

# NEW JERSEY SHORT LINE RAILROAD ASSOCIATION

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*MEETING MINUTES NOVEMBER 8, 2017*



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.

**VISIT OUR WEBSITE: [WWW.NJSHORTLINE.COM](http://WWW.NJSHORTLINE.COM)**

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We want to thank **Eyal Shapira and the Raritan Central Railway** for hosting the meeting in Edison, NJ at the Hilton Garden Inn at Raritan Center.

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**Next Meeting:** Wednesday, January 17, 2018, at 10:30 a.m.  
**Location:** Conrail offices at 1000 Howard Blvd. in Mount Laurel, NJ.

### **UPCOMING EVENTS**

<b>March 7, 2018</b>	<b>Railroad Day on Capitol Hill, Washington, DC</b>
<b>April 7-10, 2018</b>	<b>ASLRRRA Convention, Nashville, TN</b>
<b>April 17-19, 2018</b>	<b>TransAction Conference, Atlantic City, NJ</b>

## 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
Bob Ryan	RR Real Estate Consultant	973-220-8963
Deven Patel	NJDOT	609-530-2912
Debi Rogers	ICF	202-714-1508
Donald B. Hutton	NYNJR	201-433-0360
John Wisniewski	NJ Assembly	732-432-8460
Regina Appolon	Asm. Wisniewski	732-432-8460
Chris Pettit	ICF	609-403-7443
Andrew E. Smith	DHS/PSA	202-875-1034
Jim Orgill	NJ OHSP	609-584-4269
Matt DeNapoli	Pocket List of RR Officials	862-576-1868
Jim Pfeiffer	SMS	856-467-4800 Ext. 303
Gary T. White	FRA	6732-366-1212
Michael Fesen	Norfolk Southern	717-319-6870
Denise Bailey	NS	215-756-1497
Mike Moen	NS	757-823-5442
Joe Bowen	FRA	201-249-2759
Lisa Tackach	RCC Paterson, NJ	973-413-1814
Michael R. Weinman	PTSI Transportation	201-933-5530
Ron Baile	CMSL	609-828-9881
Steven Friedland	NJ TRANSIT	973-491-8761
Jim Badgley	Rowan College of BC	609-314-4678
Tom Noon	FRA	732-397-3095
Ron Klein	Raritan Central	617-504-9656
Anthony DiArcangelo	U1Source	609-781-5212
Tony Giobbie	CSX (retired)	609-932-4528
Eyal Shapira	Raritan Central	617-388-3446
William Sheppard	Atlantic Rail Services	609-781-0896
Jack Rudnicki	BNSF	610-649-1445
Ray Schloss	NYSW	607-221-4578

## MEETING MINUTES

NJSLRRA President Bob Bailey began the meeting at 10:36 a.m. by thanking **Eyal Shapira** for hosting the meeting. The safety briefing was then followed by a round of introductions.

### **1. NJDOT rail grant status.**

Deven Patel said that thirteen requests for rail grants totaling \$29M had been received by the September 15, 2017 deadline. \$25M will be available to fund these in FY 2018. The department is analyzing the benefit/cost ratios and will announce the awards in six months.

### **2. Remarks by Assemblyman John Wisniewski.**

The Association was happy to welcome Assemblyman John Wisniewski to the meeting. He is leaving the NJ Assembly after 21 years; having decided early this year to run for Governor instead of for another term in the Assembly. He has been the longest serving Chair of the Transportation and Independent Authorities Committee. Although he is leaving the Assembly, he plans to remain in public life.

Assemblyman Wisniewski reviewed the results of the NJ elections the previous day. The Legislature's session beginning in January 2018 will have 25 Democrats and 15 Republicans; the Assembly will have 54 Democrats and 26 Republicans.

Peter Cammarano will be Gov. Murphy's Chief of Staff. He was Chief of Staff under Dick Codey when he was Governor and is currently the Mayor of Metuchen. John Wisniewski said that you can work with Pete.

Although there are 3,000 positions open to be filled, a big question is who will be the new NJDOT Commissioner.

John Wisniewski said that the Transportation Trust Fund is disproportionate to roads and bridges. Railroads should make our voices heard.

He also commented that Rep. Frank LoBiondo's decision to leave Congress at the end of his term will be a loss. It is hard on the state when a senior member leaves.

In concluding, Assemblyman Wisniewski said that government is a system of compromises, "You won't get it all."

### **3. ASLRRA Eastern Region meeting in Providence, RI on October 23-25, 2017.**

- **Attendance.**

Slightly more than 200 people attended the meeting.

- **Surface Transportation Board status.**  
 Since Commissioner Dan Elliott left the Board, there are only two Commissioners at present; Ann Begeman (Acting Chair), and Deb Miller. They are keeping close track of the CSX service situation. Any service complaint may be submitted through the STB’s Rail Customer and Public Assistance Program.
- **Short Line Safety Institute.**  
 The Short Line Safety Institute, which is independent of the ASLRRA, has adopted the USDOT Safety Council’s definition of a Strong Safety Culture. A Strong Safety Culture is defined as, “The shared values, actions, and behaviors that demonstrate a commitment to safety over competing goals and demands.”

There will be a detailed presentation, including a safety exercise, by the Short Line Safety Institute at the January 17, 2018 NJSLRRA meeting.
- **Hazmat car storage.**  
 Railroads were reminded that a track leased to a customer for storage of hazmat cars must only be used for that customer.
- **PHMSA 5800.**  
 PHMSA 5800 is a new form for reporting hazmat incidents which can be filed electronically.
- **Sandhouse session.**  
 Various topics were discussed in this session, including the feasibility of holding future joint meetings with the Southern Region of the ASLRRA.
- **Eastern Region Board election.**  
 Don Hutton (NYNJ), Alan Maples (EV), and Tim Potts (RJCP) were elected to the Board. Congratulations to them!
- **How to get carload freight business.**  
 This was a breakout session in which short lines discussed how they looked for new carload freight customers.
- **Sleep apnea.**  
 This session covered how railroads and motor carriers are attempting to discover which employees suffer from sleep apnea, including home test kits, as well as treatments for sleep apnea.
- **FRA violations: how to avoid them and get help.**  
 Some of these involve failure to have proper paperwork or failing to correct a violation within a specified time period.

- **FAMES.**

Fatality Analysis of Maintenance-of-way Employees and Signalmen (FAMES) is an ad hoc committee formed by the FRA in collaboration with railroad labor and management representatives to review roadway worker fatalities and measures to prevent them.

- **Today's regulatory climate.**

Potential increases in truck sizes and weights continue to be a major concern.

More information about each of these topics is available to ASLRRA members. Members should go the ASLRRA website ([www.aslrra.org](http://www.aslrra.org)), log in as a Member, then under 'Events' scroll down to 'Eastern Region Takeaways'.

#### **4. New York New Jersey Rail improvements.**

Don Hutton described improvements being made to the railroad and its facilities in both Jersey City and Brooklyn, NY.

A new four track carfloat is being delivered and will be in service in 2018. This carfloat is 59' wide; the present one is 41' wide.

There are new fenders which roll into position as well as a hydraulic lift bridge to make loading and unloading the carfloat easier.

New tracks will enable Global to load two 5-7,000 foot long container trains a day.

The NYNJ is currently doing 10,000 carloads of business annually.

#### **5. Update on rail-related legislation in the US Congress.**

There are 122 bills in Congress which contain the word 'railroad' somewhere in the text.

There continues to be a majority support for the BRACE (Building Rail Access for Customers and the Economy) Act (H.R. 721). The Act has 250 co-sponsors (159-Republican; 91-Democrat) Six of New Jersey's twelve representatives are co-sponsors (Representatives Sires, Norcross, Payne, Lance, Smith, and Gottheimer.

The companion bill in the Senate (S. 407) has 57 co-sponsors (35-Democrat; 21-Republican; 1-Independent). However, neither Senator Booker nor Senator Menendez has signed on as a co-sponsor yet.

Now that Congress has taken up tax reform, we will see what happens with these bills.

Other railroad-related bills include:

H.R. 1093, the safety audit bill sponsored by Rep. Albio Sires.

H.R. 3148, The Railroad Yardmaster Act. This would give yardmasters the same hours of service as train employees.

H.R. 233, The Safe Freight Act. This bill, which has 65 co-sponsors, including Representatives Frank LoBiondo and Frank Pallone, would require a two-man crew on trains.

S. 1451, the RAILS Act. This would facilitate and promote innovative approaches to railroad safety and for other purposes.

S, 1883. Sleep Apnea Final Rule. This bill would require the Secretary of Transportation to publish a final rule to provide for the screening, testing, and treatment for sleep disorders of individuals operating commercial vehicles (rail and motor). Senator Cory Booker introduced this bill on September 28, 2017. Senators Blumenthal (CT), Gillibrand (NY) Menendez (NJ), and Schumer (NY) are co-sponsors.

#### **6. Status of railroad-related bills in the NJ Legislature.**

There are still two current bills in the Legislature as it enters the lame duck session:

- A. 2360; this would require railroads to submit bridge inspection reports to the DOT.
- A. 3429; this bill would clarify police powers of railroad police officers and impose training requirements.

Senator Loretta Weinberg is expected to reintroduce S. 806, the hazmat bill which would require all hazmat routes to be put on websites, in the next Legislature. Since many of her concerns were addressed by the FAST Act and the railroads, chemical companies, and TransCAER have done many training sessions for first responders, the railroad industry continues to strongly oppose this bill. There is no need to 'advertise' where crude oil and ethanol trains are going.

#### **7. Impact of NJ election results on transportation.**

This will depend on the appointment of the new NJDOT Commissioner and the persons selected to chair the Transportation and Independent Authorities Committee in the Assembly and the Transportation Committee in the Senate.

#### **8. Autonomous Trucks.**

There was discussion about how soon these will impact freight railroads and especially, short lines. The public fears them; the AAA, teamsters, and independent owner-operators oppose them.

The website, [www.trucks.com](http://www.trucks.com), is an excellent source of information.

**9. TransAction 2018 in Atlantic City on April 17-19, 2018.**

Kel MacKavanagh said that a request for session topics has been sent out; the deadline for submissions is November 30. Final selections will be made in early January.

Steve Sullivan of R.L. Banks has agreed to put together and moderate a session updating the status of Positive Train Control.

**10. Member reports.**

**a. Raritan Central Railway.**

Eyal Shapira said that all of the RCRY's customers are growing. 15,000 people work in Raritan Center.

Two companies in Raritan Center are building autonomous drones. The RCRY is using drones to inspect its right-of-way.

The Raritan Center Railway is still waiting for AMTK to raise its gross weight on rail capacity (GWR) to 286,000 lbs. This will enable heavier carload shipments to Raritan Center.

**b. Norfolk Southern.**

Mike Fesen said that the NS line between Buffalo and Binghamton, NY now has a capacity of 286,000 lbs. Gross Weight on Rail.

**c. FRA.**

The possibility of a training session in 2018 was discussed. The last one was in 2013.

**d. Department of Homeland Security.**

Andy Smith said that the big push is on IT security.

**11. New business.**

New business was covered under the previous items.

The meeting was adjourned at 12:15 p.m.

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