NYSDOS that the construction of gates and fencing at these locations would reduce access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River;

WHEREAS, the hundreds of people expressed concern in comments to the NYSDOS that the construction of gates and fencing at these locations would reduce access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River; and

WHEREAS, on January 7, 2019 a letter was sent to NYSDOS Secretary of State Rossana Rosado signed by 11 mayors and Supervisors between Hyde Park and Castleton-on-Hudson, including the Mayor of Hudson and Supervisors of Clermont, Germantown, Livingston, Stockport and Stuyvesant. This letter reiterated and expanded upon concerns raised in the previous September 6, 2018 letter; and

WHEREAS, on January 18, 2019 Amtrak, after meetings with the NYS Department of Transportation (NYSDOT) and NYSDOS, withdrew its proposal for gates and fences so it could be revised in conjunction with a five-year corridor plan to improve safety. Amtrak's press release also stated that Amtrak would continue to work with affected communities, Town officials, and State agencies in formulating the revised plan; and

WHEREAS, on January 3, and 4, 2020 as part of public outreach for its Hudson River Access Plan, Poughkeepsie to Rensselaer, Scenic Hudson conducted three stakeholder meetings and three public meetings in Castleton-on-Hudson, Germantown, and Rhinebeck, at which approximately 300 people attended expressing the need to protect existing river access and expand future access; and

WHEREAS, during January 2020, Scenic Hudson conducted additional public outreach for the Hudson River Access Plan, which resulted in over 5,500 votes for various public access location and 1,000 comments on access needs were submitted;

WHEREAS, based on these meetings and public comments, Scenic Hudson on March 26, 2020 published the Hudson River Access Plan, Poughkeepsie to Rensselaer, which received letters of support from the Columbia County Board of Supervisors;

WHEREAS, on March 6, 2020 Congressmen Tonko, Delgado and Maloney sent a letter to Amtrak expressing hope that "Amtrak will work with all relevant state and local representatives to effectively reduce safety risks without compromising the public's ability to access the Hudson River;"

WHEREAS, this letter also supported cooperative efforts such as Scenic Hudson's Hudson River Access Plan, stated that "railroad development along both shores of the Hudson River has also created numerous barriers that may affect the public's ability to access the Hudson River," and expressed "a deep concern that the potential for loss of access runs contrary to New York State's Coastal Program;"

WHEREAS, on May 22, 2020 Congressmen Tonko, Delgado, and Maloney followed up with a second letter to Amtrak expressing that "the loss of access with which we are concerned is not limited to designated public parkland, but also other places along the shoreline where generations of people have fished or simply enjoyed river views;"

WHEREAS, this letter also stated that Congressmen "remain concerned that Amtrak should do more to address local officials' concerns regarding the past, ongoing and future loss of shoreline access" and expressed an interest in seeing a "cooperative effort that maintains, and ultimately increases, shoreline access throughout the corridor;"

WHEREAS, this letter referenced the Hudson River Access Plan's "11 clear recommendations and over 70 case specific examples of crossings that need to be maintained or improved," urged Amtrak's project staff "to read the entire report before continuing to reformulate fencing and gate locations; adjust the proposal accordingly; and then explain on a case-by-case basis how risk can be managed without reducing river access at each location"

WHEREAS, on July 16, 2020 Amtrak convened a video conference, at which they presented a reformulated *Five Year Fencing Program on the Hudson Line Section of the Empire Corridor* would expand the locations of gates and fencing to additional locations in Columbia Counties, including new locations in the City of Hudson-- a 5' gate and 1,570' of fencing at Broad Street (MP 114.4) and a 4' gate and 290' of fencing at Dock Street (MP 114.85); gates and fencing near at Broad Street and ;

WHEREAS, this reformulated plan also requires a Consistency Determination from the NYSDOS;

WHEREAS, the gate at Broad Street has recently been installed without a Consistency Determination and will violate both New York State Coastal management Policy and Hudson's LWRP with respect to public access policies;

NOW, THEREFORE BE IT RESOLVED, that the City Of Hudson objects to the installation of this gate and requests that the gate be removed pending the completion of a Consistency Determination on the *Five Year Fencing Program on the Hudson Line Section of the Empire Corridor*; and be it further

RESOLVED, that the City Of Hudson believes It would be valuable for the New York State Department of State to join our communities in a collaborative effort to review local government and regional public access needs and implementation; and be it further

RESOLVED, that a letter to the Secretary of State will be sent requesting assistance from the NYSDOS in developing a regional riverfront access plan; and be it further

RESOLVED, that the City of Hudson urges every municipality along the eastern shore of the Hudson River between Rensselaer and Poughkeepsie to make a similar request of the Secretary of State; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the, NYS Dept of State, NYS Congressmen: Tonko, Delgato, and Maloney.

Introduced: _____

Seconded: _____

Approved: _____
Kamal Johnson, Mayor

**RESOLUTION NUMBER # 13 OF THE YEAR 2020 OF THE VILLAGE
BOARD OF THE VILLAGE OF CASTLETON-ON-HUDSON
AUTHORIZING THE RENSSELAER COUNTY LEGISLATURE TO
SEND A LETTER TO THE SECRETARY OF STATE REQUESTING
THAT THE NEW YORK STATE DEPARTMENT OF STATE TO ASSIST
INTERESTED COMMUNITIES IN CREATING A REGIONAL HUDSON
RIVER ACCESS PLAN**

WHEREAS, as articulated in Policy 19 of the Town of Schodack and Village of Castleton-on-Hudson Local Waterfront Revitalization Program (LWRP), it is the strong desire of the Village of Castleton-on-Hudson Board (“Village Board”) to “Protect, Maintain, and Increase the Level and Types of Access to Public Water-Related Recreation Resources and Facilities So That These Resources and Facilities May Be Fully Utilized By the Public in Accordance with Reasonably Anticipated Public Recreation Needs and Protection of Historic and Natural Resources.”

WHEREAS, as also articulated in the Schodack and Village of Castleton-on-Hudson LWRP, Section II, that there is currently no public access to the river and only limited private access, and that the Village Center has suffered from loss of business and resulting deterioration of some structures, and that increased access to and use of the river can be used as a catalyst to further revitalization;

WHEREAS, the Hudson River Railroad, constructed in the 1850s and now owned by CSX and managed by Amtrak, runs along the Hudson River shoreline and, as a result, severely limits opportunities for public river access in the Village of Castleton-on-Hudson (Village), as well as other communities;

WHEREAS, the Village and New York State Department of Transportation (NYSDOT) entered into a Memorandum of Understanding as of January 21, 1994, which among other things provided for the Village to purchase waterfront land adjacent to the public railroad crossing at Scott Avenue in the Village (Scott Avenue Crossing) to be developed as a municipal waterfront park, for the NYSDOT to reimburse the Village for the purchase cost of the such property, for the NYSDOT to thereafter construct a pedestrian and service accessway at the Scott Avenue Crossing, and for the Village, in consideration of such obligations by the NYSDOT, to thereafter support the NYSDOT’s effort to close the Scott Avenue Crossing to public vehicular access;

WHEREAS, the Village and the NYSDOT entered into a Municipal Agreement as of February 17, 1994, further reaffirming and memorializing the aforementioned commitments and obligations, and as such, providing for certain work to be done by the NYSDOT to close public access to the Scott Avenue Crossing;

WHEREAS, the Village supported the closing of the Scott Avenue Crossing, purchased in 1995 a 0.75-acre parcel of riverfront land intended to be developed as a municipal riverfront park, which cost was reimbursed by the NYSDOT, and the NYSDOT then closed the Scott Avenue Crossing to pedestrian and vehicular access in or around 1995 by construction of impasse fencing and the removal of the existing automatic gates and flashing lights;

WHEREAS, the NYSDOT has for over a generation failed to construct the pedestrian and service accessway at the Scott Avenue Crossing required by and provided for in the aforementioned agreements and has prevented Village residents and the general public from safely enjoying Hudson River access at the Villages’ municipal riverfront park;

WHEREAS, the Village Board believes that development of a municipal riverfront park at this location would benefit the Village's economy and businesses on Main Street, as well as promote the general health, safety and welfare and quality of life Village residents;

WHEREAS, the Castleton-on-Hudson Main Street Association, a local non-profit which is a positive force dedicated to promoting visible change, economic growth, and community pride strongly believes that access to Riverfront Park is the catalyst that will turn Main Street and the Village into a coveted location for business development and, additionally, it will help to foster a strong sense of community;

WHEREAS, the removal of this impasse fencing and reestablishment of a safe at-grade crossing at Scott Avenue would enable Village residents and the general public to enjoy Hudson River access in accordance with LWRP Policy 19 and pursuant to the prior agreements entered into between the Village and the NYSDOT;

WHEREAS, on January 12, 2018 Amtrak submitted to the New York State Department of State (NYSDOS) an application for Consistency Review for a series of gates and fences at eight locations in five municipalities between Rhinebeck and Stuyvesant along the Empire Corridor South Hudson Line;

WHEREAS, during the public comment period, hundreds of people expressed concern to the NYSDOS that the construction of gates and fencing at these locations would reduce access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River;

WHEREAS, on January 7, 2019 the Town of Rhinebeck sent a letter to the NYSDOS Secretary of State Rossana Rosado signed by Village Mayor Bob Schmidt and 11 other Columbia and Dutchess County supervisors and mayors expressing, among other things, the need to "assess Hudson River public access needs along the entire Empire Corridor South from Rensselaer to Poughkeepsie in cooperation with local governments, relevant State agencies, Hudson River users, other public stakeholders, and the general public;"

WHEREAS, on January 3, and 4, 2020 as part of public outreach for its Hudson River Access Plan, Poughkeepsie to Rensselaer (HRAP), Scenic Hudson conducted three stakeholder meetings and three public meetings in the Village, Germantown, and Rhinebeck, at which approximately 300 people attended expressing the need to protect existing river access and expand future access;

WHEREAS, during January 2020, Scenic Hudson conducted additional public outreach for the HRAP, which resulted in the submission of over 5,500 votes for various public access locations and 1,000 comments on access needs, and based on these meetings and public comments, Scenic Hudson on March 26, 2020 published the Plan;

WHEREAS: The HRAP received letters of support from the Village, Rensselaer County Executive and Legislature, as well as the Dutchess County Legislature, Columbia County Board of Supervisors, and other several municipalities and non-governmental organizations along the corridor;

WHEREAS, the HRAP found that 171 survey respondents expressed that they would like to use the Village's presently undeveloped waterfront park for water-related recreational activities such as fishing, boating, swimming, natural appreciation, and picnicking;

WHEREAS; the HRAP also found that survey respondents supported increased and/or improved access at nearby Campbell Island and other sites in Rensselaer County;

WHEREAS, in 2018 the Rensselaer Land Trust produced the Rensselaer County Hudson River Access Plan, which identified 44 sites for river access, including the Village’s Riverfront Park—a high priority site—and Campbell Island, as well as other locations in Rensselaer County;

WHEREAS, on March 6, 2020 Congressmen Tonko, Delgado and Maloney sent a letter to Amtrak expressing hope that “Amtrak will work with all relevant state and local representatives to effectively reduce safety risks without compromising the public’s ability to access the Hudson River;”

WHEREAS, this letter also supported cooperative efforts such as Scenic Hudson’s Hudson River Access Plan, stated that “railroad development along both shores of the Hudson River has also created numerous barriers that may affect the public’s ability to access the Hudson River,” and expressed “a deep concern that the potential for loss of access runs contrary to New York State’s Coastal Program;”

WHEREAS, on May 22, 2020 Congressmen Tonko, Delgado, and Maloney followed up with a second letter to Amtrak expressing that “the loss of access with which we are concerned is not limited to designated public parkland, but also other places along the shoreline where generations of people have fished or simply enjoyed river views;”

WHEREAS, this letter also stated that Congressmen “remain concerned that Amtrak should do more to address local officials’ concerns regarding the past, ongoing and future loss of shoreline access” and expressed an interest in seeing a “cooperative effort that maintains, and ultimately increases, shoreline access throughout the corridor;”

WHEREAS, this letter referenced the Hudson River Access Plan’s “11 clear recommendations and over 70 case-specific examples of crossings that need to be maintained or improved,” urged Amtrak’s project staff “to read the entire report before continuing to reformulate fencing and gate locations; adjust the proposal accordingly; and then explain on a case-by-case basis how risk can be managed without reducing river access at each location”

WHEREAS, on July 16, 2020 Amtrak-convened video conference to announce to municipal officials a reformulated Five-Year Fencing Program on the Hudson Line Section of the Empire Corridor that proposes new gates and fencing, including some in the Village and Rensselaer County that were not included in the 2018 plan;

WHEREAS, the Village Board believes it would be valuable for the New York State Department of State (NYS DOS) to join the Village and other communities in a collaborative effort to review local and regional public access needs, create a regional river access plan, and to assist in implementing the recommendations resulting from the plan;

NOW BE IT RESOLVED, that the Village Board of the Village of Castleton-on-Hudson authorizes that a letter should be sent to the Secretary of State requesting assistance from the NYSDOS in developing a regional riverfront access plan as described above and in obtaining compliance from the NYSDOT of its commitments and obligations under the 1994 agreements with the Village described above; and

BE IT FURTHER RESOLVED, that the Village Board of the Village of Castleton-on-Hudson urges every municipality along the eastern shore of the Hudson River between Rensselaer and Poughkeepsie to make a similar request of the Secretary of State.

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to Mr. Dylan Miyoshi, Hudson Valley Representative for Gov. Andrew Cuomo; Rosanna Rosado, Secretary of State, NYS Dept of State; Congressmen Tonko, Delgado, and Maloney.

Moved by: Trustee Martin

Seconded by: Trustee Giuliano

Resolution ADOPTED by the following vote:

Ayes: 5

Nays: 0

Abstentions: 0

Dated: 9/14/20

I hereby certify that this resolution was adopted on 9/14/20 and is recorded in the Meeting Minutes of the Village of Castleton-on-Hudson Village Board.

Padraic Ellis
Padraic Ellis, Village Clerk

Minutes of September 8, 2020 Germantown Town Board meeting via Zoom, commencing at 7:00pm.

Present: Supervisor Beaury
Councilman Sullivan
Councilman Kukon
Councilmember Suarez
Councilman Christian

Town Attorney, Corinne Smith

Recorded by: Town Clerk, Joyce Vale

Supervisor Beaury welcomed everyone and then Led with the Pledge to the Flag.

Motion to open the meeting made by Councilman Sullivan, seconded by Councilmember Suarez, with all in favor and none opposed.

Motion to approve the August 11, 2020 regular meeting minutes made by Councilman Kukon, seconded by Councilman Sullivan, with all in favor and none opposed.

Motion to pay audited bills made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

Old Business

- Finance update. Sales tax receipts are down approximately 15%. Supervisor Beaury sent the tentative budget to the clerk for the fiscal year 2021. Town Board will review tentative budget.

Motion to adopt the tentative budget for fiscal year 2021 made by Councilman Sullivan, seconded by Councilman Christian, with all in favor and none opposed.

- Budget workshop (before 10/13/2020 meeting). Sewer and lighting districts are in good shape. Supervisor Beaury said the two areas to look into are the DPW which is Highway and Maintenance. Proposed date for workshop is September 22, 2020 at 7:00pm starting with an executive session, followed by the workshop.
- Public hearing- Preliminary Budget Fiscal Year 2021 on October 13, 2020 at 6:45pm. Supervisor Beaury recommended having the public hearing before the next monthly meeting at 6:45pm.

Motion to set workshop date for September 22, 2020 at 7:00pm made by Councilman Kukon, seconded by Councilmember Suarez, with all in favor and none opposed.

Motion to set Public Hearing for Preliminary Budget for Fiscal Year 2021 on October 13, 2020 at 6:45pm made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

- Hiring freeze. Supervisor Beaury talked to Rich about the personnel situation and they came to an understanding they may need one extra person during a snow season for wingman for the snowplow driver.

Motion to approve hiring freeze contingent upon a one person hire for seasonal needs made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

Councilman Kukon asked what to do in a situation of a big snowstorm when they need a wingman for the snowplow? Supervisor Beaury said we have three drivers with CDLs and two wingmen. If we need a third we can hire one and he will keep the Town Board informed as the season unfolds.

- Flagpole at Lasher Memorial Park. Councilman Christian said the American Legion is supplying the park with a well needed new flagpole. Councilman Christian said he would like to see the flagpole by the memorial and not near the boat launch. Councilman Christian suggests one flagpole for both flags instead of the 2 flagpoles that are there now. Councilman Sullivan wondered if there was a reason for the 2 flagpoles. Supervisor Beaury asked if Councilman Christian talked to the committee who made the recommendations because we should take into consideration their recommendations. Councilman Christian said he spoke to two members. Supervisor Beaury will send out an email to the committee tomorrow.
- Resolution- Amtrak fences and gates. Supervisor Beaury sent the resolution to the Town Board to read.

TOWN BOARD

TOWN OF GERMANTOWN

COLUMBIA COUNTY, NEW YORK

RESOLUTION ADOPTING COLUMBIA COUNTY RESOLUTION 236-2020

A RESOLUTION URGING NEW YORK STATE DEPARTMENT OF STATE TO JOIN WITH OUR COMMUNITIES IN A COLLABORATIVE EFFORT TO REVIEW LOCAL GOVERNMENT AND REGIONAL PUBLIC ACCESS NEEDS AND IMPLEMENTATION FOR LOCAL WATERFRONT REVITALIZATION PROGRAMS UPON, recommendation of the Finance Committee; at a meeting held on the 6th day of August, 2020.

Dated: September 8, 2020

WHEREAS, Amtrak filed an application in early 2018 with the NYS Department of State to install fences and gates in three areas of the town along the railroad tracks, at Ernest R. Lasher Memorial Park, lower Main Street and Cheviot Park; and

WHEREAS, the Town Board of Germantown recognizes and acknowledges the efforts of local community leaders and volunteers for their work with the NYS Department of State, the NYS Department of Transportation and Amtrak on ensuring public access to the Hudson River;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of Germantown hereby adopts Columbia County Resolution 236-2020; and be it further

RESOLVED, that the Town Board of Germantown joins with the Columbia County Board of Supervisors in their belief that it would be valuable for the New York State Department of State to join our waterfront communities in a collaborative effort to review local government and regional public access needs and implementation; and be it further

RESOLVED, that a letter to the Secretary of State will be sent requesting assistance from the NYSDOS in developing a regional riverfront access plan; and be it further

RESOLVED, that the Town Board of Germantown authorizes the Supervisor to continue working with local, County, State and Federal officials to achieve our shared goal of maintaining public access to the waterfront.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Germantown that this Resolution is hereby adopted.

Introduced by Councilmember Suarez

Seconded by Councilman Christian

The question of the adoption of the foregoing Resolution was duly put to vote, which resulted as follows:

Supervisor Beaury	Aye
Deputy Supervisor Sullivan	Aye
Councilmember Christian	Aye
Councilmember Kukon	Aye
Councilmember Suarez	Aye

This Resolution having been approved by a majority of the Board, the same was declared duly adopted.

Joyce Vale, Germantown Town Clerk

- Re-Opening Plan.
- Activity Building. Councilman Kukon would like the Town Board's opinion with having the budget workshop in person. Councilman Kukon feels meeting in person is better as long as everyone is comfortable with it. Supervisor Beaury said the Activity Building might not be ready for the workshop and they would have to re-configure the Town Hall. Councilmember Suarez is not comfortable meeting in person and will need to think about it. Councilman Sullivan said the Public Hearing for the budget will have to be on zoom. Corinne said the board will have to decide on how they will hold the meeting and the public notice has to include everything.
- Playground. Councilman Kukon doesn't understand why the playground is closed. Councilman Sullivan said he saw people taking their kids in the dog park. Supervisor Beaury said the playground can't be cleaned after each use. Councilman Christian suggested putting a notice to the public that the playground is cleaned once a day in the high touch areas. Corinne said as long as there are guidelines and a time frame of it being cleaned that would protect the town. Corinne

also said the town should follow the Governor's guidelines for reopening the playground. More discussion on playground cleaning followed. Councilman Christian asked if the restrooms at the lake were still closed so he could update? Supervisor Beaury answered yes.

- Parsonage. Status quo.
- Update notice of status of Town facilities 9-15-2020 through 9-30-2020.
- Update Technology Committee. Councilman Sullivan said they were adding forms from the departments. Councilmember Suarez said the Park Commission is adding a description of all the parks with some photos.

New Business

- Purchase of Gator. Supervisor Beaury said they want to purchase a new Gator for just under \$14,000 and the 6-wheeler has to be replaced, the cost is approximately \$215,000. Anthony and Rich came up with a suggestion purchasing the Gator was more important to use around the park. George can use the black pickup that Anthony uses and the guys can use the red truck that Rich uses when he's not around. Supervisor Beaury said they will partially pay for the Gator using Chips money.

Motion to purchase the Gator made by Councilman Sullivan, seconded by Councilman Kukon with all in favor and none opposed.

- Surplus utility truck.

Motion to surplus the utility truck on delivery of the Gator made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

- DPW laptop and fuel software. We have a fuel depot and sell at a discounted rate to the school and the fire company. The laptop we have uses Windows 7 and if we upgrade to a laptop with Windows 10 specific software is needed and will cost \$6,500 to make it compatible with Windows 10. Councilman Christian suggested purchasing a laptop with windows 7 from ebay. Supervisor Beaury asked if Councilman Christian would look into possibly purchasing the laptop from a reputable company. Janet will get fuel prices. Councilman Sullivan said the Livingston highway department just updated and to check with them. Supervisor Beaury will check with Supervisor Guzzi.

Supervisor's Report

- 9/11 Ceremony and Purple Heart proclamation at Pavilion/Monument at 9am. If weather is good ceremony will be at the monument, if not under the pavilion.
- CC DOH Covid-19 testing at Activity Building lot on 9/13/2020 from 9-11am.
- Fire Company BBQ pickup at the Activity Building lot on 10/3/2020 from 4-6pm.

- CC DOH Flu Clinic at Activity Building lot on 10/8/2020 from 9-11 am.
- Next meeting is October 13, 2020 at 7:00pm. Town Board workshop is September 22, 2020 at 7:00pm.

Comments from Councilmembers

Councilmember Suarez said GEDAC is asking permission to host a movie night in September. Supervisor Beaury thinks this is a good idea and asked if the Town Board can see a plan.

Councilman Christian asked if you had to register for the Covid testing and is there a fee? Supervisor Beaury asked Janet to follow up.

Councilman Christian asked if there was a cost for the flu shots? Janet said there is paperwork to fill out first on the Columbia County website and she also said there is no charge for the drive up Covid testing. Supervisor Beaury said they will post notices for both.

Comments from the public.

Tony Albino asked if the Gator was electric or gas. Supervisor Beaury answered gas.

Written Communications to the Town Clerk

Town Clerk received an email from a resident on Anchorage Road concerned about cars speeding up and down the road.

Town Clerk received a resignation from Mattie Gifford resigning as a court clerk.

Supervisor Beaury said he let the Sheriff Deputies know about the speeders.

Councilman Sullivan wondered if they could ask Supervisor Guzzi if we could borrow their portable speed signs. Supervisor Beaury will ask Supervisor Guzzi.

Councilman Christian said he sees people speeding not only with boats but sports cars. Supervisor Beaury asked if he sees them to get the times of day this is going on. Councilman Christian will try to get license plates.

Motion to adjourn the meeting made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

Meeting closed at 8:10pm.

Respectfully submitted,

RESOLUTION 8:31 – 4 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TO ISSUE A LETTER TO THE SECRETARY OF STATE REQUESTING THAT THE NEW YORK STATE DEPARTMENT OF STATE ASSIST HYDE PARK AND OTHER COMMUNITIES IN CREATING A REGIONAL HUDSON RIVER ACCESS PLAN THAT ADDRESSES, THE NEED TO REPAIR, MAINTAIN, AND PRESERVE HISTORIC TRUSS BRIDGES OVER AMTRAK'S HUDSON LINE INCLUDING THE COAL DOCK LANE BRIDGE

WHEREAS, the Town of Hyde Park is keenly interested in maintaining and expanding the public's access to the Hudson River; and

WHEREAS, the Hudson River Railroad, constructed in the 1850s and now owned by CSX and managed by Amtrak, runs along the Hudson River shoreline and prevents river access in many locations; and

WHEREAS, Hyde Park is blessed with a collection of seven historic truss bridges constructed in the early part of the 20th century and although several have fallen into various states of disrepair, they could, if restored, reopened and maintained, provide valuable Hudson River access for residents and help support local businesses as well as the regional tourism industry; and

WHEREAS, for example, a deteriorated and closed historic truss bridge at the Gerald Morgan property adjacent to the Franklin D. Roosevelt National Historic Site and Hyde Park Trail could, if restored and reopened, provide river access at this historic site, including a Hudson River Water Trail Site serving kayakers; and

WHEREAS, for example, a deteriorated and closed historic truss bridge at the former Dominican Camp and adjacent to the Hyde Park Trail could, if restored and reopened, provide valuable river access at that site, which currently has no access; and

WHEREAS, for example, a deteriorated and closed historic truss bridge at the Staatsburgh State Historic Site, could, if restored and reopened, provide a beautiful pedestrian connection between the hamlet of Staatsburg and the Hoyt House, a National Historic Landmark along a carriage road developed by Frederic Law Olmsted; and

WHEREAS, recognizing the concerns regarding the condition of these bridges, on September 4, 2018, State Senator Sue Serino wrote to the New York State Department of Transportation Commissioner, Paul A. Karas expressing concern over the number of orphan bridges (bridges without a clear record of ownership) in New York, and in particular, a Hyde Park orphan bridge in such poor repair that emergency vehicles will not cross due to safety concerns; and

WHEREAS, as a result of inaction with respect to the maintenance and repair, the New York State Department of Transportation on March 30, 2020 issued a "red flag" ordering the historic truss bridge on Coal Dock Lane to be closed to vehicular traffic—the same bridge, although unnamed, that was the subject of State Senator Serino's 2018 letter; and

WHEREAS, in response to the closure of the bridge, on June 11, 2020 Representative Antonio Delgado wrote to CSX and Amtrak urging that "the parties responsible for the repair or replacement (of the Coal Dock Lane bridge) are soon

identified and compelled to complete the repairs” and called the matter of the bridge condition “a serious safety concern for the businesses and homes on the west side of the tracks and also for the many train riders that could be subjected to falling debris or if a catastrophic event occurred with the bridge or a vehicle falling onto the tracks”; and

WHEREAS, prior to the closure of the Coal Dock Lane bridge on January 12, 2018, Amtrak submitted to the New York State Department of State (NYS DOS) an application for Consistency Review for a series of gates and fences at eight locations in five municipalities between Rhinebeck and Stuyvesant along the Empire Corridor Service Hudson Line; and

WHEREAS, on January 7, 2019 a letter was sent to NYSDOS Secretary of State Rossana Rosado signed by Supervisor Aileen Rohr and 10 other Supervisors and Mayors between Hyde Park and Castleton-on-Hudson expressing, among other things, the need to “assess Hudson River public access needs along the entire Empire Corridor South from Rensselaer to Poughkeepsie in cooperation with local governments, relevant State agencies, Hudson River users, other public stakeholders, and the general public; and

WHEREAS, on January 18, 2019 Amtrak, after meetings with the NYS Department of Transportation (NYSDOT) and NYSDOS, withdrew its proposal for gates and fences so it could be revised in conjunction with a five-year corridor plan to improve safety. Amtrak’s press release also stated that Amtrak would continue to work with affected communities, Town officials, and State agencies in formulating the revised plan; and

WHEREAS, on January 3, and 4, 2020 as part of public outreach for its *Hudson River Access Plan, Poughkeepsie to Rensselaer*, Scenic Hudson conducted three stakeholder meetings and three public meetings in Castleton-on-Hudson, Germantown, and Rhinebeck, at which approximately 300 people attended expressing the need to protect existing river access and expand future access; and

WHEREAS, during January 2020, Scenic Hudson conducted additional public outreach for the Hudson River Access Plan, which resulted in over 5,500 votes for various public access locations and 1,000 comments on access needs were submitted; and

WHEREAS, based on these meetings and public comments, Scenic Hudson on March 26, 2020 published the *Hudson River Access Plan, Poughkeepsie to Rensselaer*(HRAP) and found that “there is an immediate need to launch a program in 2020 to save historic pony truss bridges,” specifically mentioning the threatened bridges in Hyde Park, including the bridge at Crum Elbow and the Franklin D. Roosevelt National Historic Site, and recommended, among other things, that a “Bundled Bridge Program” should be implemented to save historic (orphan) bridges; and

WHEREAS, the *Hudson River Access Plan* received letters of support from the Town of Hyde Park Recreation Director, Franklin D. Roosevelt Hyde Park

Foundation, Hudson River Heritage, County Executive Marcus Molinaro, and Dutchess County Legislature, among others; and

WHEREAS, on March 6, 2020 Congressmen Tonko, Delgado, and Maloney sent a letter to Amtrak expressing hope that “Amtrak will work with all relevant state and local representatives to effectively reduce safety risks without compromising the public’s ability to access the Hudson River”; and

WHEREAS, this letter also supported cooperative efforts such as *Scenic Hudson’s Hudson River Access Plan*, stating that “railroad development along both shores of the Hudson River has also created numerous barriers that may affect the public’s ability to access the Hudson River,” and expressed “a deep concern that the potential for loss of access runs contrary to New York State’s Coastal Program”; and

WHEREAS, on May 22, 2020 Congressmen Tonko, Delgado, and Maloney followed up with a second letter to Amtrak expressing that “the loss of access with which we are concerned is not limited to designated public parkland, but also other places along the shoreline where generations of people have fished or simply enjoyed river views”; and

WHEREAS, this letter also stated that the Congressmen “remain concerned that Amtrak should do more to address local officials’ concerns regarding the past, ongoing, and future loss of shoreline access” and expressed an interest in seeing a “cooperative effort that maintains, and ultimately increases, shoreline access throughout the corridor”; and

WHEREAS, this letter referenced the *Hudson River Access Plan’s* “11 clear recommendations and over 70 case-specific examples of crossings that need to be maintained or improved,” urged Amtrak’s project staff “to read the entire report before continuing to reformulate fencing and gate locations; adjust the proposal accordingly; and then explain on a case-by-case basis how risk can be managed without reducing river access at each location”; and

WHEREAS, on July 16, 2020 Amtrak convened a video conference to announce to municipal officials a reformulated *Five-Year Fencing Program on the Hudson Line Section of the Empire Corridor* that would expand the locations of gates and fencing to several new locations, including three in Hyde Park—the Hyde Park Station (MP 79.28), the Poughkeepsie Yacht Club (MP 81.5), and River Road Staatsburg (MP 83.67); and

WHEREAS, the Town Board is vitally concerned with the potential loss of our seven historic truss bridges, decades-long erosion of public river access, most of which is due to railroad policy and its operational procedures, and further, the Town Board views this loss of access as an impediment to our ongoing individual and collective efforts and initiatives to improve the economic health and social well-being of not only our individual communities, but to the region that defines us; and

WHEREAS, the Town Board believes that every municipality along the Hudson River shares a common interest in increasing our collective access to the Hudson River; and

WHEREAS, the Town Board believes It would be valuable for the New York State Department of State to join our communities in a collaborative effort to review local government and regional public access needs, develop recommendations to repair, maintain, and preserve historic truss bridges, preserve existing river access, create new river access, and assist in implementing these recommendations.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will issue a letter to the Secretary of State requesting assistance from the NYSDOS in developing a Regional Riverfront Access Plan as described above; and

BE IT FURTHER RESOLVED, that the Town Board urges every municipality along the eastern shore of the Hudson River between Rensselaer and Poughkeepsie to make a similar request of the Secretary of State; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to Mr. Dylan Miyoshi, Hudson Valley Representative for Gov. Andrew Cuomo; Rosanna Rosado, Secretary of State, NYS Dept of State; Congressmen Tonko, Delgado, and Maloney.

MOTION: Councilman Schneider

SECOND: Councilman Marrine

VOICE VOTE:

ALL IN FAVOR: 5

ALL OPPOSED: 0 CARRIED

TOWN OF RHINEBECK

RESOLUTION 2020184

REQUESTING THE NEW YORK STATE DEPARTMENT OF STATE ASSIST RHINEBECK AND OTHER COMMUNITIES TO ADDRESS OUR CONCERNS WITH AMTRAK'S PROPOSED FENCING PLAN AND THE LOSS OF OUR ACCESS TO THE HUDSON RIVER

WHEREAS, the Town of Rhinebeck's approved Local Waterfront Revitalization Program (LWRP) explicitly prioritizes and proposes increased access to the Hudson River shoreline; and

WHEREAS, the Hudson River Railroad, constructed in the 1850s and now owned by CSX and managed by Amtrak, runs along the Hudson River shoreline and, as stated in the Town's LWRP, prevents river access in Rhinebeck; and

WHEREAS, with approximately eight miles of Hudson River shoreline, the railroad has limited the Town's public river access to approximately 300' at the Town Park at Rhinecliff Landing; and

WHEREAS, on January 12, 2018 Amtrak submitted to the New York State Department of State (NYSDOS) an application for Consistency Review for a series of gates and fences at eight locations in five municipalities between Rhinebeck and Stuyvesant along the Empire Corridor South Hudson Line; and

WHEREAS, two of these locations proposed in that submission were in Rhinebeck—one at Rhinecliff Station (MP 89) and another at Slate Dock Road (MP 90.1); and

WHEREAS, Several Town of Rhinebeck Local Waterfront Revitalization Program (LWRP) Policies (Policies 1, 1A, 2, 19, 20, 20A, 21, 21 B, 24, 24A, and 24B), as well as several proposed projects in the LWRP, address the need for expanded riverfront access specifically proposing the need for access to Slate Dock and Long Dock, both of which would be adversely impacted by Amtrak's proposal for two gates and 400 feet of impasse fencing at Slate Dock Road; and

WHEREAS, hundreds of people, including many Rhinebeck residents, expressed concern in comments to the NYSDOS that the construction of gates and fencing at these locations would reduce

access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River; and

WHEREAS, on January 7, 2019 the Town of Rhinebeck sent a letter to NYSDOS Secretary of State Rossana Rosado signed by Supervisor Elizabeth Spinzia and 11 other supervisors and mayors between Hyde Park and Castleton-on-Hudson expressing, among other things, the need to “assess Hudson River public access needs along the entire Empire Corridor South from Rensselaer to Poughkeepsie in cooperation with local governments, relevant State agencies, Hudson River users, other public stakeholders, and the general public;” and

WHEREAS, on January 18, 2019 Amtrak, after meetings with the NYS Department of Transportation (NYSDOT) and NYSDOS, withdrew its proposal for gates and fences so it could be revised in conjunction with a five-year corridor plan to improve safety. Amtrak’s press release also stated that Amtrak would continue to work with affected communities, Town officials, and State agencies in formulating the revised plan; and

WHEREAS, on January 3, and 4, 2020 as part of public outreach for its Hudson River Access Plan, Poughkeepsie to Rensselaer, Scenic Hudson conducted three stakeholder meetings and three public meetings in Castleton-on-Hudson, Germantown, and Rhinebeck, at which approximately 300 people attended expressing the need to protect existing river access and expand future access; and

WHEREAS, during January 2020, Scenic Hudson conducted additional public outreach for the Hudson River Access Plan, which resulted in over 5,500 votes for various public access location and 1,000 comments on access needs were submitted and based on these meetings and public comments, Scenic Hudson on March 26, 2020 published the Hudson River Access Plan, Poughkeepsie to Rensselaer (HRAP), and

WHEREAS, the HRAP found that 63 survey respondents already used the riverfront at Slate Dock Road for water-related recreational uses including picnicking, scenic views, fishing, boat launching and birding and recommended that at this location the informal crossing should be upgraded to a formal crossing with current signage and safety devices and, consistent with Rhinebeck LWRP Policy 1A, access should be secured across the tracks to Slate Dock in collaboration with the railroad; and

WHEREAS, the HRAP received letters of support from the Town of Rhinebeck, as well as the County Legislatures of both Dutchess and Rensselaer Counties, County Executives of both Dutchess and Rensselaer Counties, Columbia County Board of Supervisors, municipalities of Castleton-on-Hudson, Hudson, Tivoli, Hyde Park, not-for-profit organizations Hudson River Heritage, Franklin D. Roosevelt-Hyde Park Foundation; and

WHEREAS, on March 6, 2020 Congressmen Tonko, Delgado and Maloney sent a letter to Amtrak expressing hope that “Amtrak will work with all relevant state and local representatives to effectively reduce safety risks without compromising the public’s ability to access the Hudson River;” and

WHEREAS, this letter also supported cooperative efforts such as Scenic Hudson’s Hudson River Access Plan, stated that “railroad development along both shores of the Hudson River has also created numerous barriers that may affect the public’s ability to access the Hudson River,” and expressed “a deep concern that the potential for loss of access runs contrary to New York State’s Coastal Program;”

WHEREAS, on May 22, 2020 Congressmen Tonko, Delgado, and Maloney followed up with a second letter to Amtrak expressing that “the loss of access with which we are concerned is not limited to designated public parkland, but also other places along the shoreline where generations of people have fished or simply enjoyed river views;”

WHEREAS, this letter also stated that Congressmen “remain concerned that Amtrak should do more to address local officials’ concerns regarding the past, ongoing and future loss of shoreline access” and expressed an interest in seeing a “cooperative effort that maintains, and ultimately increases, shoreline access throughout the corridor;”

WHEREAS, this letter referenced the Hudson River Access Plan’s “11 clear recommendations and over 70 case-specific examples of crossings that need to be maintained or improved,” urged Amtrak’s project staff “to read the entire report before continuing to reformulate fencing and gate locations; adjust the proposal accordingly; and then explain on a case-by-case basis how risk can be managed without reducing river access at each location;” and

WHEREAS, on July 16, 2020 Amtrak-convened video conference to announce to municipal officials a reformulated Five-Year Fencing Program on the Hudson Line Section of the Empire Corridor that includes proposed one gate and 2,665 feet of impasse fencing at Rhinecliff Station and two gates and 400 feet of impasse fencing at Slate Dock Road, as well as proposals in other communities for new for gates and fencing that were not proposed in the 2018 plan; and

WHEREAS, the Town Board is vitally concerned with the decades-long erosion of river access as well as the potential loss of our existing river access, including the prospect of gates and impasse fencing at Slate Dock Road, a place where for decades residents have enjoyed river access for water-related recreational activities; and

WHEREAS, the Town Board believes that this loss of access would represent an impediment to our ongoing efforts and initiatives to improve the economic health and social well-being of our individual communities, as well as the region that defines us and, therefore, every municipality along the Hudson River shares a common interest in increasing our collective access to the Hudson River; and

WHEREAS, the Town Board believes It would be valuable for the New York State Department of State to join our communities in a collaborative effort to review local and regional public access needs, create a regional river access plan, and to assist in implementing the recommendations resulting from the plan; now, therefore, be it

RESOLVED, that the Town Board will send a letter to the Secretary of State requesting assistance from the NYSDOS in developing a regional riverfront access plan as described above; and be it further

RESOLVED, that the Town Board urges every municipality along the eastern shore of the Hudson River between Rensselaer and Poughkeepsie to make a similar request of the Secretary of State; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Mr. Dylan Miyoshi, Hudson Valley Representative for Gov. Andrew Cuomo; Rosanna Rosado, Secretary of State, NYS Dept of State; Congressmen Tonko, Delgado, and Maloney.

Motion by: Supervisor Spinzia
Second by: Councilperson Walker

Voice Vote:	Aye	No
Supervisor Spinzia	X	
Deputy Supervisor Scherr	X	
Councilperson Pulver	X	
Councilperson Roberts	X	
Councilperson Walker	X	

This certifies that the foregoing is a true copy of a resolution offered and adopted at a meeting of the Rhinebeck Town Board on September 14, 2020.

**TOWN BOARD
TOWN OF STOCKPORT
COLUMBIA COUNTY, NEW YORK**

RESOLUTION NO. 3 OF 2018

RESOLUTION SUPPORTING PUBLIC INVOLVEMENT IN AMTRAK PROPOSAL

WHEREAS, pursuant to the U.S. Coastal Zone Management Act, Railroad Passenger Corporation (Amtrak) has submitted a proposal to the New York Department of State for the installation of fences along Amtrak's railroad right-of-way on the Hudson River, including within the Town of Stockport;

WHEREAS, the initial public comment period of 15 days for Amtrak's proposal was insufficient for affected communities to meaningfully participate in the decision-making process;

WHEREAS, the Board recognizes the importance of public involvement and participation in decisions of the State that impact local matters;

WHEREAS, the Board deems it advisable, appropriate, and in the best interest of the Town to emphasize its support of the public comment process to voice the concerns of locally affected citizens;

NOW THEREFORE, BE IT RESOLVED, that the Board does hereby acknowledge that the public comment period for Amtrak's proposal has been extended to May 1, 2018 so that members of affected communities, such as the residents of Stockport, can adequately engage in meaningful public comment; and be it further

RESOLVED, that the Board encourages the decision-making body to listen and meaningfully consider the concerns of locally affected citizens.

Matt Murell	Voting <u>Yes</u>
John Leone	Voting <u>Yes</u>
Kathleen Hamm	Voting <u>Yes</u>
Charles Florio	Voting <u>Yes</u>
John Drabick	Voting <u>Yes</u>

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEWYORK)
):ss:
COUNTY OF COLUMBIA)

This is to certify that I, the undersigned Town Clerk of the Town of Stockport, County of Columbia, have compared the foregoing copy of the resolution with the original and original minutes thereof, now remaining on file of records in my office, and that the same is a true and correct transcript therefrom and of the whole of such original.

IN TESTIMONY WEHREOF, I have hereunto set my hand and affixed the seal of the said Town and County this 10th day of April, 2018.


Sandra M. Nival
Town Clerk of the Town of Stockport, Columbia County, New York

TOWN OF STUYVESANT RESOLUTION REGARDING AMTRAK

WHEREAS, on January 12, 2018 Amtrak submitted to the New York State Department of State (NYSDOS) an application for Consistency Review for a series of gates and fences at eight locations in five municipalities between Rhinebeck and Stuyvesant along the Empire Corridor South Hudson Line;

WHEREAS, five of these eight locations were in the Columbia County municipalities of Germantown (at Cheviot Park, Germantown Lower Main Street, and Ernest R. Lasher Jr. Memorial Park), Stockport (at Stockport Creek), and Stuyvesant (at Stuyvesant Landing, Mile Post 123.88 and Ferry Rd) and are enjoyed by residents throughout the County;;

WHEREAS, the hundreds of people expressed concern in comments to the NYSDOS that the construction of gates and fencing at these locations would reduce access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River;

WHEREAS, on September 6, 2018 five Columbia County Supervisors wrote to the NYS Department of State expressing serious concerns with the process that the DOS was conducting to review the proposal for gates and fences;

WHEREAS, the September 6, 2018 letter stated that Columbia County Supervisors believed that “DOS has a greater responsibility to the people of the State of New York than to Amtrak” and requested that “the DOS take an interest in how the outcome of this (Amtrak’s) application will have on the immediate and negative impact on our communities;”

WHEREAS, on December 15, 2018 the Town of Germantown hosted a public meeting attended by approximately 115 people at which Scenic Hudson announced its white paper *At-Grade Passenger Rail Pedestrian & Trail Crossings.*, the white paper documented modern techniques used to reduce risk and allow public access along and across Amtrak lines in other parts of the United States;

WHEREAS, on January 7, 2019 a letter was sent to NYSDOS Secretary of State Rossana Rosado signed by 11 mayors and Supervisors between Hyde Park and Castleton-on-Hudson, including the Mayor of Hudson and Supervisors of Clermont, Germantown, Livingston, Stockport and Stuyvesant. This letter reiterated and expanded upon concerns raised in the previous September 6, 2018 letter;

WHEREAS, on January 18, 2019 Amtrak, after meetings with the NYS Department of Transportation (NYSDOT) and NYSDOS, withdrew its proposal for gates and fences so it could be revised in conjunction with a five-year corridor plan to improve safety. Amtrak’s press release also stated that Amtrak would continue to work with affected communities, Town officials, and State agencies in formulating the revised plan;

WHEREAS, on January 3, and 4, 2020 as part of public outreach for its *Hudson River Access Plan, Poughkeepsie to Rensselaer*, Scenic Hudson conducted three stakeholder meetings and three public meetings in Castleton-on-Hudson, Germantown, and Rhinebeck, at which approximately 300 people attended expressing the need to protect existing river access and expand future access;

WHEREAS, during January 2020, Scenic Hudson conducted additional public outreach for the Hudson River Access Plan, which resulted in over 5,500 votes for various public access location and 1,000 comments on access needs were submitted;

WHEREAS, based on these meetings and public comments, Scenic Hudson on March 26, 2020 published the *Hudson River Access Plan, Poughkeepsie to Rensselaer*, which received letters of support from the Columbia County Board of Supervisors, County Legislatures of both Rensselaer and Dutchess Counties, County Executives of both Rensselaer and Dutchess Counties, municipalities of Castleton-on-Hudson, Hudson, Tivoli, Rhinebeck, Hyde Park, not-for-profit organizations Hudson River Heritage, Franklin D. Roosevelt-Hyde Park Foundation;

WHEREAS, on March 6, 2020 Congressmen Tonko, Delgado and Maloney sent a letter to Amtrak expressing hope that “Amtrak will work with all relevant state and local representatives to effectively reduce safety risks without compromising the public’s ability to access the Hudson River;”

WHEREAS, this letter also supported cooperative efforts such as *Scenic Hudson’s Hudson River Access Plan*, stated that “railroad development along both shores of the Hudson River has also created numerous barriers that may affect the public’s ability to access the Hudson River,” and expressed “a deep concern that the potential for loss of access runs contrary to New York State’s Coastal Program;”

WHEREAS, on May 22, 2020 Congressmen Tonko, Delgado, and Maloney followed up with a second letter to Amtrak expressing that “the loss of access with which we are concerned is not limited to designated public parkland, but also other places along the shoreline where generations of people have fished or simply enjoyed river views;”

WHEREAS, this letter also stated that Congressmen “remain concerned that Amtrak should do more to address local officials’ concerns regarding the past, ongoing and future loss of shoreline access” and expressed an interest in seeing a “cooperative effort that maintains, and ultimately increases, shoreline access throughout the corridor;”

WHEREAS, this letter referenced the *Hudson River Access Plan’s* “11 clear recommendations and over 70 case-specific examples of crossings that need to be maintained or improved,” urged Amtrak’s project staff “to read the entire report before continuing to reformulate fencing and gate locations; adjust the proposal accordingly; and then explain on a case-by-case basis how risk can be managed without reducing river access at each location”

WHEREAS, on July 16,2020 we were disappointed to learn via an Amtrak-convened video conference, that the reformulated *Five Year Fencing Program on the Hudson Line Section of the Empire Corridor* would expand the locations of gates and fencing to additional locations in Rensselaer, Dutchess and Columbia Counties, including new locations in the City of Hudson and Towns of Greenport and Stuyvesant;

WHEREAS, we are vitally concerned with decades-long erosion of public river access, most of which is due to railroad policy and its operational procedures and the Columbia County Board of Supervisors views this loss of access as an impediment to our ongoing individual and collective efforts and initiatives to improve the economic health and social well-being of not only our individual communities, but to the region that defines us;

WHEREAS, each of our municipalities is in a different place with respect to articulating our vision for the future with some having adopted Local Waterfront Revitalization Programs (LWRP), others not benefitting by an LWRP, and still others working on draft LWRPs for approval; and

WHEREAS, every municipality in Columbia County, whether it benefits by a Hudson River location or not, shares a common interest in increasing our collective access to the Hudson River.

NOW BE IT

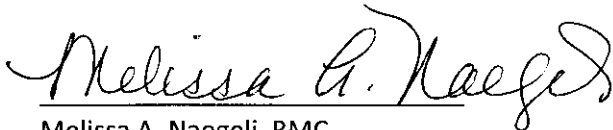
RESOLVED, that the Town Of Stuyvesant believes It would be valuable for the New York State Department of State to join our communities in a collaborative effort to review local government and regional public access needs and implementation;

RESOLVED, that a letter to the Secretary of State will be sent requesting assistance from the NYSDOS in developing a regional riverfront access plan; and

RESOLVED, that the Town Of Stuyvesant urges every municipality along the eastern shore of the Hudson River between Rensselaer and Poughkeepsie to make a similar request of the Secretary of State.

<u>Town Board Members</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Ronald Knott	X		
Kelley Williams			X
Tom Burrall	X		
Brian Chittenden	X		
William Schneider	X		

Resolution Adopted August 6, 2020



Melissa A. Naegeli, RMC
Town Clerk

VILLAGE OF TIVOLI

RESOLUTION NO. 28

DATED SEPTEMBER 16, 2020

RESOLUTION AUTHORIZING THE VILLAGE OF TIVOLI TO SEND A LETTER TO THE SECRETARY OF STATE REQUESTING THAT THE NEW YORK STATE DEPARTMENT OF STATE ASSIST TIVOLI AND OTHER INTERESTED COMMUNITIES IN CREATING A REGIONAL HUDSON RIVER ACCESS PLAN

WHEREAS, owning approximately 2.8 acres of waterfront property on the Hudson River, the Village Board is keenly interested in maintaining the existing public access to the Hudson River, ultimately expanding the public's access to River, including the development of a riverfront park at the foot of Diana Street where it crosses Amtrak's Hudson Line section of the Empire Corridor; and

WHEREAS, the Hudson River Railroad, constructed in the 1850s and now owed by CSX and managed by Amtrak, runs along the Hudson River shoreline and severely restricts river access in Tivoli, Red Hook and many other locations along the Hudson River's eastern shoreline; and

WHEREAS, on January 12, 2018 Amtrak submitted to the New York State Department of State (NYS DOS) an application for Consistency Review for a series of gates and fences at eight locations in five municipalities between Rhinebeck and Stuyvesant along the Hudson Line section of the Empire Corridor; and

WHEREAS, one of these locations was in Tivoli, where gates along the railroad's maintenance road west of the tracks were proposed north and south of the legal grade crossing at our undeveloped Village waterfront Park at Diana Street; and

WHEREAS, hundreds of people, including Tivoli residents, expressed concern in comments to the NYS DOS that the construction of gates and fencing at these locations would reduce access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River; and

WHEREAS, on January 7, 2019 a letter was sent to NYS DOS Secretary of State Rossana Rosado signed by Mayor Joel Griffith and 11 other supervisors and mayors between Hyde Park and Castleton-on-Hudson expressing, among other things, the need to "assess Hudson River public access needs along the entire Empire Corridor South from Rensselaer to Poughkeepsie in cooperation with local governments, relevant State agencies, Hudson River users, other public stakeholders, and the general public; and

WHEREAS, on January 18, 2019 Amtrak, after meetings with the NYS Department of Transportation (NYSDOT) and NYS DOS, withdrew its proposal for gates and fences so it could

be revised in conjunction with a five-year corridor plan to improve safety. Amtrak's press release also stated that Amtrak would continue to work with affected communities, Town officials, and State agencies in formulating the revised plan; and

WHEREAS, on January 3, and 4, 2020 as part of public outreach for its *Hudson River Access Plan, Poughkeepsie to Rensselaer*, Scenic Hudson conducted three stakeholder meetings and three public meetings in Castleton-on-Hudson, Germantown, and Rhinebeck, at which approximately 300 people attended expressing the need to protect existing river access and expand future access; and

WHEREAS, during January 2020, Scenic Hudson conducted additional public outreach for the Hudson River Access Plan, which resulted in over 5,500 votes for various public access location and 1,000 comments on access needs were submitted; and

WHEREAS, based on these meetings and public comments, Scenic Hudson on March 26, 2020 published the Hudson River Access Plan, Poughkeepsie to Rensselaer (HRAP); and

WHEREAS, the HRAP indicates that 180 survey respondents already used the riverfront at the foot of Diana Street for water-related recreational uses such including picnicking, scenic views, fishing, boat launching and birding and that a diminution of access at this location, including the closure of the existing, legal at-grade crossing at Diana Street, would represent an unfortunate loss of existing river access; and

WHEREAS, the HRAP received letters of support from the Village of Tivoli, as well as the County Legislatures of both Dutchess and Rensselaer Counties, County Executives of both Dutchess and Rensselaer Counties, Columbia County Board of Supervisors, municipalities of Castleton-on-Hudson, Hudson, Rhinebeck, Hyde Park, not-for-profit organizations Hudson River Heritage, Franklin D. Roosevelt-Hyde Park Foundation; and

WHEREAS, on March 6, 2020 Congressmen Tonko, Delgado and Maloney sent a letter to Amtrak expressing hope that "Amtrak will work with all relevant state and local representatives to effectively reduce safety risks without compromising the public's ability to access the Hudson River;" and

WHEREAS, this letter also supported cooperative efforts such as *Scenic Hudson's Hudson River Access Plan*, stated that "railroad development along both shores of the Hudson River has also created numerous barriers that may affect the public's ability to access the Hudson River," and expressed "a deep concern that the potential for loss of access runs contrary to New York State's Coastal Program;" and

WHEREAS, on May 22, 2020 Congressmen Tonko, Delgado, and Maloney followed up with a second letter to Amtrak expressing that "the loss of access with which we are concerned is not limited to designated public parkland, but also other places along the shoreline where generations of people have fished or simply enjoyed river views;" and

WHEREAS, this letter also stated that Congressmen "remain concerned that Amtrak should do more to address local officials' concerns regarding the past, ongoing and future loss of

shoreline access” and expressed an interest in seeing a “cooperative effort that maintains, and ultimately increases, shoreline access throughout the corridor;” and

WHEREAS, this letter referenced the *Hudson River Access Plan’s* “11 clear recommendations and over 70 case-specific examples of crossings that need to be maintained or improved,” urged Amtrak’s project staff “to read the entire report before continuing to reformulate fencing and gate locations; adjust the proposal accordingly; and then explain on a case-by-case basis how risk can be managed without reducing river access at each location;” and

WHEREAS, on July 16, 2020 Amtrak-convened a video conference to announce to municipal officials a reformulated *Five-Year Fencing Program on the Hudson Line Section of the Empire Corridor* that included at “Tivoli Yard Tracks” (MP 98.95) 1,125 feet of fencing and three gates, as well as gates and fencing at new locations that were not proposed in the 2018 plan, including 300’ of fencing and a gate at nearby Barrytown (MP 94.6); and

WHEREAS, the Village Board is vitally concerned with potential loss of our existing river access, including the existing, legal, at-grade crossing at Diana Street and the prospect for new gates and fencing and, further, the Village Board believes this loss of access would represent an impediment to our ongoing efforts and initiatives to improve the economic health and social well-being of our individual communities, as well as the region that defines us and, therefore, every municipality along the Hudson River shares a common interest in increasing our collective access to the Hudson River; and

WHEREAS, the Village Board believes that every municipality along the Hudson River shares a common interest in increasing our collective access to the Hudson River; and

WHEREAS, the Village Board believes It would be valuable for the New York State Department of State to join our communities in a collaborative effort to review local and regional public access needs, create a regional river access plan, and to assist in implementing the recommendations resulting from the plan;

NOW BE IT RESOLVED, that the Village Board will send a letter to the Secretary of State requesting assistance from the NYSDOS in developing a regional riverfront access plan as described above; and

BE IT FURTHER RESOLVED, that the Village Board urges every municipality along the eastern shore of the Hudson River between Rensselaer and Poughkeepsie to make a similar request of the Secretary of State; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to Mr. Dylan Miyoshi, Hudson Valley Representative for Gov. Andrew Cuomo; Rosanna Rosado, Secretary of State, NYS Dept of State; Congressmen Tonko, Delgado, and Maloney.

EXTRACT OF MINUTES

A regular meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on September 16, 2020 at 7:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith	Mayor
Emily Majer	Deputy Mayor
Angela Cole	Trustee
Susan Ezrati	Trustee
Jeanann Schneider	Trustee

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by Trustee Ezrati, seconded by ~~Trustee~~ Deputy Mayor Majer, to wit;

RESOLUTION NO. 28

DATED SEPTEMBER 16, 2020

RESOLUTION AUTHORIZING THE VILLAGE OF TIVOLI TO SEND A LETTER TO THE SECRETARY OF STATE REQUESTING THAT THE NEW YORK STATE DEPARTMENT OF STATE ASSIST TIVOLI AND OTHER INTERESTED COMMUNITIES IN CREATING A REGIONAL HUDSON RIVER ACCESS PLAN

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Joel Griffith	Voting ✓
Emily Majer	Voting ✓
Angela Cole	Voting ✓
Susan Ezrati	Voting ✓
Jeanann Schneider	Voting ✓

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village ") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 16th day of September, 2020 and entitled:

RESOLUTION NO. 28

DATED SEPTEMBER 16, 2020


RESOLUTION AUTHORIZING THE VILLAGE OF TIVOLI TO SEND A LETTER TO THE SECRETARY OF STATE REQUESTING THAT THE NEW YORK STATE DEPARTMENT OF STATE ASSIST TIVOLI AND OTHER INTERESTED COMMUNITIES IN CREATING A REGIONAL HUDSON RIVER ACCESS PLAN

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 16 day of September, 2020.

-SEAL-



Robin Bruno
Village Clerk

