

CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY
Tuesday, March 30, 2021, Meeting Minutes
Via Zoom Western Maryland Railway Station, Third Floor Conference Room
Cumberland, Maryland

Pursuant to notice distributed to members of the Canal Place Preservation and Development Authority, posted in the main entrance of the Western Maryland Railway Station, and circulated to the press, a meeting of the Authority was held via Zoom at the Western Maryland Railway Station, 3rd Floor Conference Room, Cumberland, Maryland, on Tuesday, March 30, 2021.

Authority Members Present: Janice Keene, Chair; Rebecca Ruppert, Stuart Czapski, Robert Smith, Al Feldstein, Ray Morriss and Jeremy Bender.

Staff Present: Deidra Ritchie, Executive Director; Eric Harman, Financial Officer; Paul Cucuzzella and Nicole Gray, Administrative Specialist.

Others Present: Greg Larry, Cumberland Times-News; Brian Gowans, WCBC Radio; Kathy McKinney, City of Cumberland; Melinda Kelleher, Downtown Development Commission; Anthony Bates, National Park Service, Bill Atkinson, Atkinson Eco, LLC; and Mike McKay, Western Maryland Scenic Railroad Chair; Champ Zumbum.

I. CALL TO ORDER & CHAIRMAN'S REMARKS

Mrs. Keene called the meeting to order at 1:30 PM.

II. REVIEW/APPROVAL OF MINUTES AND FINANCIALS

The following motion was offered by Mr. Smith:

RESOLVED, that the open session minutes of the January 26, 2021 open session (Attachment #1) be approved as submitted.

The motion was seconded by Mr. Czapski and unanimously approved.

The following motion was offered by Mr. Smith:

RESOLVED, that the closed session minutes of the January 26, 2021 closed session (Attachment #2) be approved as submitted.

The motion was seconded by Mr. Morriss and unanimously approved.

Mr. Harman reviewed the Revenue sheets (**Attachment #3**) and the monthly Financial reports (**Attachment #4**). Mr. Harman reported that the expenses were normal, a fee was paid to the Attorney Generals Office as well as a return of unused mini grant funds to Maryland Heritage Areas Authority (MHAA). For revenue, in February money was received from collections, as well as a delayed payment of \$25,000 from MHAA for a previous FY grant.

The following motion was offered by Mr. Smith:

RESOLVED, that the Financial and Revenue statements for January and February of FY21 be approved as distributed.

The motion was seconded by Mr. Czapski and unanimously approved.

III. EXECUTIVE DIRECTOR'S REPORT

Ms. Ritchie highlighted her Executive Director's Report (**Attachment #5**), by stating:

- Staff continues to telework due to COVID-19 restrictions and are only in the office on Wednesdays to complete duties that cannot be done through telework.
- Delivered the CPPDA Budget Testimony to the House Education and Economic Development Subcommittee and to the Senate Education, Business, and Administration Subcommittee.
- Attended two meeting with the Maryland Heritage Areas Coalition.
- Attended an MHAA meeting
- Reviewed Intent to Apply forms and provided feedback to applicants for the FY22 MHAA grant applicants.
- Hosted a meeting with stakeholders to discuss the possible expansion of the Passages of the Western Potomac Heritage Area.
- Announcing the dedication of the new Mile Marker 0 of the Gap Trail on April 21, 2021.
- Extended sincere sympathies to Terry Crawford and the Crabby Pig, as the co-owner Susan Crawford passed away after a long battle with cancer.

IV. NATIONAL PARK SERVICE UPDATE

Anthony Bates was attending for the NPS but did not have a report to present but would pass along what he heard and learned to the rest of the NPS team.

V. OLD BUSINESS

- Station Lease Update

Ms. Ritchie reported that the station would be listed with Goodfellow Realty Agency of Frostburg, Maryland, to get spaces rented within the station. This will be in addition to advertising on the Passages of the Western Potomac website and on Loopnet. It was reported that a recent addition to the station, Allegany Law Foundation, LLC., was through Loopnet.

- River Park Update

Ms. Ritchie stated that a lot has been happening with the river project. Recently a meeting happened involving mitigation banking which also involved Mr. Czapski, the city of Cumberland, Maryland State Highway, and Mr. Atkinson. Ms. Ritchie asked Mr. Atkinson to speak on the topic. Mr. Atkinson explained that he has worked as a consultant for the last year with Allegany County, and that a company, Water & Land Solutions (WLS) has come forward to remove the dam and do some aspects of the project for mitigation credits. Mr. Atkinson briefly explained how WLS plans to use the mitigation credits earned from the project as well as how mitigation credits work and estimated that the value of the credits would be between \$12-15 million. To have the most impact for selling the credits the service area of the project will need to be extended beyond the original boundaries. It will be a 12 to 18-month process of permits to get to this point but once done WLS would spend their money to remove the dam and restore the river to its original state, including putting in riparian sites and some water features of the water park. WLS will not be able to put in trails or boat ramps, but Mr. Atkinson feels that there are other programs that will help with those, but this is the most difficult and WLS is taking on a large part of the work, which they plan to address as a mitigation project. Ms. Ritchie stated that Mrs. Ruppert and Miss Gray had a great conversation with a member of the Dayton River Park and explained they designed their park for flooding and leave any debris alone unless it is a hazard and they stated that the economic and tourist impact was tremendous for their location. Mrs. Ruppert suggested that board members look at the Dayton River Park on Google Maps and really follow and understand the similarities between that area and the Cumberland area.

VI. NEW BUSINESS

- **Western Maryland Scenic Railroad- Return to Station Proposal**

Mike McKay, President of the Western Maryland Scenic Railroad (WMSR) board requested to speak at today's meeting. He stated that he would like to apologize for the miscommunication that occurred between Canal Place and the WMSR during a time when the railroad was having serious financial issues and didn't give the respect to Canal Place in regards to the debt that was owed to Canal Place. Mr. McKay stated that he was there as the train is trying to repair the relationships with many (people) in the community. The railroad has a new board of directors with himself as President, Mayor Flanigan of the city of Frostburg is Vice-President, Mayor Ray Morriss of the city of Cumberland is the Secretary/Treasurer. This new board has subcommittees which report back to the full board during meetings. Mr. McKay acknowledged that Canal Place is good at being transparent and having open meetings and the train will be following that leadership and invites Canal Place to attend the meetings which are held monthly, normally, but not always, the fourth Monday of the month at the Allegany Museum when the weather doesn't permit it being held elsewhere. Mr. McKay then gave an update on the rolling stock and the potential schedule beginning in July with the 1309. As the WMSR is not in a financial position to rent any space within the station and they would like the board to consider letting the ticket office and bathrooms be open to the WMSR to use for free for boarding and unloading purposes for the passengers. Mr. McKay continued that since the train does not have the finances to enter into a lease, they would be willing to make sure that the bathrooms were cleaned and all the trash removed from the areas that they used at the end of each day. He further explained that this

proposal was discussed with the Delegation and the overall going forward with Canal Place and with the (Allegany) county Commissioners who noted that it ultimately was Canal Place's decision to accept the proposal. It is understood that a Memorandum of Understanding may need to be put into place with a nominal exchange of \$10 to \$15 that would check all the boxes for the lawyers. Mr. McKay then asked if there were any questions. Mrs. Keene asked Mr. McKay to identify who he was proposing to clean the facility daily at the end of the day. Mr. McKay responded that they would be employees of the WMSR that do daily clean-up of the train after daily runs. Mr. Czapski asked what all resources would be needed at the station. Mr. McKay responded that it consists of the bathrooms and the ticket booth. Mr. Bender asked how often the train is expected to run once the train is up and running. Mr. McKay responded that it could be anywhere from 3-5 times a week. Mr. McKay reiterated that his people would clean the bathrooms and remove the trash and leave the space in the condition in which they found them. Mr. Harman stated that while the cleaning proposition was admirable there were other overhead costs to think of such as the energy costs of the concourse, not to mention the supplies to maintain a bathroom such as paper towels, soap and toilet paper that Canal Place would have to spend at a loss for the train. Mr. McKay stated that Mr. Harman is exactly correct, because Canal Place is a train station and as an entity of the state of Maryland Canal Place would be working in conjunction with the train and the train does bring revenue for Canal Place's potential tenants, and as a property management organization he understands that there are costs that go into that as well, but it does not bode well for us as the people who live in Allegany County for the train to be loading and unloading at the station only to be finding that the bathrooms aren't open. Mr. Harman said he understood what Mr. McKay was saying but asked if there could be a way for a fee to be applied to offset the cost. Mr. McKay interrupted Mr. Harman stating that they are not interested in a fee structure and that their business plan already has to include a fee for their riders to pay for the track maintenance that needs to be completed and further stated that this would be a consideration if they had public bathrooms in the city of Cumberland and while he is trying to minimize costs with WMSR employees cleaning up Mr. McKay stated that he also tended to believe that funding the bathrooms is in the overall maintenance budget of the building as well. Mrs. Keene asked about handling security, the locking and unlocking of doors. Mr. McKay stated that he would be willing to work something out with Canal Place, if it was felt that it was needed to have someone come in to lock and unlock doors that would be up to Canal Place but felt that the WMSR could lock and unlock the doors if they had approval, the WMSR would return the space the way it was found, if it was secured they would return it secured. Ms. Ritchie asked if trains would be running at full capacity, or due to Covid trains would be social distancing. Mr. McKay stated that there are no restrictions to transportation when it comes to Covid, that is how they are flying out of BWI, the seats type of things are fixed and you have to do, within the best you can, have social distancing, so it will be offered and they will not be running at twenty percent, nor will they be running at full capacity either because while people want to get out they are concerned for their safety. Mr. Bates stated that he is new to his position and was trying to familiarize himself with his partners and wondered if the NPS has a partnership with the train. Mr. McKay stated that he is not aware of any relationship.

VII. PUBLIC COMMENT

There was no public comment.

VIII. NEXT MEETING DATE

The next meeting of the Canal Place Authority is scheduled for Tuesday, May 25, 2021 at 1:30 PM.

Mrs. Ruppert made a motion to enter into closed session under General Provisions Article § 3-305(b)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, relating to the leases at Canal Place.

The motion was seconded by Mr. Czapski and unanimously approved.

Closed Session Attendees: Janice Keene, Rebecca Ruppert, Stuart Czapski, Al Feldstein, Jeremy Bender, Deidra Ritchie, Eric Harman, Paul Cucuzzella and Nicole Gray.

IX. RETURN TO OPEN SESSION

The Authority returned to open session at 3:29 PM.

The following action was taken in closed session:

RESOLVED, that the Canal Place Preservation and Development Authority not accept the proposal as presented by Delegate McKay and to engage in further negotiations and discussions with the Western Maryland Scenic Railroad with a view towards reaching an agreement.

X. ADJOURNMENT

Mr. Bender offered a motion to adjourn the open session.

The motion was seconded by Mr. Czapski and unanimously approved. The meeting adjourned at 3:30 PM.

Respectfully Submitted,
Janice Keene,
Chair