



## SEDA-COG JOINT RAIL AUTHORITY SPECIAL MEETING

Friday, April 24, 2020

Virtual Meeting via Teleconference

10:00 A.M.

### PRESERVING RAIL FREIGHT SERVICE

*serving the counties of*

Centre

Clinton

Columbia

Lycoming

Mifflin

Montour

Northumberland

Union

### AUTHORITY MEMBERS

Frank Dombroski, Montour County

Russ Graham, Centre County

John Gummo, Clinton County

Scott Harvey, Lycoming County

Lisa Hoover, Northumberland County

Bob Hormell, Northumberland County

Rick Jenkins, Columbia County

Brent Jones, Clinton County

Michael Krentzman, Mifflin County

Dave Park, Columbia County

John Showers, Union County

David Schultz, Lycoming County

John Spychalski, Centre County

Jennifer Wakeman, Montour County

Eric Winslow, Union County

### JRA OPERATOR

Tom Avery, Director of Operations

Todd Hunter, Chief Marketing Officer

Zac Mahaffey, Director of Maintenance of Way

Jeb Stotter, President & CEO

Diana Williams, Treasurer/Controller

### GUESTS

Alex Lang, Carload Express

John Lavelle, Lycoming County Planning

Mark Rosner, Carload Express

### LEGAL COUNSEL

John Bee, Esq., McQuaide Blasko

Tom Schrack, Esq., McQuaide Blasko

### JRA CONSULTING PROFESSIONALS

Paul Jannotti, Jannotti Rail Consulting

Dan Mazur, Operating Agreement Consultant

Jason Shura, P.E., Stiffler, McGraw & Associates, Inc.

SEDA-COG JOINT  
RAIL AUTHORITY

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SEDA Council of Governments

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**JRA STAFF**

Kay Aikey, Program Assistant

Kyle Postupack, Property & Maintenance of Way Manager

Jeff Stover, Executive Director

**OTHER SEDA-COG STAFF**

Jim Saylor, Program Director, Transportation

**CALL TO ORDER**

**Call to Order**

Chairman Showers called the meeting to order at 10:09 a.m.

**Pledge of Allegiance**

Chairman Showers led the Pledge of Allegiance

**Welcome – Vice-Chairman’s Statements**

Chairman Showers 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.

Roll call was taken so that everyone would know who was on the call.

**Public Forum**

Chairman Showers asked if there is any public comment to come before the Board. No one expressed any comments.

**ADMINISTRATIVE ITEMS**

**Approval of the February 12, 2020 Meeting Minutes**

*Dr. Sychalski made a motion for the Board to approve the February 12, 2020 JRA Meeting Minutes; Mr. Graham seconded the motion; motion carried.*

Treasurer's Reports

Mr. Harvey presented the Treasurer's Report for the months of February and March 2020, as well as the JRA's PIB Loan Account, JRA's loan summary, DCED Grant – "Milesburg 3 Pipes" financial statement, and the JRA's detailed accounting associated with the operating fees paid by the Operator.

*Mr. Hormell made a motion for the Board to accept the Treasurer's Reports for the months of February 2020 and March 2020 and file for audit; Mr. Park seconded the motion; motion carried.*

Operator's Status Report

The Operator's report was provided as a handout to Board members. Mr. Stotter stated that business continues as usual for the railroad operation.

Mr. Graham raised a question about a decrease in car storage revenue. Mr. Stotter replied that the numbers should improve over the next months.

**OLD BUSINESS**

Bridge Engineer's Report

The Bridge Engineer's Report was provided in the meeting packet. Mr. Shura was in attendance and provided an update on several projects:

- LVRR Avis Bridge 171.30
- Continuing to advance the 2015 RTAP projects
- SVRR Bridge 19.43
- NBER Bridge 33.84 and LVRR Antlers 179.44

Mr. Stover stated that staff received an updated engineering agreement from Stiffler McGraw showing a 3% increase in fees. A ratification of prior action by the Executive Director was requested from the Board.

*Mr. Graham made a motion for the Board to approve the revised Stiffler McGraw engineering contract which reflects a 3% increase in fees; Mr. Harvey seconded the motion; motion carried.*

Mr. Stover stated that on March 25th, staff and NBER personnel held a teleconference with Jason Shura relative to the NBER Bridge 33.84 rehabilitation. This is one of the RTAP 15 bridges. The original John Conrad concept was to replace the aging concrete ballast deck bridge with an open deck structure. This is extensive work that could take up to a month to

complete, even with nearly around the clock construction. That would have shut down the NBER Main for too long, so other options were discussed.

Jason Shura said the existing concrete deck can be repaired and coated to preserve it. He expects a 25-year life would be realized with that type of upgrade. The cost would be about 60% of the cost of the open deck option and could be done over four weekends. He is working on the revised rehabilitation method's cost and bid package preparation.

Mr. Stover stated that the JRA is paying the local share and is not being cost shared with the Nittany & Bald Eagle Railroad.

Mr. Postupack showed a slide of NBER Bridge 33.84.

**DL&W Guiderail Installation in Danville (NSHR)**

Mr. Postupack stated that three bids were received for guiderail installation along DL&W Avenue between Pine and Church Streets in Danville. This is the area where there have been issues with people parking too close to the track on JRA property. The proposed guiderail will protect railroad operations from parked vehicles and other encroachments. Mr. Postupack stated that approximately 240 feet of guiderail will be installed.

The following three bids were received:

DBI Services Corporation	\$ 6,306.78
Penn Line Service, Inc.	\$ 6,696.25
Green Acres Contracting	\$12,000.00

*Mr. Jenkins made a motion for the Board to award the guiderail installation to DBI Services Corporation in the amount of \$6,306.78; Mr. Winslow seconded the motion; motion carried.*

Mr. Postupack stated that DBI Services Corporation reported that they can start work on April 30, 2020.

**Bloomsburg to Lime Ridge Supplemental Work (NSHR)**

Mr. Stover stated that Andy Keister and his team of McTish Kunkel have concluded that the stormwater issues can be dealt with in the eastern section, centered around Low Street. The western areas of the corridor, in the Town of Bloomsburg and Scott Township, local flood problems are not so easily definable or fixable.

Low Street runs north-south between Sekisui Kydex and Smucker's; 84 Lumber is adjacent to Smucker's on the west. A new three- or four-foot diameter drainage pipe would parallel Low

Street and run from near Route 11 to the river. The pipe could solve the localized flooding problems for those industries.

To complete the work and deliver preliminary engineering in preparation for some sort of grant application, it would cost an additional \$19,800. Staff had a call with Columbia County Commissioner Rich Ridgway and Eric Stahley, the County's Resiliency Officer to discuss the additional work. After some questioning of Andy Keister and a breakdown of costs, the county agreed the supplemental work is needed.

The study's pledged cost shares total \$105,000. The additional \$19,800 would amend the engineering agreement from \$50,000 to \$69,800. Staff is recommending that the Board approve the modification of the agreement with McTish Kunkel for \$19,800. That would include an additional meeting with the partners as well.

Mr. Postupack showed a slide of the Bloomsburg to Lime Ridge Corridor.

*Dr. Spychalski made a motion for the Board to approve the supplemental engineering work for the Bloomsburg to Lime Ridge Corridor; Mr. Park seconded the motion; motion carried.*

## NEW BUSINESS

### BUILD Grant (LVRR)

Mr. Postupack stated that Lycoming County is seeking JRA support to include the raising of the LVRR Bridge 171.30 one foot over SR 220 just east of Jersey Shore as part of a three-county (including Tioga and Clinton Counties) trail project. This is the bridge that gets hit about twice a year by oversize truck loads.

The counties propose to include the LVRR railroad bridge raise of one foot in the mix to add an economic development element to the application.

BUILD is the TIGER II program under a new name.

The county is seeking JRA support for the multi-county project. On March 31, Mr. Lavelle told staff that a JRA support letter in May is acceptable. Staff and Engineer Shura are providing the requested information for the BUILD grant application.

David Shultz, President of Jersey Shore Steel has submitted a letter of support from his company.

Mr. Lavelle has no information whether the May 18<sup>th</sup> application due date will be postponed.

John Lavelle, Lycoming County Transportation Planner, explained the project via PowerPoint.

Tioga County Build Grant – Transportation Initiatives to Build a Stronger Rural Economy:

BUILD Grant Highlights

- A US Department of Transportation (DOT) administered grant
- \$1 billion in nationally competitive grant funds available
- Rural applicants are required to partially pay for pre-construction costs  
Construction is 100% funded through the grant
- Applications are evaluated based on merit criteria including benefit cost ratio, safety, economic competitiveness, quality of life, environmental sustainability, state of good repair, innovation, partnership

Regional Partnership – The grant is centered around each community’s connection to the Pine Creek Rail Trail.

Partners: Tioga County – lead applicant and applied for the grant in 2019; Clinton County, Lycoming County and SEDA-COG Joint Rail Authority.

Regional Scope:

- Tioga County – completion of the Marsh Creek Greenway Project.
- Clinton County – completion of the Bald Eagle Valley Rail Trail.
- Lycoming County – Lawshee Run Culvert replacement and Active Transportation Plan implementation.
- SEDA-COG Joint Rail Authority – Bridge 171.30 elevation project over US 220.

Lycoming County Top Priority – Replacement of Lawshee Run Culvert

- 1,219 ft. long culvert
- Various levels of significant deterioration
- No other grant sources available to help with this project
- Estimated cost of replacement: \$9.3M

Bridge 171.30 Elevation Project

Scope (increase vertical clearance from 13’10” to 14’9” for US 220)

This work includes:

- Removal of the existing track and ballast from the bridge deck
- Rehabilitation of the concrete deck and backwalls
- Raising the bridge and installing new steel pedestals to increase the clear height to at least 15’0”, miscellaneous steel rehabilitation

- Installation of a new liquid applied waterproofing membrane
- Placement of new subballast and ballast on the bridge deck, and supporting approach track work
- Cost to the JRA: Engineering costs associated with preliminary engineering.  
Project management; field survey; line and grade; E&S Plan; traffic control plan; type, size and location plan; design field view; right-of-way plan (if required); and Highway Occupancy Permit Application
- This cost is \$70,250
- Anticipated construction cost: \$592,625  
The entire cost of construction and final design will be paid for through the grant.

Mr. Harvey asked if the \$70,250 needs to be expended prior to the award of the grant or is that dependent on the award of the grant. Mr. Lavelle replied that it would be dependent on the award.

#### Responsibilities/Contracting

#### Cooperation Agreement

1. Tioga:
  - Serves as the lead applicant and main point of contact
  - Total ask: \$9.3M
2. Clinton
  - Total ask: 1.6M
3. Lycoming
  - Total ask: \$14.2M
4. SEDA-COG Joint Rail Authority
  - Total ask: \$592,625 plus final engineering costs

#### Project Management

1. Will be processed through PennDOT's Engineering and Construction Management System, managed through both District 2-0 and District 3-0.
2. Each partner will enter into a separate reimbursement agreement with their respective PennDOT District.
3. Partners will then manage their own projects and coordinate progress with their relevant district offices.
4. Federal procurement procedures must be followed for engineering services.

What Is Needed from the JRA to Submit the Project

Letter of support: Already received

Signed Agreement

- Has been reviewed by JRA solicitor with comments addressed and incorporated
- Sets forth delivery timeframes
- Reporting requirements (monthly report to Tioga County)
- Financial understanding
- How each entity will work with PennDOT

Letter of Commitment

- Essentially reflects the understanding set forth in the Cooperative Agreement

Important Dates

- DC Trip: Tentatively May 13, 2020. Attempting to arrange a virtual meeting with legislators now.
- Grant deadline: May 18, 2020 – goal is to submit grant on May 13, 2020.
- Award deadline: September 15, 2020
- Obligate Funds: September 30, 2022
  - Environmental Clearance, ROW (PE, Surveying, Type, Size & Location)
  - The Authority has to be ready to bid the project through ECMS by this deadline
  - Environmental Clearance should be complete by January 2022, at the latest
- Construction Completion: September 30, 2027

Mr. Gummo asked about the 171.30 bridge project in Jersey Shore. Specifically, he wanted to know if it includes any PennDOT rectification from the current highway two-lane from four-lane transition, which is a dangerous element for vehicular traffic, and whether the project includes any PennDOT correction to that area. He also asked if the cosmetics of the bridge will be updated. Mr. Lavelle replied that existing structure of the bridge does not allow for lane widening, and it would drive the cost of the project up. The extra cost would nullify the project out of the cost benefit criteria.

Mr. Lavelle asked Mr. Shura if the bridge would be painted. Mr. Shura replied that there are no plans to repaint the bridge but spalls and gouges on the foundations and any of the deterioration seen from the highway level will be repaired. There is no plan to paint the super structure or sub-structure. With the estimate, there may be enough money to do a protective coating on the foundations.

Dr. Spychalski asked about the situation with regard to rust on the steel and critical components of the bridge relative to the remaining amount of steel and the strength calculations. Mr. Shura replied that the load rating computations are quite sufficient for that



bridge. There is surface rust on the bridge but there is no meaningful section loss so there is no active corrosion occurring on the foundations. Mr. Shura stated he is more concerned with some of the damage on the bottom flanges and some distortion from the gouges. There are plans to grind those areas and spot paint them to ensure there is no cracking or specific corrosion in those areas.

Mr. Stover referred back to the ECMS that PennDOT uses as an engineering and construction management system. Projects the JRA has had with PennDOT were done under a local let process which is far superior from a grantee's standpoint. It means you can use your existing engineer and costs are significantly less. Unfortunately, one of the requirements that comes with the ECMS is the federal requirements that the JRA cannot simply engage Stiffler McGraw if this project is funded. The JRA will have to go through an RFP process to engage an engineer for this project. Mr. Shura stated that because only the final design is incorporated into the grant, the advertisement for engineering is only for the final design. Mr. Shura asked Mr. Lavelle to confirm if this is correct; Mr. Lavelle responded that he needs to get clarification from Aaron Crist, Local Project Coordinator with PennDOT. Mr. Shura stated he believes that advertisement would only need to be for the services that are paid for by the grant because preliminary engineering would be paid 100% by the JRA upfront. What this means for the JRA is that there doesn't need to be a delay from approval of the grant in September to beginning of preliminary engineering. Preliminary engineering could start immediately. The engineering RFP process typically takes about four months. Mr. Shura stated that Stiffler McGraw has been through this process before and is willing to participate in whatever process that is in the best interest of the JRA.

Mr. Harvey asked about the JRA's total engineering commitment of approximately \$70,000 and asked if there is also a commitment to allow trail occupation on JRA property. Mr. Lavelle replied that there is no request to have co-location of this trail along the bridge at this time. He stated that in the future an updated feasibility study on trail alignment between Williamsport and the Jersey Shore Borough would need to be performed. They would need to know where to align the trail. There is an additional problem with the bridge over Larry's Creek as it was determined that it would not be ideal to co-locate a pedestrian structure off that bridge. There is significant work there to get to a formal conversation.

*Mr. Harvey made a motion for the full Board to authorize a support letter for the Lycoming, Clinton and Tioga counties BUILD grant application; commit to a \$70,250 JRA contribution in 2021-2022 for preliminary engineering; and authorize the JRA officers to execute the multi-party Cooperation Agreement on behalf of the JRA; Mr. Graham seconded the motion.*

Mr. Graham asked if the motion should include a range for the JRA's financial contribution; Mr. Shura stated that the estimate provided is fairly conservative and whenever looking for a budget for a grant application he tries to hit it on the high side but he doesn't expect it to be higher because he included some tasks that may be eliminated so the cost could be lower.

*Motion carried.*

## REPORTS FROM COMMITTEES

### Property Management/Capital Budget Committee Meeting

#### EcoMAXX Central PA, LLC (NSHR)

Mr. Stover stated this company handles waste oil. They have asked that action on the proposed agreement be postponed. Their business is uncertain given COVID-19 and do not want to commit to the volumes of which they were previously comfortable. Action on a small donation for crossties, however, is still advised. The new crossties were installed by the NSHR Maintenance of Way Department to put the siding in service, which can be used to store track equipment.

EcoMAXX has approached staff requesting a non-exclusive license to access a siding on the NSHR in Berwick just east of the South Eaton Street crossing. The term would be for 48 months during the term. EcoMAXX has committed to moving no less than 36 rail cars (measured on an average monthly basis of one car per month) during the term.

If, at the conclusion of the 48-month term, the total rail car requirement is not met, EcoMAXX will be charged the difference between the 36-rail cars and the number of rail cars used at a rate of \$305 per car. If additional rail cars from other entities also use the siding, those quantities will be deducted from the EcoMAXX rail car quota.

The siding is currently in poor condition and 100' of the existing siding will be made usable with 50 new crossties. NSHR maintenance of way workers have provided the labor for the siding rehab. The JRA is asked to contribute \$2,650 cost of the crossties for the siding being roughly one-half of the total cost.

Mr. Postupack showed a slide of the South Eaton siding.

***Ms. Wakeman made a motion for the full Board to ratify the work already done for the crossties and for the JRA's contribution of \$2,650 for crossties contribution to make the siding usable; Mr. Gummo seconded the motion; motion carried.***

## LEGAL

### Legal Issues

Attorney Schrack stated that there are no legal items for discussion in the public meeting and recommended that the Board recess into executive session.

Chairman Showers recessed the regular meeting at 11:28 a.m. to convene into executive session.

Chairman Showers reconvened the regular meeting at 12:06 p.m.

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Attorney Schrack stated that the Authority Board had discussion with solicitor about the ongoing litigations. No action was taken, and no action is recommended to be taken in public session.

With there being no further business to come before the JRA Board, Chairman Showers adjourned the meeting at 12:08 p.m.

Respectfully submitted,



Jeffery K. Stover, Executive Director

I hereby certify these minutes were approved by the SEDA-COG Joint Rail Authority Board of Directors on June 3, 2020.



~~Secretary/Assistant Secretary~~ CHAIR