

NEW YORK STATE TRAILS COUNCIL MEETING
Saratoga Spa State Park
Administration Building, Gideon Putnam Room
April 15, 2016 10:30 A.M. - 3:00 P.M.

APPROVED MINUTES

Call to Order

Introductions

Correction/Approval of Minutes of September 19, 2015 Meeting

Motion to approve minutes: Mark Wehnau Second: Quinn Wright

Motion passed

Attendance:

4- Wheel Drive – Todd Syska

All-Terrain vehicles –

Equestrian – Carol Schmelz, Mark Wehnau, Dan Gruen

Hiking- Jane Daniels, Quinn Wright

Nordic Skiing –

Off-Highway Motorcycles –

Off road Bicycling –

On Road Bicycling – Ivan Vamos, Samantha Langton

Running –

Snowmobiles – Dominic Jacangelo, Bob Bryant

Snowshoeing – Katie Henrickson, Peter Fedorick

Universal Access – Denis Livsey

Water Trails – Tom Casey, Mike Prescott

FHWA –

National Park Service –

HRV Greenway – Elizabeth Campochiaro

Canal Corp. –

NYSDEC – McCrea Burnham

NYSOPRHP – Chris Morris, Lauren Ellmers, Chris Fallon

NYSDOT –

PTNY – James Meerdink

Presenter: Donald Pachner

Presentation – Insurance for Trail Organizations

Donald Pachner, President, Pachner & Associates, LLC, P.O. Box 410, Keene, NY 12942; website www.pachner.info

Not-for-profits should carry insurance because they have the duty to operate responsibly and need to protect themselves from potential breach of duty or harm to others. In addition, immunity statutes have eroded over time.

Mr. Pachner outlined the various types of insurance.

A) The most important for trail groups is commercial general liability, which covers bodily injury, property damage, non-bodily personal injury, advertising injury, product liability (e.g., defective merchandise), and completed operations (e.g., footbridges).

B) Directors and officers insurance covers financial harm to others, employment practices (including for volunteers), discrimination cases and Fair Labor Standards Act issues for employees.

C) Professional covers such occasions as advice given to others, the accuracy of maps and guidebooks, and consulting work on trail design.

D) Auto includes any trailers or heavy equipment owned by an organization.

E) Cyber deals with theft of personal information from computer files. Also, companies such as Pay Pal have clauses in their contracts that make the organization, not the company, liable for breaches.

F) Other coverages include crime insurance (employee theft, burglary), accidental death and dismemberment, property (contents of office) and inland marine (covers computers and electronics, other equipment).

Organizations are required to have Workers' Comp and Disability coverage for W-2 and 1099 employees.

Mr. Pachner also advised that an organization's waiver form is a condition of insurance and should be reviewed by an attorney versed in outdoor recreation law. Get the opinion in writing. He also recommends that if a landowner, agency, rental company, etc., requires insurance, that the organization send a copy of the contract to its insurance broker and attorney before signing. Finally, if you have an event catered, require insurance from the caterer.

As part of the discussion of insurance, questions arose regarding various certifications. Chain saw certification for NYS land is good for 3 years, first aid for 2-3 years, and blood-borne pathogens for 1 year. For the pathogens, DEC has a PowerPoint available and accepts viewing of the presentation as sufficient for recertification.

Election of Board Officers for 2016-2018

The delegates unanimously elected Carol Schmelz, Chair, and Samantha Langton, Vice Chair.

Delegate Reports

Samantha Langton: Working next week at John Burroughs Park to create connections for hiking, biking trails and kayak launching. We are trying to install signs and also install alternative routing at Taconic-Hereford MUA and planning work days at other venues.

Mike Prescott is looking for help in patrolling Raquette Lake area and reporting on problems. Two areas of the Adirondacks, the Essex Chain and Boreas Ponds, will now be open for paddling.

Dan Gruen showed a NYS Horse Council brochure featuring the horse-hiker-biker triangle for trail user education. He mentioned an upcoming competitive trail ride at Brookfield, featuring 15, 30 and 50-milers. Dan also mentioned that Inherent Risk legislation needs to be passed and the bill is currently in the state legislature. This legislation to protect the equine industry has already passed in 47 states.

Dennis Livsey discussed an accessible area, Archer-Vly. He also hoped the Boreas Ponds would be made accessible. SUNY Cortland has an Inclusion U., which trains people to evaluate accessibility. This is a good idea for a presentation. (James Meerdink said the Cortland contact is Lynn Anderson.)

Ivan Vamos mentioned a five-year federal program that should allow for greater improvements in on-road bicycling and pedestrian safety. The state is also concentrating on resurfacing projects that rehabilitate existing routes that do not require new engineering. He hopes that metropolitan planning organizations add funds to improve bicycle-pedestrian projects.

Dominic Jacangelo noted that it was a bad year for snowmobiling, which led to declining registrations and loss of revenue. The new state budget will include increased revenue from registrations, aiding trail work. An educational forum, Sled-NY, will take place in two weeks at Lake Placid. Single-track snow bikes are now an issue. State and DMV do not accept them as snowmobiles. These are best in deep snow, not on groomed trails. Will they encourage off-trail use, which might cause landowners to shut down trails?

Chris Fallon added that kits to convert dirt bikes to snow bikes are now readily available. The state will have to discuss whether or how these bikes will be registered.

Jane Daniels said the NY-NJ Trail Conference has reorganized so that there is a council for each of several regions. Breakneck Ridge continues to be too heavily used, to the point where there were delays disembarking from the Metro North trains there. The railroad has added trains, exacerbating the problem. Social media have made Breakneck more popular than ever. Samantha Langton suggested posting numbers of weekend hikers on the Conference website to discourage overcrowding and direct hikers to less-congested areas. Todd Syska and Bob Bryant suggested distributing literature to hikers when they return to the train station. Jane also discussed ongoing improvements in the Conference website.

Quinn Wright said the Finger Lakes Trails Association is still looking for an Executive Director. There has been an increase in the number of trail runners. Quinn noted that about half the Finger Lakes trails are on private land. One parcel with a permanent easement was sold to another owner who then tried to close off the trail.

Tom Casey mentioned the South Shore Blueway grand opening, June 4. Other water trails are in the works on the North Shore and Peconic Bay. The battle against the Southern Pine Beetle continues on Long Island.

Carol Schmelz reported on an EquiFest in Western New York in March, with attendees also from other states. She discussed the ash borer problem; western NY has a large concentration of ash. Carol stated that there is concern among trail riders in western NY about the possibility of losing access to Carlton Hill Multiple Use Area in Wyoming County and Rattlesnake Wildlife Management Area in Livingston County. These DEC lands were purchased through hunting license fees. The concern is that recreational use may be limited or even halted as DEC explores more stringent federal guidelines in search of additional funding. Carol would also like to have the Trails Council create literature encouraging trail use. Jane Daniels will supply her with copy written last year.

Agency Reports

OPRHP – Chris Morris reported on upcoming Master Plans and Management Plans, as listed on a handout. The Mt. McGregor prison property has been added to Moreau Lake State Park. An MOU for management of North County Scenic Trail was signed in January by OPRHP, DEC, the National Park Service, and the North Country Trail Association. OPRHP is hoping to break ground on first section of the Black Diamond Trail from Ithaca to Taghkanic Falls. Also, OPRHP will be doing more trail surveys as a component of the Breakneck Ridge Management Plan being developed by the agency.

DEC – McCrea Burnham mentioned that on May 7 DEC is participating in I Love My Parks Day in a number of parks statewide, many involving tree planting. DEC has an ECO and Ranger academy ongoing, shooting for 18 new rangers. DEC is also working on trail improvements at Kaaterskill Falls, putting in a trail from the bottom up. An ADA-compliant trail with a viewing platform is part of the project. McCrea also noted that DEC is reinvigorating a Universal Access Committee; Dennis Livsey is a member. The agency also re-created an overuse working committee, which will discuss how to disperse users and uses. Peter Fedorick asked about the status of a new bridge on the Northville-Lake Placid Trail. McCrea said it won't happen this year.

DOT - Chris Morris gave the report for the DOT in place of Tom Benware. DOT is working on integration of GIS data to coordinate mapping of bike trails and bikeways statewide and best way to show the data.

Hudson Valley Greenway – Elizabeth Campochiaro

The Greenway is analyzing gaps in the route, with a goal of creating a blueprint for further planning. It will be releasing a set of four maps for the Hudson River Water Trail. A revised Hudson River Water Trail Guide is also now available. The annual Hudson River Ramble coming up in September.

PTNY – James Meerdink mentioned the Canal Clean Sweep, planned for all canals in NY. For I Love My Parks Day, PTNY is expecting 6,000 volunteers. See PTNY.org for details. There are 72 miles of gaps left in Erie Canalway. Last year's Erie Canalway bike ride had 600 riders. The state budget includes increased funding for the Canalway. PTNY is still trying to get roll-on bike approval from Amtrak. Management of the Canalway will move from the Thruway Authority to New York Power Authority.

The delegates discussed possibilities for future meeting presentations.

Mark Wehnau thanked Jane Daniels for her service as Chairperson.

Motion to adjourn: Jane Daniels Second: Bob Bryant

Next Meeting: Saturday, October 15, 2016, Saratoga Spa State Park (tentative location- other locations will be proposed)