

NEW JERSEY SHORT LINE RAILROAD ASSOCIATION

MEETING MINUTES JUNE 24, 2015



THE NEW JERSEY SHORT LINE RAILROAD ASSOCIATION IS AN ORGANIZATION MADE UP OF RAILROADS SERVING THE GREAT STATE OF NEW JERSEY. THE PURPOSE OF THE ASSOCIATION IS TO ADDRESS CONCERNS AND PROBLEMS WHICH FACE SHORT LINE RAILROADS AND TO FIND MEANS OF MITIGATING PROBLEMS AND FINDING SOLUTIONS THROUGH COLLECTIVE EFFORT AND COOPERATION.

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We want to thank Ron Batory and Francine Monteleon of Conrail for hosting the meeting and providing the buffet lunch. It was nice to be back in Mount Laurel again.

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Next Meeting: Wednesday, September 9, 2015 at 10:30 a.m.
Location: Conrail offices at 1000 Howard Blvd., Mount Laurel, NJ

UPCOMING EVENTS

October 14-16, 2015	NEARS Meeting, Philadelphia, PA
October 18-20, 2015	ASLRRA Eastern Region Meeting, Erie, PA

MEETING ATTENDEES

<u>NAME</u>	<u>COMPANY/ORGANIZATION</u>	<u>TELEPHONE NUMBER</u>
Kelvin MacKavanagh	MacKavanagh RR Consulting	609-704-1270
Bob Bailey	Munro Associates	201-232-0389
Linda Darr	ASLRRA	202-585-3440
Michael Fesen	Norfolk Southern	717-319-6870
Dave Scott	CSX	856-778-5119
Steve Friedland	SDS	973-898-1346
Donald B. Hutton	NYNJR	201-433-0360
Xiang Liu	Rutgers University	848-445-2868
John Fenton	NYSW	607-592-2816
Taimur Shamali	NJDOT	609-530-3715
John K. Fiorilla	Capehart & Scatchard	856-914-2054
GeorgeAnne Tutunjian	Orgo-Thermit	732-657-5781
Nathan Fenno	NYSW	607-547-2555
Steve Sullivan	R.L. Banks & Associates	703-997-4294
Bob Ryan	Consultant	973-220-8963
Jeff Sutch	SMS Rail	856-467-4800
Michael Allen	NJ Operation Lifesaver	609-929-6421
Arthur C. Ivins, Jr.	Hatch & Kirk	215-499-3275
Andrew Smith	NJ Homeland Security	609-388-2131
Gary Brennfleck	NJDOT	609-530-2912
Jim Turcich	Phila. Belt Line RR	215-592-7775
Brian Dry	Orgo-Thermit	732-664-2325
Ronald S. Weening	AS-W, Inc.	908-654-5144
John McCreavy	SMS Rail	609-868-1342
Miki Krakauer	NJDOT (retired)	609-977-3055
Thanh Le	NJDOT	609-530-6379
Jennifer Cox	NS	347-580-0287
Neil Ferrone	Conrail	856-231-2007
Tony Giobbie	CSX(retired)	609-932-4528

MEETING MINUTES

NJSLRRA president Bob Bailey called the meeting to order at 10:35 a.m. and then conducted a safety briefing.

1. The recent passings of Tom Noon's wife Dianne and Bob Kurdock, the first recipient of the Friedland Award.

A minute of silence was observed for both Tom Noon's wife Dianne and for Bob Kurdock.

Dianne Noon passed away on May 29, 2015. She and Tom had been married for 43 years.

Bob Kurdock, the retired vice president of the New York, Susquehanna & Western Railway, passed away on May 12, 2015. He was the first recipient of the NJSLRRA's Benjamin J. Friedland Award in 2001. This award is for meritorious service to the short line railroad industry; Bob was an easy choice as the first recipient.

Both Bob Bailey and Nathan Fenno, the current president of the NYSW, paid tributes to Bob Kurdock. Bob Bailey said that Bob Kurdock was our ambassador to New Jersey. Bob had taught us how to work together with public officials.

Nathan Fenno described his long working relationship with Bob Kurdock. Bob had been a career employee of the NYSW for over 35 years; he began working for the railroad when it was still in bankruptcy and was managed by a trustee.

A round of introductions followed these tributes.

2. Welcome to Linda Darr, the ASLRRRA president.

Linda Darr, the new president of the American Short Line & Regional Railroad Association, described how happy she is to be working with short line railroads. Although new to railroading, she is a transportation industry veteran.

Linda was the CEO of the American Moving & Storage Association when she was selected to become the ASLRRRA president. She had previously held senior positions with the American Bus Association and the American Trucking Associations. She was also the deputy assistant secretary for budgets and programs in the U.S. Department of Transportation during the Clinton Administration.

Linda said that railroaders have the industry in their blood.

Linda paid tribute to Reilly McCarren, the chairman and CEO of the Arkansas & Missouri Railroad. Reilly passed away on April 26, 2015 after a long battle with cancer.

He was also vice chairman of the ASLRRRA and also a former chairman of Operation Lifesaver.

Linda Barr said that she wants to work more with the state railroad associations. We were very happy to have her at our NJSLRRA meeting.

3. Election of NJSLRRA officers for the July 1, 2015 – June 30, 2017 term.

There being no other nominations for the positions, the following officers were re-elected by acclamation for the new two-year term:

President	Bob Bailey
Vice President	Jeff Sutch
Secretary	Kelvin MacKavanagh
Treasurer	Steven Friedland

4. Review of Railroad Day on Capitol Hill on June 4, 2015.

This event was very successful again. The New Jersey delegation met with our Senate and House staff members and with Congressmen Albio Sires (D-8th) and Donald Norcross (D-1st). Three co-sponsors for the 45-G tax credit legislation (H.R. 721) were picked up.

Steve Sullivan of R.L. Banks, and a former resident of New Jersey, said that in his meetings, Positive Train Control was the biggest issue. The railroad industry has to a better job in explaining the difficulties in getting the different systems to work together.

Next year Railroad Day on Capitol Hill will be held in its traditional month of March.

Rep. Norcross asked about doublestack clearance routes to South Jersey. Bob Bailey subsequently checked with Conrail's Tim Tierney; Tim said that there were restrictions in both New Jersey and Pennsylvania which would prevent operation of doublestack trains at the present time. Bob and Tim Tierney are going to meet with Rep. Norcross to discuss these restrictions.

Regarding clearances, Jennifer Cox of NS said that Plate F restrictions (16'9" max. height) are not all resolved in North Jersey. Miki Krakauer stated that Phillipsburg is still the biggest clearance problem in NJ.

5. Discussion of recent FRA emergency orders, advisories, and electronic train brakes.

Electronic brakes will be required by 2023 on trains containing more than 70 cars of crude oil or ethanol or operating at speeds faster than 30 mph.

6. Discussion of rail-related bills in the NJ Legislature (S.2857, S.2858, S.2979).

Senate Bill S.2857 provides for an annual assessment of \$10M upon certain rail carriers transporting crude oil and dedicates assessment revenue for State aid to municipalities for use by local government unit emergency responders.

Senator Loretta Weinberg is the primary sponsor of this bill.

Senate Bill S. 2858 requires the owner or operator of certain trains to have discharge response, cleanup, and contingency plans to transport certain hazardous materials by rail.

Senator Weinberg is also the primary sponsor of this bill; Assemblyman Gordon Johnson is the primary sponsor of the identical bill (A.4283) in the Assembly. Assemblyman Johnson was a member of the NJ delegation at Railroad Day on Capitol Hill in 2014.

Mike Fesen of NS, who has been in the forefront of the crude by rail controversy in both New Jersey and New York (Mike is the president of Railroads of New York), said that the opponents of the movement of crude oil by rail fall into two groups:

- Persons who are opposed to the movement of crude oil by rail because they are concerned about safety.
- Individuals who oppose the use of any fossil fuels.

These groups have organized protests in various cities across the nation.

Senator Weinberg is sponsoring Senate Bill 2979. This bill would require the owner of a railroad bridge to submit bridge inspection records to NJDOT.

Senate Bill 2979 was passed by the Senate on June 29; the companion Assembly bill (A.4592) is still in committee, as are S.2857 and S.2858. Assembly Bill 4283, the companion bill to S.2858, is out of committee but has not yet been voted upon by the Assembly.

7. Review of Norfolk Southern Short Line Meeting on June 9-11, 2015.

Don Hutton of NYNJ Rail said that it was a very good meeting; all commodity groups met with short lines. Since the departmental staffs from Roanoke are being relocated to Atlanta and Norfolk, it was the last short line meeting to be held there.

8. Report on the TransAction 2015 Wrap-up Meeting on May 8, 2015.

Kel MacKavanagh reported that TransAction 2015 had well over 900 attendees. Next year's meeting will be on April 12-14 at the Tropicana. This is a week after the ASLRRRA Convention in National Harbor, MD on April 3-6.

Members were asked to think about potential session topics for TransAction 2016. Two likely ones are updates on Crude by Rail and Positive Train Control.

9. Member reports.

a. Norfolk Southern.

Mike Fesen reported that Norfolk Southern's acquisition of the former D&H line from Sunbury, PA to Schenectady, NY should be completed by the end of August.

In view of the transfer of personnel from Roanoke to Atlanta and Norfolk, Mike asked members to give them "some grace and mercy" while the transition is going on.

Mike said that homeland security exercises are being conducted with the Emergency Management Association. 105 people attend the exercise in Somerset County; 98 in Camden County.

75 different departments attended the exercise in Perth Amboy. Fire departments learned about how to remove ballast from under rails in order to get hoses through. They also discovered that hoses don't match, nor do radio frequencies.

Neil Ferrone of Conrail said that the safety train will be coming into Linden Yard in July for 4-5 days. Conrail, NS, Union County, and Middlesex County are doing exercises.

Andy Smith from NJ Homeland Security said that Lt. Sinatra has been great to work with. These exercises build relationships. Andy stated that FEMA had a lot of response from the Jersey City tabletop exercise.

Mike Fesen said that we need to get more elected officials at these exercises.

Neil Ferrone said that they are focusing on tri-county planning; each county has a chiefs association.

b. CSX.

Dave Scott reported that the variable scheduling of 38 percent of the merchandise trains is helping power and crews. Variable scheduling does not affect short lines or intermodal. 86 percent of trains are now on time.

Dave also stated that additional tracks are being added in Selkirk and in the Philadelphia area.

c. Operation Lifesaver.

Michael Allen told the group that Operation Lifesaver would be holding a regional workshop in Atlantic City in early October. Operation Lifesaver offers a course in Railroad Safety for Emergency Responders.

d. NJDOT.

Taimur Shamali said that ten applications for grants under the Rail Freight Assistance Program had been received before the June 2015 application deadline. The program for FY 2015 has only been approved for \$8M; however, he hopes to use unspent funds from previous years to increase the total to \$13M.

e. NYNJ Rail.

Don Hutton stated that the Metropolitan Rail Freight Council has been formed by Rep. Jerry Nadler. Less than two percent of freight destined for New York City moves by rail. The Council is looking at homeland security issues.

Carl Martland is doing a diversion study.

Don said that Mike Fesen has been doing a tremendous job on rail issues.

f. Capehart & Scatchard.

John Fiorilla told the group that the National Transportation Safety Board is holding a two-day school in July just for lawyers. John said that this could be a possible session topic for TransAction 2016.

10. New business.

New business was covered under the previous items.

Next Meeting:

The next meeting of the Association will be on **Wednesday, September 9, 2015 at 10:30 a.m. at the Conrail offices at 1000 Howard Blvd. in Mount Laurel, NJ.** The meeting will be in the training room at the rear of the first floor.

Since Eyal Shapira of the Raritan Central has volunteered to host a meeting at Raritan Center, the November meeting will be held there.

The meeting was adjourned at 12:09 p.m.

Kel MacKavanagh
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