

**Morris County Freight Rail Advisory Committee
 Tuesday July 13, 2010: 2:00 PM
 Morris County Administration & Records Building
 Fifth Floor, Knox Room
 Morristown, NJ**

The Meeting was called to order by Chairman Schrier at 2:00PM

In Attendance:

Board Members	Other Attendees	Staff
Freeholder Jack Schrier, Chairperson	Gary Behrens, Roxbury	Erik DeLine
Freeholder Margaret Nordstrom	Chris Mazzei, M&E	Frank Pinto
Kathy DeFillippo, Roxbury	Tom Phelan, Eng-Wong, Taub & Associates	Gerald Rohsler
Gordon Fuller, M&E	Jakub Rowinski, NJTPA	
Jack Holland, Holland Manufacturing		
Allen Napoliello, Randolph		

I. Welcome

Freeholder Schrier welcomes everyone and calls roll for the 3rd FRAC meeting.

II. Approval of minutes from April 13th, 2010

Freeholder Schrier made a motion to approve the minutes. Ms. Kathy DeFillippo seconded the motion. The minutes from April 13th, 2010 were unanimously approved.

III. Federal Railroad Administration Requirements and Standards

Mr. Richard Green from the Federal Railroad Administration (FRA) gave an overview of the functions and initiatives of the administration. The FRA, unlike the Surface Transportation Board (STB), is empowered and given initiatives by Congress. The FRA's main objective is to develop and enforce the Code of Federal Regulations. Mr. Green provided a breakdown of divisions of the FRA which consist of Operation Practice, Regulations Division, Track Discipline, Signal Division, Hazmat Division, and Motive Power Equipment Division.

Mr. Green explained that the FRA is governed by the Code of Federal Regulations (CFR) Under the CFR, the FRA has the responsibility to inspect railroads for compliance to these regulations. If they are found deficient, the railroad is responsible for repairs to

avoid violations that lead to monetary penalties. Depending on the findings of the inspections, the FRA can amend, remove, or create new regulations.

Safety audits are conducted to maintain railroad record keeping logs, and all injury and incidents are reported which provide an overview of general operations safety. Safety data can be utilized to identify and improve unsafe railroad areas. For example, numerous deaths on the railroad caused by driving in the reverse direction initiated a change to the regulations to prevent it from occurring.

Safety audits are performed regularly by rail inspectors assigned to different regions and territories. The Washington, DC Headquarters looks for trends in these audits.

Recently, there have been new regulations promulgated. One regulation is Conductor Certification that required more thorough background checks and history of worker. Certification will require the conductors to be of higher standards with the aim at reducing workplace incidents. Another new regulation is Positive Train Control (PTC). PTC is an intelligent checkpoint system installed on train locomotive and rail infrastructure designed to prevent train collisions with other trains on the same tracks. These checkpoints control operations and if the engineer misses a checkpoint, the train shuts down and the brakes are applied.

Mr. Jack Holland asked what type of feedback they have received from Congress regarding how many cars that have been taken off the road and the quality of moving product by rail. Mr. Green responded that the FRA wants to move forward and look at new commodities. It raises the issue of a changing economy results in a change in rail road use. Typically, the larger rail roads do not have issues; it is the shorter rail roads that are affected by changes in economic development and production. It's important to maintain a good relationship between the large rail roads and the small. Mr. Holland agreed by mentioning that without rail, large or small, it would be tough to maintain a competitive industry because trucking prohibits growth due to high costs.

Mr. Erik DeLine asked if they have gotten any feedback from railroads on having to install the PTC. Mr. Green stated that so far only Amtrak has been approved. Many other rail road companies are seeking relief from the high costs of having to install and monitor the new system. It raises an issue because it is the commuter lines that are holding off on installation because of prices, but they are needed. The FRA is exploring, as of now, to see if compliance and approval of systems can be included with their inspections. Mr. Gordon Fuller said the new system costs roughly \$145,000 per locomotive, aside from the elements to be installed on the track makes implementation difficult. Mr. Green said that we cannot isolate the commuter rail lines, we need both.

Mr. Jerry Rohsler asked what the difference between STB and FRA was. Mr. Green replied that the STB is a governing agent while FRA is regulator agency responsible for enforcement and the day-to-day operations. NSTB answers to President of the United States while the FRA answers to Congress.

IV. Dover & Rockaway Realignment

Mr. DeLine gave a presentation on the potential realignment of the Dover & Rockaway Railroad. The primary reason for the realignment is to eliminate 11 grade crossings through the center of Dover. This idea began due to the US-46/ NJ 15 realignment in the 1990's. Dover is interested in eliminating the grade crossings in the hopes that the abandoned railway would become a linear park along the Rockaway River.

Mr. DeLine said that some of the benefits of the realignment include improved safety for residents of Dover at the crossings and along the right-of-way as well less track maintenance with so many grade crossings being eliminated, and wash outs along the river not needing emergency attention. Realignment would also eliminate the need for a bridge over the Rockaway River and crossings through Howmet castings. Additionally, it improves freight velocity to businesses located on Green Pond Rd. Currently, a total of 13 crossings need to be flagged resulting in trains moving through Dover at a very slow speed.

The preferred realignment would utilize NJ Transit infrastructure that has updated signals and crossings already established. Funding for the realignment has already been discussed. The NJDOT Diagnostic Team has compared the cost to upgrade all of the Dover crossings with modern infrastructure vs. using that repair funding to help pay for the realignment that would eliminate those crossings. Applying for NJDOT State Rail Plan money which is a very competitive grant is also a possibility. Additionally, the FRA has a Rail Line Relocation and Improvement Capital Grant Program that is less competitive since the pool of available applicants is smaller, but the requirements for the application are much more arduous.

The realignment does face some challenges, according to Mr. DeLine. These include acquiring funding for the project, wetlands mitigations, realignment adjacent to the McWilliams Forge property, operational and physical constraints on NJ Transit's passenger rail lines. Staff was given the direction to try and move the project forward as the benefits for the project were too great to not pursue the effort.

V. Current Initiatives

Mr. DeLine gave an update on current freight rail initiatives in Morris County. The County had applied for and received funding approval for two projects through the state rail plan. The first is a resurfacing project along the High Bridge Branch in the amount of \$1.6 million and the other is an improvement project to the Kenvil Team Track for \$350,000 that would pave the facility as well as build a second track into the facility allowing the Morristown & Erie Railway to unload commodities within the securable facility rather than the current practice of transloading along the Berkshire Valley Road frontage. Both of these grants require a 10% match by Morris County and a Resolution of Support by the host municipality. Resolutions by the Townships of Roxbury and Mount

Olive have been received. The County's matching funds will be from the Rail Freight Surcharge account.

Mr. DeLine provided an update on the Chester Branch Rehabilitation Project. Construction and grading has started on the tracks between NJ 10 and Main St and along Holland Manufacturing. Ms. DeFillippo states that poles were placed on the south side of Route 10 and have not been removed.

Mr. DeLine also stated that he recently went through an Operation Lifesaver certification course that promotes safety around railroad tracks and crossings. He is available to present to Dover, Roxbury, & Randolph if they wish.

VI. Other Business

Ms. DeFillippo commented on the endangered species weed issue along the rail road on the east end of Horseshoe Lake Park. These plants will increase the costs for the bike path having to be re-routed through recreational park instead of paralleling the rail line and park access road.

Mr. Fuller asked the committee if the M&E is included in the bidding process for railroad infrastructure projects. His concern is different bids leading to different types of signaling systems installed which would not communicate with one another. He would like it if Morris County worked directly with the M&E for these construction projects. Mr. Frank Pinto and Mr. Rohsler stated they are following the NJ bidding process. Morris County does not have a Railroad of Record therefore requiring them to follow the public bidding process. Mr. Holland stated he only wants uniformity on the rails.

Freeholder Nordstrom asked if it were possible to eliminate the rail in Dover altogether. And if so, who would be the lead agency? Mr. DeLine commented that the NJTPA is currently conducting a study of utilization to determine the best lead. Mr. Fuller discussed the issue of it being a historic rail which cannot be moved.

Mr. Rohsler said that the next move with the realignment process is to talk with McWilliams Forge. If they agree to have the rail realigned through their property the following step would be to contact NJ Transit in sharing the rail.

VII. Adjournment

Freeholder Schrier thanked everyone for coming and participating in the meeting and reminded all in attendance that the next meeting will take place on Tuesday, October 12, 2010.

Freeholder Schrier made a motion to adjourn the meeting and Freeholder Nordstrom seconded the motion. The meeting was unanimously adjourned at 3:30pm.