

Jamal Alaoui, Yousra

From: Mathew Kelly <mathew.kelly@gwrr.com>
Sent: Monday, December 8, 2025 5:13 PM
To: Lavrusky, Nick; Charles Hunter; Donna.austin@mail.house.gov
Cc: Sam Roberts; Jason Peery
Subject: RE: York County - Bridge Rehab - York RR

York Railway cannot agree to the Aerial Easement as drafted for the reasons in my previous email. I get it, thanks. You have been a pleasure to work with, and I appreciate you hearing us out. I just want our formal position in writing.

Mathew J. Kelly
Associate Counsel
Genesee & Wyoming Railroad Services, Inc.
O: 203-202-8919 | C: 475-291-0032
Email: mathew.kelly@gwrr.com

From: Lavrusky, Nick <Nick.Lavrusky@aecom.com>
Sent: Monday, December 8, 2025 5:02 PM
To: Mathew Kelly <mathew.kelly@gwrr.com>; Charles Hunter <charles.hunter@gwrr.com>;
Donna.austin@mail.house.gov
Cc: Sam Roberts <sam.roberts@gwrr.com>; Jason Peery <jason.peery@gwrr.com>
Subject: RE: York County - Bridge Rehab - York RR

Mat,

My intention was not to suggest the Railroad is unwilling to enter an agreement. You've all worked diligently with me throughout but I was ultimately unable to modify any language in the Aerial Easement.

I am asking that you confirm the Railroad is unwilling to execute the Aerial Easement as it was provided.

Thank you,

Nick Lavrusky - RWP

Senior Right-of-Way Agent, Greater PA
M +1-724-272-6765
Nick.Lavrusky@aecom.com

AECOM
436 Seventh Avenue, Suite 1200
Pittsburgh, PA 15219
aecom.com

Delivering a better world
[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

From: Mathew Kelly <mathew.kelly@gwrr.com>
Sent: Monday, December 8, 2025 4:51 PM
To: Lavrusky, Nick <Nick.Lavrusky@aecom.com>; Charles Hunter <charles.hunter@gwrr.com>;

Donna.austin@mail.house.gov

Cc: Sam Roberts <sam.roberts@gwrr.com>; Jason Peery <jason.peery@gwrr.com>

Subject: RE: York County - Bridge Rehab - York RR

Nick –

I do not have an email indicating that York RR was unwilling to agree to an Aerial Easement, as that has never been our position. York RR has always been, and remains, willing to grant the County an Aerial Easement, and we have language prepared to that effect.

The issue arose because the County and State repeatedly sought rights that are beyond what an aerial easement is. Specifically, they requested a perpetual right to enter upon the surface of the Railroad's property. Such a right is beyond what an aerial easement is, which grants the benefited party the right to pass over the burdened property—not to enter upon it.

If the County and State wish to discuss a Surface Easement, we are open to that conversation; however, the terms for a surface easement differ from those for an aerial easement. In the interest of safety, there will need to be a notification requirement each time the county, state or their contractors enter upon the right of way. York RR needs to know when someone is on or near the tracks for obvious reasons.

Additionally, the Construction and Maintenance Agreement governing the project already requires all State contractors to execute the Railroad's Right of Entry. The non-conforming language in the proposed Aerial Easement would contradict that Agreement.

Mathew J. Kelly
Associate Counsel
Genesee & Wyoming Railroad Services, Inc.
O: 203-202-8919 | C: 475-291-0032
Email: mathew.kelly@gwrr.com

From: Lavrusky, Nick <Nick.Lavrusky@aecom.com>

Sent: Monday, December 8, 2025 4:28 PM

To: Charles Hunter <charles.hunter@gwrr.com>; Mathew Kelly <mathew.kelly@gwrr.com>;
Donna.austin@mail.house.gov

Cc: Sam Roberts <sam.roberts@gwrr.com>; Jason Peery <jason.peery@gwrr.com>

Subject: RE: York County - Bridge Rehab - York RR

Mat,

Since our last discussion on the project was on the phone, I never got a formal written response that the RR was unable to agree to the Aerial Easement. Mat, Would you kindly provide as much via email so I may have that in our file? Essentially something saying that we were unable to reach an agreement on language in the County's provided Aerial Easement as written.

Regarding the meeting it may not be necessary as we had gone over the issues in October and were unfortunately unable to make changes proposed to the document. If you would prefer a meeting, however I am available until about the 20th Just let me know and I will schedule it.

Thank you both

Nick Lavrusky - RWP

Senior Right-of-Way Agent, Greater PA
M +1-724-272-6765
Nick.Lavrusky@aecom.com

AECOM

436 Seventh Avenue, Suite 1200
Pittsburgh, PA 15219
aecom.com

Delivering a better world

[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

From: Charles Hunter <charles.hunter@gwrr.com>
Sent: Monday, December 8, 2025 7:57 AM
To: Lavrusky, Nick <Nick.Lavrusky@aecom.com>; Mathew Kelly <mathew.kelly@gwrr.com>;
Donna.austin@mail.house.gov
Cc: Sam Roberts <sam.roberts@gwrr.com>; Jason Peery <jason.peery@gwrr.com>
Subject: RE: York County - Bridge Rehab - York RR

Nick & Mat: Should we have a call to discuss this issue?

Charles Hunter
AVP Government Affairs
Genesee & Wyoming Railroad Services, Inc.
St. Albans, VT
802-309-8831

From: Lavrusky, Nick <Nick.Lavrusky@aecom.com>
Sent: Friday, December 5, 2025 5:31 PM
To: Mathew Kelly <mathew.kelly@gwrr.com>; Donna.austin@mail.house.gov
Cc: Sam Roberts <sam.roberts@gwrr.com>; Charles Hunter <charles.hunter@gwrr.com>
Subject: RE: York County - Bridge Rehab - York RR

You don't often get email from nick.lavrusky@aecom.com. [Learn why this is important](#)

Good evening all,

I am sending this to close the loop on our back and forth with the aerial easement agreement for the College Ave Bridge in York. Back in October we had reached an impasse on the language and began the process of acquisition through the PUC. I was made aware that the message was not conveyed and I can not find an email where It was stated. I appreciate your efforts and apologies for any miscommunication.

Thank you have a good weekend

Nick Lavrusky - RWP

Senior Right-of-Way Agent, Greater PA
M +1-724-272-6765
Nick.Lavrusky@aecom.com

AECOM

436 Seventh Avenue, Suite 1200
Pittsburgh, PA 15219

aecom.com

Delivering a better world

[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

From: Lavrusky, Nick

Sent: Wednesday, October 15, 2025 9:27 AM

To: Mathew Kelly <mathew.kelly@gwrr.com>; Donna.austin@mail.house.gov

Cc: Sam Roberts <sam.roberts@gwrr.com>; Charles Hunter <charles.hunter@gwrr.com>

Subject: RE: York County - Bridge Rehab - York RR

Good morning Donna,

I've attached the Aerial Easement document discussed. The language in question is highlighted. Please let me know if you'd like to discuss and I'll slot us a time

Thanks all,

Nick Lavrusky - RWP

Senior Right-of-Way Agent, Greater PA

M +1-724-272-6765

Nick.Lavrusky@aecom.com

AECOM

436 Seventh Avenue, Suite 1200

Pittsburgh, PA 15219

aecom.com

Delivering a better world

[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

From: Mathew Kelly <mathew.kelly@gwrr.com>

Sent: Tuesday, October 14, 2025 11:58 AM

To: Lavrusky, Nick <Nick.Lavrusky@aecom.com>; Donna.austin@mail.house.gov

Cc: Sam Roberts <sam.roberts@gwrr.com>; Charles Hunter <charles.hunter@gwrr.com>

Subject: York County - Bridge Rehab - York RR

Nick –

I just spoke with Donna Austin representing a PA elected official. Would you please provide the documents you presented to PennDOT after our call on Friday to Donna for her review.

I am also attached the Construction and Maintenance agreement that covers the contemplated performance of the parties. Specifically note Section 1(b) On page 2 requiring entry upon the Railroad's property be done after executing Railroad's Contractor Right of Entry Agreement.

Mathew J. Kelly

Associate Counsel

Genesee & Wyoming Railroad Services, Inc.

O: 203-202-8919 | C: 475-291-0032

Email: mathew.kelly@gwrr.com

