

SEDA-COG JOINT RAIL AUTHORITY MEETING
Wednesday, February 08, 2023
Union County Government Center, Lewisburg, PA
12:30 p.m.

AUTHORITY MEMBERS

Frank Dombroski, Montour County
Russ Graham, Centre County
John Gummo, Clinton County
Lisa Hoover, Northumberland County
Bob Hormell, Northumberland County (via teleconference)
Rick Jenkins, Columbia County (via teleconference)
Brent Jones, Clinton County
Michael Krentzman, Mifflin County (via teleconference)
Rick Maloyed, Snyder County
Dave Park, Snyder County
Rob Postal, Mifflin County (via teleconference)
David Schultz, Lycoming County
John Showers, Union County
John Spychalski, Centre County
Jennifer Wakeman, Montour County
Matt Weigle, Columbia County (via teleconference)
Eric Winslow, Union County (via teleconference) Joined Meeting at 1:00PM

JRA OPERATOR

Jeb Stotter, President & CEO
Diana Williams, Treasurer/Controller

GUESTS

Mark Rosner, Carload Express
Erik Bergenthal, Carload Express Legal Counsel (via teleconference)

JRA LEGAL COUNSEL

John Bee, Esq., McQuaide Blasko
Tom Schrack, Esq. McQuaide Blasko (via teleconference)

JRA CONSULTING PROFESSIONALS

Dan Mazur, Operating Agreement Consultant

Jason Shura, P.E., Stiffler McGraw (via teleconference)

Jeff Stover, Consultant

JRA STAFF

Michelle Ballou, Program Assistant

Steven Beattie, Executive Director

Kyle Postupack, Property & Maintenance of Way Manager

CALL TO ORDER

Call to Order

The Chairman called the meeting to order at 12:37 p.m.

Pledge of Allegiance

The Chairman led the Pledge of Allegiance.

Welcome – Chairman’s Statements

The Chairman stated that the use of audio or video recording devices at the public meeting is permitted. The Authority does not require pre-registration for recording purposes; however, any individual intending to record all or any part of the meeting must notify the Chairman or the Executive Director in advance of such recording. If the Authority recesses to Executive Session, no recording of that session shall be permitted.

Public Forum

The Chairman asked if there is any public comment to come before the Board. There were no public comments.

ADMINISTRATIVE ITEMS

Approval of the January 11, 2023, JRA Meeting Minutes

Dr. Spychalski made a motion for the Board to approve the January 11, 2023, JRA Meeting Minutes; Mr. Postal seconded the motion; motion carried.

Treasurer's Report

Ms. Wakeman presented the Treasurer's Report for the month of January 2023, as well as the JRA's Loan Summary, Money Market Account Financial Statement, the PIB Loan Financial Statement, and the JRA's detailed accounting associated with the operating fees paid by the Operator. Mr. Beattie stated that the balance on the PIB Loan can be drawn down to pay the annual loan amount. The intention is to draw the balance down within the next two years which will remove the account in the system.

Mr. Park made a motion for the Board to accept the Treasurer's Report for the month of January 2023; Ms. Hoover seconded the motion; motion carried.

Staff Report and Events Calendar

Mr. Beattie summarized the status of various construction projects and calendar highlights. Mr. Beattie stated he along with the NSHR, Jannotti Rail Consulting and SMA met with the operator to review the 2022 MoW results and planned worked for 2023.

All RTAP 15 bridge projects are complete. JRA Staff, SMA and Mr. Stover are working on the final contract close-outs and final payments.

The RTAP 21 bridges on the LVRR have been submitted to the state for review. Bid Schedule and final budget review for 2023 will be determined and reported at the March meeting. The Timetable for Excursion report is in process between Staff, Excursion Committee and Penn Valley Railroad. The Excursion Committee will meet in March and a Timetable will be presented for approval at the March meeting.

Mr. Beattie stated the utility coordination was completed for the Milesburg Multi-Modal Bridge Project. DEP is allowing double cell pre-cast concrete culvert versus a single cell which will lessen the cost.

Mr. Beattie stated that he received a letter of non-prejudice from PennDOT for Bellefonte Yard which will allow project design to proceed forward. Jannotti has begun the design process. Equipment will be procured by the JRA separately because of a lead time issue. This will eliminate 10 weeks off the schedule and tentatively allow for an end of October 2023 completion.

North Shore has been working on maintenance upgrades to 7.8 miles of track between –ESPY and Briar Creek. **This maintenance work was completed to upgrade track section from Class 1 to Class 2.**

Operator Status Report

A copy of the Operator's Report was provided to Board members via email and copies were provided to Board members at the meeting. Mr. Stotter stated additional box cars were purchased for utilization on the Juniata Valley Railroad.

OLD BUSINESS

Bridge Engineer's Report

Mr. Shura reviewed the Bridge Engineer's Report provided in the meeting packet. He stated that of the Shamokin Valley Crossings have been surveyed and the data has not yet been received. The completed data will be submitted to Mr. Beattie & Mr. Postupack for review.

NEW BUSINESS

Jannotti Rail Consulting Contract

Mr. Beattie stated that Jannotti Rail Consulting has submitted an updated Engineering Agreement effective January 1, 2023. The only change is an increase in the hourly rate charged to the JRA. The hourly rate for Sam Janotti in 2023 has changed from \$85 per hour to \$105 per hour and Paul Jannotti's billed rate moves from \$95 per hour to \$115 per hour. Mr. Beattie will request a Certificate of insurance to include the Operator as an additional insured.

Mr. Schultz made a motion for the Board to approve the 2023 Consulting Contract for Jannotti Rail Consulting; Mr. Park seconded the motion; motion carried.

REPORTS FROM COMMITTEES

PROPERTY MANAGEMENT COMMITTEE

Committee Chairman Jenkins reported on the work of the Property Management Committee, which met at 10:30 a.m. All details of the items below are contained in the Property Management Committee packet.

***ZITO MEDIA COMMUNICATIONS LLC LICENSE AGREEMENT (NSHR – Danville)**

Zito Media contacted JRA staff about running an overhead fiber cable over the NSHR at the Railroad Street grade crossing in Danville. Vertical clearance will be less than 34'-1" from top of rail with sag, and the cable will be wholly within the public ROW. Zito will be assessed a one-time engineering review fee per the JRA's Fee Schedule. All plans have been reviewed and approved.

Mr. Jenkins made a motion for the Board to approve the Zito Media Communications LLC License Agreement; Mr. Winslow seconded the motion; motion carried with Ms. Wakeman abstaining.

***ZIMMERMAN MOTORS STORMWATER EASEMENT AGREEMENT**

Zimmerman Motors is working on a stormwater management project that runs parallel to the SVRR in Sunbury. The project included constructing a new cast in place vault that will tie into an existing culvert under the SVRR at MP 1.28. The project is a net benefit to the JRA because the embankments and ditch will be stabilized, and the headwall of the culvert under the track will be reinforced. Most of the project is off JRA ROW, but an agreement is needed to establish maintenance responsibilities. No fee is proposed since the project benefits the JRA by stabilizing the embankment and ditch. Plans have been reviewed and approved by JRA Engineer Jason Shura, P.E., and JRA staff and action is recommended to the Board.

Mr. Jenkins made a motion for the Board to approve The Zimmerman Motors Stormwater Easement Agreement; Mr. Winslow seconded the motion; motion carried.

SUSQUEHANNA RIVER WALK EXTENSION LETTER OF SUPPORT

Mr. Beattie stated that the JRA staff has met with Lycoming County Planning for an extension of the Susquehanna River Walk, which will cross over the Maynard Street grade crossing. The trail will also cross over the LVRR to the west around MP 182.1 Lycoming County Planning is requesting a Letter of Support.

Mr. Jenkins made a motion for the Board to approve sending a Letter of Support to Lycoming CO. Planning for the Susquehanna River Walk Extension; Mr. Dombroski seconded the motion; motion carried.

LEGAL

Appoint Executive Director as Open Records Officer for JRA

Mr. Stover was previously appointed as Open Records Officer for the JRA. A new Open Records Officer will need to be appointed and historically, that has been the Executive Director.

Mr. Gummo made a motion for the Board to approve Mr. Beattie as Open Records Officer for JRA; Mr. Postal seconded the motion; motion carried.

***NARCOA Speeder Runs**

A request has been received for 2023 track car ("speeder") runs proposed by sponsor organization, NARCOA. All have been approved by the Operator.

Dr. Spsychalski made a motion for the Board to approve of the proposed speeder runs; Ms. Wakeman seconded the motion; motion carried.

Attorney Schrack stated he has nothing further to discuss in public session and recommended that the Board recess into executive session.

Chairman Graham recessed the regular meeting at 1:08 p.m. to convene into executive session at 1:25 p.m.

Chairman Graham reconvened the regular meeting at 1:58 p.m. Attorney Schrack noted for the record that the Board had discussed the status of the RFP litigation with its legal counsel in executive session and that no action was needed at this time.

With there being no further business to come before the JRA Board, Chairman Graham adjourned the meeting at 1:59 p.m.

Respectfully submitted,

Steven M. Beattie, Executive Director

I hereby certify these minutes were approved by the SEDA-COG Joint Rail Authority Board of Directors on March 8, 2023.

Secretary/Assistant Secretary