

Minutes of the Lake Colby Association  
Board Meeting on May 20, 2015

The meeting had been duly called more than a week in advance of the meeting. It convened at 3:30PM

Attendance: All elected board members (Jean Leopold, Jim Moore, Lee Keet, Chandler Ralph); Secretary: Debbie Neill; Ex-officio members: Nancy Keet, President; Dick Leopold, member

Meeting purpose was to act on a proposal that we make a demand to the NYDOT that they cease operations of the train between Utica & Lake Placid until the unsafe tracks have been independently inspected and declared safe for train traffic.

The Lake Clear Association has joined our appeal as another group that hosts unsafe tracks.

Our action was based on several recent facts: (i) Jim McCulley could not cross the Colby causeway with the snow groomer this winter due to bank erosion. (ii) Two derailments on better sections of track in 2014 went unreported, as required under the Federal Railways Act. (iii) Northwoods Engineering reported to this board that the causeway was fundamentally unsafe for rail traffic.

Accordingly, we approved a board resolution to send the Northwoods engineers' report to the state with a demand to not allow the train to come back until the tracks are certified as safe. A reply confirming that train service would halt until the tracks were declared safe by an independent federal inspector was demanded by May 31<sup>st</sup>, if not we approved asking a judge for an injunction based on the evidence.

Jim Moore made a motion to accept the letter as written and mail it. Jean Leopold seconded it.

Discussion: Chandler questioned using the word "demand" as being provocative, even though the letter makes clear that absent NYSDOT action we will seek judicial redress. Lee suggested that we modify "demand" to "calling for" which all agreed acceptable.

A vote was taken and unanimously all were in favor of the resolution as modified. There were no nays or abstentions.

The meeting adjourned at 3:48 p.m. The approved letter was signed and sent registered mail today, May 20, 2015, after the board meeting.

Respectfully submitted,

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Deborah Neill, Secretary