

Schuylkill River Passenger Rail Authority Meeting

DRAFT Minutes

October 23, 2023

3:00 p.m.

The following members were in attendance:

Authority Members in Attendance:

Christian Leinbach, Berks County Board of Commissioners, Chair
Marian Moskowitz, Chester County Commissioner, Vice Chair
Kenneth Lawrence, Jr., Montgomery County Commissioner, Treasurer
Scott France, Executive Director, Montgomery County Planning Commission, Secretary
Peter Urscheler, Phoenixville Borough Mayor, Assistant Treasurer
Brian O’Leary, Executive Director, Chester County Planning Commission
Eddie Moran, Mayor, City of Reading
Stephanie Henrick, Mayor of Pottstown

Authority Members Absent:

Jim Gerlach, President, GRCA, Assistant Secretary

1. Call to Order

Commissioner Christian Leinbach, Chair of the SRPRA, called the meeting to order at 3:00 p.m.

Mr. Dan Becker of Kozloff Stoudt Attorneys, legal counsel for the Authority, read the guidelines for making public comments.

Chairman Leinbach welcomed Mayor Stephanie Henrick of Pottstown to the SRPRA Board, and commented on the benefit of having Board membership include the mayors of all three communities in which initial stations are envisioned. Commissioner Lawrence also welcomed Mayor Henrick to the SRPRA Board.

2. Adoption of September 18, 2023 Minutes

Christian Leinbach called for any corrections to the minutes.

As there were no corrections or objections to the draft minutes of the September 18, 2023 SRPRA meeting submitted, the minutes were approved.

3. Board Member Comments

There were no Board member comments.

4. Public Comment on Agenda Items

There were no public comments on agenda items.

5. Presentation – Justin M. Keller, Pottstown Borough Manager

Justin Keller, Borough Manager for Pottstown provided a presentation that described the Borough’s redevelopment efforts to-date, as well as future plans, highlighting how the restoration of passenger rail could complement redevelopment in the Borough.

6. Transportation for America (T4A) Contract Renewal – Action

Executive Director, Tom Frawley reported that the current contract with T4A expires on October 27, recognized that the level of activity varied significantly from month to month, but that the activity level was anticipated to increase after SRPRA acceptance into the FRA Corridor Identification and Development Program (CIDP) as grant opportunities on the horizon in early 2024 would need to be pursued to fund final design and other related activities after completion of the CIDP work. Tom noted that the monthly rate would increase from \$3,500 to \$3,920. He also indicated that the contract includes a provision for termination for convenience with ten days' notice, and recommended, given the flexibility to terminate if conditions change, that the Board exercise its option to renew the contract.

Mayor Peter Urscheler introduced a motion to exercise the option for one year with T4A, Mayor Moran seconded, and the motion passed unanimously.

7. Committee Reports**a. *Finance – Commissioner Kenneth Lawrence Jr., Chair*****i. *Motion to Pay Bills – Action***

Commissioner Lawrence said there were three bills presented for payment, subject to the Board's approval.

Commissioner Lawrence motioned, Mayor Urscheler seconded, all voted unanimously, and the motion was carried to approve the payments of three bills presented in the SRPRA's October 23, 2023 Board meeting packet.

b. *Marketing & Public Relations– Brian O'Leary, Chair***i. *Committee Update***

Brian O'Leary reported that the Committee met on October 4th. The Committee continues to advance its social media outreach efforts with frequent posts by social media consultant Virtual Farm. Updates to the website are also being made frequently to reflect Authority activities and news, and an update will be made shortly to reflect release of the RFP for consultant services related to preparing SRPRA's Service Development Plan.

c. *Planning – Scott France, Chair***i. *Committee Update***

Scott France reported that the Planning Committee met with Norfolk Southern on September 26 to initiate a new conversation in the context of the FRA funded study that SRPRA plans to begin shortly. SRPRA promised to share the RFP when it is released and to keep NS updated regarding other developments. Scott also noted that the Committee met on October 9th and that a meeting was held with FRA on October 18 to finalize the required attachments to the \$750,000 grant agreement that will support preparation of the initial elements of the Service Development Plan. Lastly, a briefing was provided on October 19 to SRPRA's newest Board member, Mayor Stephanie Henrick of Pottstown.

d. *Personnel – Comm. Moskowitz, Chair***i. *Committee Update***

Commissioner Moskowitz, Chair, said that the Committee had no news to report.

e. Community Engagement – Jim Gerlach, Chair**i. Committee Update**

In Jim Gerlach's absence, Chairman Leinbach state that there would be no Committee update.

f. By-Laws – Scott France, Chair**i. Resolution to Amend Articles of Incorporation – Action**

On behalf of the Bylaws Committee, Scott France explained that the committee was formed a few months ago to examine the SRPRA's bylaws and article of incorporation established in June, 2022. The word "owning" was added to the list of "maintaining, funding and operating" relating to the Authority's purpose in Section 3. In Part C, the original articles specified inter-county service between Berks, Chester and Montgomery. As the service is planned to reach Philadelphia and potentially beyond, the language was edited to reflect this consideration. The word "leasing" was added to the list of "land, acquisition and management, bonding". To bring it more in line with the Municipal Authorities Act, it is proposed to mention inaugural Board members and terms of office, and address the expiration of those terms after 5 years.

Scott said the process would be to put forth a resolution today for the SRPRA Board members to vote to amend the Articles of Incorporation. If passed today, each of the member counties (Berks, Chester and Montgomery) would have to pass their own resolution supporting amendment of the SRPRA Articles of Incorporation during their respective scheduled meetings held in November. At the end of November, if all preceding actions take place, the SRPRA would file by the end of November with the Commonwealth to amend the Articles of Incorporation, with a public advertisement preceding the intent to file.

Christian Leinbach urged representatives of Berks, Chester and Montgomery Counties that if the resolution passes, the documents need to be passed as provided and without substantive change in all 3 counties.

Scott France motioned, and Brian O'Leary seconded, all voted unanimously, to adopt the resolution to amend the SRPRA's Articles of Incorporation.

ii. Proposed Bylaw Recommendations

Scott France explained that current Bylaws just require that members be given written notice of proposed amendments 30 days prior to voting on the amendments. The amendments proposed will be available for adoption via motion at the November 27th SRPRA Board meeting. He summarized the most significant changes, including: modifying the purpose to be consistent with the proposed amendment to the Articles of Incorporation; Board member terms/vacancy procedures; meeting details updated; payment authorization made consistent with practice allowing ratification of routine payments after the fact as authorized by previous resolution. He added that a written summary was prepared and enclosed in the Board's meeting packet, and that the Board will reconvene at next month's meeting on November 27th to decide whether to adopt the changes.

8. Executive Director's Report

Tom Frawley, Executive Director, announced that on behalf of the SRPRA, he will pursue the consultant RFP, tentatively to be released on Wednesday, October 25th and announced both on the website and via a link to the website that will be advertised on other channels.

Tom reminded attendees that Montgomery County Commissioner Kenneth Lawrence, Jr., SRPRA Board Member and Treasurer, will be resigning at the end of the year, and that we will be sorry to see him go. On behalf of the Board, Tom presented a plaque to Commissioner Lawrence in

recognition of his service as an initial Board Member of the SRPRA. Additionally, Tom made a presentation of a plaque to former Congressman and current SRPRA Board member, Jim Gerlach in recognition for his work in obtaining funding for Montgomery County Community College and his service as an initial member of the SRPRA. As Jim Gerlach was unable to attend, the award was accepted by Katie Hetherington Cunfer of the Greater Reading Chamber Alliance on Jim's behalf. Tom said he hoped both Commissioner Lawrence and Jim Gerlach would join the Board on the SRPRA train in the future.

Commissioner Lawrence thanked the Board and acknowledged Councilwoman Trenita Lindsay and State Representative Paul Friel who were in attendance.

Christian Leinbach shared his appreciation for the leadership of both Commissioner Lawrence and Jim Gerlach and stated that both were part of the pre-Authority committee, and were critical to the process of the creation of the SRPRA, and that he hoped they would attend the ribbon-cutting for the first passenger train on the corridor.

9. Other Business

There was no other business discussed.

10. General Public Comment

Deb Spence asked three questions relating to Pottstown. Christian Leinbach redirected her to the Borough of Pottstown, as the questions dealt with matters outside of SRPRA's responsibilities, adding that today's meeting is focused solely on SRPRA and passenger rail issues.

On behalf of Pottstown residents, Borough Council President Dan Weand thanked the Board for its work and asked if all goes as planned, when can Pottstown expect passenger rail?

Christian Leinbach replied that the SRPRA is committed to restoration of ridership being restored to all three counties. The next critical step is the Federal Rail Administration's decision on SRPRA's Corridor ID Program application, which is tentatively expected in November. If the application is unsuccessful, another application would have to be submitted in the next application cycle. Most importantly, though, Christian said that the monies for the Corridor Program are from the bipartisan infrastructure bill, and we don't know where the funds would come from to support another round. If the existing application is successful, we are looking at 5 to 8 years, as a lot has to happen. There are different phases and stages of the Federal Rail Administration's process. Dan Weand pledged his support on behalf of his constituents and said that if they're ever needed he would mobilize his constituent to provide support.

Christian Leinbach announced that for Board members and staff, there would be a trolley bus tour following adjournment.

11. Adjourn

Christian Leinbach called to adjourn the meeting.

Peter Urscheler motioned, and Marian Moskowitz seconded, all voted unanimously, to adjourn the October 2023 meeting of the SRPRA Board.

Next Board Meeting

November 27, 2023 at 3:00 p.m. via Zoom

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ann Marie Meehan", written in a cursive style.

Ann Marie Meehan