

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – NOVEMBER 6, 2013

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on November 6, 2013. Chairman Stainthorpe called the meeting to order at 7:35 p.m. Mr. Stainthorpe stated he and Ms. Tyler were pleased to be re-elected, and he thanked the voters of Lower Makefield who have given them the opportunity to continue to serve. He also congratulated his opponents for their hard work during the campaign. Ms. Tyler agreed.

Those present:

Board of Supervisors: Pete Stainthorpe, Chairman
 Dobby Dobson, vice chairman
 Dan McLaughlin, Secretary
 Kristin Tyler, Treasurer
 Jeff Benedetto, Member

Others: Terry Fedorchak, Township Manager
 Jeffrey Garton, Township Solicitor
 Mark Eisold, Township Engineer
 Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Mr. Harold Kupersmit, 612 B Wren Song Road stated he will continue to be concerned about funding the public schools and hopes to have a proposal in the first quarter of 2014.

Mr. Scott Burgess, 15 Glen Drive, stated he is a member of the Woodside Church and the Christian Life Prisoner Recovery Ministry. He stated according to a National survey more than 65% of families in the United States are effected by addiction either alcohol or drugs. He stated on Saturday, November 16 at 7:00 p.m. Woodside Church will host a benefit concert for the Prisoner Recovery Ministry. He stated flyers are available at the Township.

Mr. Mark Moffa, 1531 Derbyshire Road, congratulated Mr. Stainthorpe and Ms. Tyler on their successful campaigns adding he hopes they will have a fruitful six years. Mr. Moffa thanked Mr. Stainthorpe for his prior comments. Ms. Tyler thanked Mr. Moffa for his continued service on the Zoning Hearing Board.

APPROVAL OF MINUTES

Ms. Tyler moved Mr. McLaughlin seconded and it was unanimously carried to approve the Minutes of September 24, 2013 Budget Meeting, October 3, 2013 Budget Meeting, and October 16, 2013 Regular Public Meeting Minutes as written.

PRESENTATION ON SEPTA'S PLANNED EXPANSION

Mr. Stainthorpe stated Mr. Fitzpatrick's office announced that there was a Grant coming to CSX and SEPTA to widen the rails through Lower Makefield from two tracks to three tracks. He stated the Township sent out approximately nine hundred letters to Township residents and had Mr. Fitzpatrick's office arrange to have representatives from SEPTA to be present this evening. Mr. Stainthorpe stated this will be an informational meeting for the Board and the residents.

Mr. Jeff Kneuppel, SEPTA Deputy General Manager, was present and stated he feels this is more of a separation project than it is an expansion project. He showed a slide of the SEPTA rail map noting that SEPTA runs commuter rail over CSX tracks from Woodbourne toward W. Trenton. He stated in 2004 SEPTA separated from CSX on the Fox Chase line. He stated SEPTA is working to preserve rail transportation through the Township.

Mr. Kneuppel stated the CSX trains are coming from hundreds of thousands of miles away, and this is a major route for CSX that became more active after Conrail was broken up. Mr. Kneuppel stated CSX owns the tracks, and SEPTA just has the right to run over them. He stated the reason for the need to separate has developed because there is a Federal mandate for positive train control. He stated in 2008 there was a crash in California on a commuter rail segment when a commuter train crashed with a freight train at forty miles per hour which quickly led to legislation called the Federal Railway Safety Improvement Act which provided that all commuter rail lines and freight lines carrying toxic cargo would have to bring up their signal systems to a very high standard of safety which generally did not exist in the United States. He stated the law made December 31, 2015 as the deadline; and at this point there is no extension.

Mr. Kneuppel stated initially SEPTA was looking for a technical solution to deal with this issue because the type of positive train control that they would need is the one that Amtrak runs since SEPTA runs over Amtrak so much. He stated the freight trains in America are generally going with another style of positive train control that is completely incompatible with what Amtrak is doing. Mr. Kneuppel stated SEPTA had to go with the Amtrak style, and they were trying to develop a way that would allow SEPTA to run two systems over the six mile area, but they realized that they

were not going to be able to get this done by the deadline. Mr. Kneuppel stated this was the impetus for SEPTA to separate from CSX. Mr. Kneuppel stated there has also been a push by CSX to separate from SEPTA since 1999/2000 when most of Conrail was dissolved.

Mr. Kneuppel stated SEPTA is in a very poor financial situation in terms of capital funding, and they needed an outside source. He stated in September they were advised that they would be getting a Grant. Mr. Kneuppel stated if SEPTA does not meet the mandate, they could either have very heavy fines or choose not to run on that section of track. He stated there is a concern about heavy freight and passenger traffic running together.

Mr. Kneuppel stated in recent years SEPTA and CSX have had more issues trying to co-exist on the two tracks which is another reason to compel the two sides to work on a separation. He stated the issues are mostly during the evening rush hour. He stated because the CSX trains come from very long distances, it is not easy for them to schedule them as tightly as SEPTA schedules. Mr. Kneuppel stated CSX has certain trains that they run where the fines are thousands of dollars per hour.

Mr. Kneuppel stated as noted earlier CSX is the owner, and SEPTA is the tenant. He stated under positive train control, the tenant has virtually no rights so they would have to do what the owner says; and this was going to prove to be a very difficult situation for SEPTA. He stated if CSX put in their style of positive train control, CSX would most likely want to dispatch that section. Mr. Kneuppel stated currently SEPTA dispatches it; but with only sixty days notice, CSX could take back dispatching and basically control when trains run through certain areas and give CSX trains priority over the SEPTA trains. Mr. Kneuppel stated SEPTA being in a very weak position has made it very attractive to SEPTA to separate. Mr. Kneuppel stated SEPTA wants to be able to meet the mandate and still continue to provide service in this section.

Mr. Kneuppel showed a slide which indicates that over a twenty-four hour period SEPTA will run fifty-seven trains on a weekday and thirty-six on a weekend day. He stated for CSX this corridor has become stronger over time, and they have increased the number of trains from what Conrail had run; and they typically run more than twenty trains per day. He stated this is a primary route for CSX.

Mr. Kneuppel stated no property acquisition will be needed, and it will all be done on railroad right-of-way that had tracks previously. He stated in the late 1960s/70s there were four tracks between Woodbourne and Yardley and over time they went down to two tracks. He stated they are putting tracks back in a bed that is already there, and everything is set up already for four tracks. Mr. Kneuppel showed a slide which has the current railroad lay out and to the left the blue is CSX, and the two red

lines are what SEPTA runs. Mr. Kneuppel stated they have ninety-nine year leases for the stretch up to Woodbourne Station which is also CSX right-of-way. He stated once you come into this area the three tracks become two, and this project will extend the arrangement of having three tracks from Woodbourne to just short of Yardley. Mr. Kneuppel stated SEPTA will have two tracks. He stated they come back in at Yardley so that in the future they will be able to make the Yardley Station ADA accessible. He stated they need to cut back in at some point because the Delaware River Bridge is there, and it would be a major expenditure to widen it.

Mr. Kneuppel stated CSX has no planned speed increases, but SEPTA would work to go to 70 miles per hour as they are currently at 60 miles per hour. Mr. Kneuppel stated the single track section from Yardley to West Trenton limits SEPTA's ability to run any more service than they run today at rush hours.

Mr. Kneuppel stated this proposal will give SEPTA control, meet the positive train control deadline, make it easier to make the Stations ADA accessible, and allows SEPTA to continue to control dispatching. He stated they will also be stationing signal maintainers probably out of Yardley sub-Station which will allow them to respond faster to grade crossing issues, etc. than what has previously been the case with CSX because it was just their property and they had to travel from a much longer distance to come and deal with issues. Mr. Kneuppel stated CSX will go down to one available track in this section rather than two. Mr. Kneuppel also noted that SEPTA will not be able to come up with the funds for a long time to extend the tracks all the way to New Jersey since they have a backlog of \$5 billion worth of needs that would come first.

Mr. Kneuppel stated they will continue to have dialogue with the Township noting that this is a very important project for SEPTA to be able to maintain service in this area.

Mr. Stainthorpe asked if they have all the funding for this project that they need, and Mr. Kneuppel stated the Grant was \$10 million and CSX will have to put up \$7 to \$8 million with SEPTA having to come up with the rest, and they believe that they will be able to do this. He stated they could not put in the Grant Application without being able to indicate that they could come up with the remaining funds.

Mr. Stainthorpe asked the timetable for construction, and Mr. Kneuppel stated they are just launching the design effort although it will be a fast-track design schedule. He stated putting this back on an old track makes it much easier and should cause much less interference to the community. He stated there will be construction at all of the grade crossings to add the third track back, but they will work to minimize the inconvenience.

Mr. Stainthorpe asked if freight traffic will increase, and Mr. Kneuppel stated he does not feel that this project is necessarily doing anything to make it easier for CSX to increase traffic. He stated CSX will only have a single track to run through here; however, it is not easy to control the levels of traffic that CSX has. He stated this project is more about preserving SEPTA's rights to run in this area since CSX has the right to make things very difficult for SEPTA given CSX could dispatch; and if that were the case, the SEPTA trains might have to sit for long periods of time waiting for freight trains to come through. He stated he feels this project is more about preserving commuter traffic in this corridor than it is to facilitate CSX running more traffic.

Mr. Stainthorpe asked if increasing the SEPTA speeds from sixty to seventy miles per hour will shorten the trips, and Mr. Kneuppel stated it will help; and it will also mean that the crossing gates will be down for a little bit less time.

Mr. Kneuppel stated the new third track is on one side of the right-of-way, and they are adding the third track on the inbound side.

Mr. McLaughlin asked if the roads at the crossings will be shut down when they work on constructing the third rail; and Mr. Kneuppel stated they typically do crossings on the weekend, and they recognize they have to keep the roads open. He stated they will work to minimize the impact on the community.

Mr. McLaughlin noted the location of the Ambulance Squad, and Mr. Kneuppel stated they will work as much as they can to get it as tight as they can.

Ms. Tyler asked for more information about the Federal Railroad Safety Act, and Mr. Kneuppel stated it relates to higher levels of signal protection for the trains. He stated the way the signal systems function currently is like a streetlight, and the engineer can choose to obey or disobey the signal which is seen visually; and nothing can be done to stop you if you choose to do the wrong action. He stated with positive train control, two trains could not collide; and there is a constant communication between the signal equipment and the train locomotive with a constant checking to make sure that the train can brake in time. He stated if the brake rate cannot be met, the train will basically shut down automatically. He stated it is working to eliminate human error, and to make America's railroads much safer. He stated there is a segment of Amtrak that has this, and this has been helping SEPTA to meet the deadline in that Amtrak already has that approach that was approved by the Federal Railroad Administration; and SEPTA will be putting that on their equipment on all their tracks. He stated this is why SEPTA is well positioned to meet the deadline.

Ms. Tyler asked who the Act places the obligation on to install the signals.

Mr. Kneuppel stated the owner of the track has to place them; but when you are the tenant, you do not have many rights. Ms. Tyler asked if CSX is taking any proactive measures to remedy this problem; and Mr. Kneuppel stated CSX is contributing, and work has been divided between SEPTA and CSX although SEPTA has more work to do than CSX does since they have to add the third track for their use.

Mr. Kneuppel stated SEPTA was concerned that CSX would take over dispatching in the near future because they would be running their style of positive train control, and SEPTA would lose the ability to control when trains came through switches and out of the yards, etc.

Ms. Tyler asked the likelihood that the compliance date of the Act will be extended; and Mr. Kneuppel stated there has been discussion on this and some commuter and freight railroads are behind. He stated SEPTA is working to the existing law, and the guidance they have received from the Federal Railway Administration is to make their best effort to meet the deadline. He stated SEPTA has to do a positive train control project all over their system. He stated it is an unfunded mandate. Ms. Tyler asked if an extension is granted, how would SEPTA react; and Mr. Kneuppel stated if an extension is granted, it will still be the intention that the positive train control mandate will have to be fulfilled although it may be later. He stated Amtrak will be meeting the positive train control deadline, and if SEPTA is close, he would like to meet the deadline even if there is an extension since Amtrak will be starting operation in 2014, and he feels it makes sense for the SEPTA equipment to utilize the greater level of safety on the high-speed Amtrak system where SEPTA also runs.

Ms. Tyler asked about SEPTA's monetary contribution to the project, and Mr. Kneuppel stated it will probably be approximately \$20 million, and approximately \$8 million will come from the Grant. Mr. Kneuppel stated it also makes it easier for SEPTA to make the stations at Yardley and West Trenton ADA accessible which is a positive benefit. Ms. Tyler asked if there is an intention to upgrade the Yardley Station, and Mr. Kneuppel stated they do intend to make it ADA accessible after the project is done or during the project if they can find funding.

Ms. Tyler asked how far the third track would go, and Mr. Kneuppel stated it will stop just before the Yardley Station.

Mr. Benedetto asked if there is anything that can be done to prevent the project from proceeding, and Mr. Kneuppel stated the positive train control mandate will not go away although the deadline could be extended. He stated all across the Country freight railroads and commuters are spending billions of dollars to achieve

this higher level of safety, and the Government appears to be very intent on making sure that this happens. Mr. Benedetto asked if CSX wanted to upgrade because of the increased volume, and Mr. Kneuppel stated there are problems now especially at rush hour which has been a concern. He stated the positive train control is the impetus for the project. Mr. Benedetto asked if there is a benefit to the Township; and Mr. Kneuppel stated in their quest to have a transportation funding bill passed there have been a lot of studies recently to show the benefits of having a commuter rail in close vicinity to residential areas, that it enhances a community, and it provides a quick and convenient connection to Philadelphia especially given the construction taking place on I-95. He stated he feels that SEPTA plays a role in the community in terms of providing essential commuter rail service.

Mr. Benedetto stated a number of years ago there was discussion about the train noise, and reference was made that ten years ago that there were only three to four trains going through, and now there are fifty-seven trains. Mr. Kneuppel stated the number of SEPTA trains has been steady. Mr. Benedetto stated he felt the reason stated for the project was that it provides room for future growth. Mr. Kneuppel stated because of the single-track section between Yardley and West Trenton, SEPTA cannot run any more trains at rush hour than they do now. He stated they would have had difficulty continuing their service if they were on the “losing end” of the positive control situation since CSX could take over dispatching, and it would have made it difficult for SEPTA to continue with the popularity of this line and the steady growth in ridership that they have had. He stated typically they have added more cars to trains as opposed to having additional trains.

Mr. Benedetto stated he and his neighbors feel that this is more of a detriment than a benefit to the community in terms of noise and traffic. He stated he feels property values are negatively impacted by train noise adjacent to properties. Mr. Kneuppel stated from the perspective of SEPTA, they are not going to do anything different than what they do now. He stated their trains are fast and get through the grade crossings fairly quickly, and they are not in the same situation with regard to noise generation and vibrations as the freight trains. He stated the freight trains are owned by CSX, and it is difficult to try to limit interstate commerce so he is not sure what ability people would have to deal with freight traffic. He stated in this area, the freight line will be going down from two tracks to one so the project in this vicinity will not make it easier for CSX to run more freight.

Mr. Benedetto asked if the project is expected to be completed by the end of 2015, and Mr. Kneuppel stated this is their hope.

Mr. Benedetto asked if there are any issues with the project taking any open space, and Mr. Kneuppel stated there will be no property acquisition needed.

Mr. Benedetto asked if there is a difference between the CSX horn volume and SEPTA, and Mr. Kneuppel stated there are regulations as to the minimum level of decibels that you have to make to alert people. He stated when SEPTA got new trains they came in a little higher than they wanted, and they have modified them to pull the noise back closer to what they must provide. Mr. Benedetto stated a number of years ago when train noise was being discussed SEPTA had an older-style horn system, and the engineer controlled how loud the horn could be; and he asked if this is still the case. Mr. Kneuppel stated he understands that the engineer can push on the horn longer, but he is not aware that they can make it louder. Mr. Benedetto asked if the maximum decibel level is 110 decibels under the Federal Railroad Administration; and Mr. Kneuppel stated while he feels it is lower, he will look into this further.

Mr. Benedetto stated Mr. Kneuppel indicated that CSX had no planned speed increase, and Mr. Kneuppel stated he doubts that they will.

Mr. Benedetto asked if there will be any environmental impact studies done, and Mr. Kneuppel stated since this is Federal funding they have to go through a variety of hurdles to get the project cleared. He stated he feels that since it was a former rail bed, it will make it somewhat easier, but they will have to look at water run off, historic areas, etc. Mr. Benedetto asked if there are local approvals required, and Mr. Kneuppel stated he feels they will have to get approval from the Township with regard to the drainage issues.

Ms. Tyler asked if there were any representatives from CSX present this evening; however, Mr. Kneuppel stated he did ask for one to come but unfortunately the person who handles this part of the region was unavailable this evening. Mr. Kneuppel stated he can relay to him any concerns or comments.

Ms. Tyler stated it appears that SEPTA would prefer installing the extra track rather than comply with the switching laws due to cost; however, Mr. Kneuppel stated they are going to implement positive train control but it will be the system that they have implemented everywhere else on SEPTA. He stated it would have been very cumbersome and expensive to have to maintain dual equipment on the train. He stated they would have had to also provide equipment to deal with the freight style positive train control. He stated they are also able to make the Stations more easily accessible, and they can increase the speeds of the SEPTA trains. He stated the dispatching is also a big issue, and this will allow SEPTA to control its own destiny moving forward.

Ms. Tyler asked how long have the tracks through Lower Makefield been a primary route for CSX, and Mr. Kneuppel stated it was since 2000 when Conrail was broken up and CSX started operating in this area.

Ms. Tyler stated on the map provided the track is marked as “primarily passenger,” and Mr. Kneuppel stated the two red tracks are what SEPTA will run on, and the blue is CSX. Ms. Tyler stated the middle line is an existing line which is primarily a passenger line, and she asked how often it is shared with CSX. Mr. Kneuppel stated it is shared all day long. Mr. Kneuppel stated SEPTA will be on the north side.

Mr. Dobson asked about SEPTA’s ridership in the area; and Mr. Kneuppel stated it has been increasing at West Trenton and steady at Yardley, although he would have to review the figures to be certain. He stated what is being proposed is more of a separation than an expansion project. He stated they cannot run any more service at rush hour than they do now. He stated they did this as well in 2004 on the Fox Chase line, and it has worked out very well; and that line is now there highest on-time performance line.

Mr. Dobson stated if SEPTA does not do this, CSX may take over the dispatching. Mr. Kneuppel stated CSX is the owner; and while SEPTA has been dispatching, this was not that busy a route when Conrail was the owner. He stated this is the only place on a main section owned by CSX where CSX does not dispatch. Mr. Dobson asked what impact it would have on the commuters if SEPTA did not proceed with this project, and Mr. Kneuppel stated he feels there will be considerable problems, and they could end up waiting for freight trains.

Mr. McLaughlin asked how CSX will run the same number of trains on one track when they currently utilize two lines. Mr. McLaughlin also asked Mr. Kneuppel if he anticipates that the CSX trains will run later into the evening. Mr. Kneuppel stated most of the line is single track with passing points. He stated CSX does not want to have to stop freight trains, and they will be able to orchestrate movement through the territory better than currently because now they have to hand it off to SEPTA. Mr. McLaughlin stated his concern is with trains being stretched out longer during the course of the day and into the night. Mr. Kneuppel stated he does not feel that CSX will change their scheduling, and they operate the line as a single track with passing points all the way through New Jersey and down toward the City. He stated he feels CSX will be able to move their trains without stopping.

Mr. Benedetto asked if the Township has any ability to effect or change anything about this project; and Mr. Kneuppel stated SEPTA is a quasi-Governmental agency, and he hopes that they would be responsive and work with the Township. He stated SEPTA wants to do the best project they can for themselves and the community. Mr. Benedetto asked if they will work with the Township if one of the studies indicates that there is a significant negative impact; and Mr. Kneuppel stated they can deal with SEPTA's issues, but they could not deal with CSX issues. He stated CSX involves interstate commerce which is very hard to deal with.

Mr. Benedetto stated in the Press Release it states, "SEPTA estimates the Grant will offset the cost of this upgrade which would have removed funds from regularly-scheduled upkeep projects," and he asked for further clarification on this. He asked if this project is just installing the third rail or will there be other upgraded work being done. Mr. Kneuppel stated they are in the process of evaluating the equipment at each one of the grade crossings. He stated they will make a determination as to what will be replaced and what stays. He stated for the most part the grade-crossing devices will be back to where they used to be to allow the one track on the one side.

Mr. Benedetto asked if there are any plans for future expansion where they will tie SEPTA into New Jersey Transit given the increase in ridership. Mr. Kneuppel stated the project being discussed would make that harder to do. He stated New Jersey Transit would have to be running on CSX in New Jersey and overlap with SEPTA at West Trenton, and he does not feel that SEPTA would be continuing on into New Jersey. He stated New Jersey Transit would have to deal with running over CSX in New Jersey and then coming down and determining how they could do the overlap in West Trenton which would be a very expensive project.

Ms. Tyler stated she understands that there is a ninety-nine year lease between SEPTA and CSX, and Mr. Kneuppel stated this is correct for the area going from Woodbourne back to Neshaminy Falls. He stated they have to work out some sort of long-term lease for this other stretch. Ms. Tyler asked their current agreement, and Mr. Kneuppel stated they have trackage rights which is the ability to run over the tracks even though they are not their own. Ms. Tyler asked what SEPTA gives CSX for those rights, and Mr. Kneuppel stated because they run over CSX in some locations and CSX runs over SEPTA in other locations, they really have not been involved with providing compensation to each other. Ms. Tyler asked who is obligated to perform the upgrades in the area from Woodbourne toward Neshaminy, and Mr. Kneuppel stated it is SEPTA. He stated CSX does have to put positive train control on the blue track on the bottom, and they have put in their style. He stated SEPTA put in the Amtrak style positive train control on the two red tracks going back, and that will be the system that they will be pushing all the way out to West Trenton.

Mr. Martin Mcneela, 2318 Lakeview Drive, thanked SEPTA for coming to this meeting and stated he wished that there was a representative present from CSX. Mr. Mcneela stated the limiting factor of the amount of traffic that can come through is the switching station at Trenton, and he asked if they have any plans for the area between Yardley and West Trenton; and Mr. Kneuppel stated they do not. Mr. Kneuppel stated they are behind on infrastructure spending, and that would be a monumental project to be able to expand going over the Delaware River.

Mr. Harold Kupersmit stated this project will cost \$18 million, and he feels this money would be better spent on upgrading their facilities. Mr. Kneuppel stated the problem is that they could potentially lose service to this section. He stated all of their cars are staged at the West Trenton yard; and if they had to move that yard into a segment that SEPTA controlled and could make the positive train control they need, this would be a considerable expense. He stated they have looked to make the best situation out of this. He agreed that this is a difficult situation for SEPTA when they have other needs. He stated SEPTA does feel that positive train control is a good thing to move toward, but they have to balance this against other issues they have. He stated they do not have that luxury in this case since there is a mandate, and there is no ability for anyone to give them any relief unless the law is changed. Mr. Kupersmit stated he feels SEPTA has leverage since if service was interrupted and people could not get to work on a sustained basis, SEPTA's leverage would increase. Mr. Kupersmit stated Seniors can ride SEPTA for \$1, and he feels that they need to mean test this since SEPTA has a tight financial situation.

A gentleman from Makefield Glen stated he lives less than 100' from the train, and the existing noise is unbearable. He asked if there is anything that they can do to reduce the noise such as sound walls or installing a tree line between the train tracks and the residential homes. Mr. Kneuppel stated typically they try to help where they can, and they could look into this. He stated sound walls would be very expensive, and it would not help if CSX did not do something on their side as well. The gentleman stated there are two communities which are very close to the tracks, and it would not be a very long area where trees would have to be installed. The gentleman asked how much closer the trains will come to his home, and Mr. Kneuppel stated it would be 12', and it will still be inside of the poles that hold up the overhead wires. Mr. Kneuppel stated he does not anticipate any appreciable change in the sound heard at the adjacent homes from the SEPTA trains, although they can run tests to see if they are having problems in certain areas.

Mr. Tim Collins, 479 Jenny Drive, stated he believes that positive train control was the second quickest law enacted in the Country; and it was passed within a very short period of time and most of the politicians that voted it in have no idea what positive train control consists of. He stated positive train control may not 100% eliminate rear end collisions. He stated it will cost the railroads over a half billion dollars to get it through, and he does not feel it will get through by 2015 because the technology is not there to get it done on the freight side. Mr. Collins stated they are going to be 12' closer to the homes on the one side. He stated the problem is CSX, and his concern is that they will run on that new track at some point. Mr. Kneuppel stated they are actually disconnected; and if a CSX train were coming from Woodbourne and got on the track, they would hit the end because they are severed at West Trenton. He stated while the passenger trains will be getting closer, the freight trains will be further away from those on the north side.

Mr. Collins stated he feels there is a way to minimize the noise even though it would be at some expense. He stated they can go to 100% positive railroad crossing protection and eliminate the need for blowing the horns. He stated he does understand that it is fairly expensive and it is a difficult project to do when drivers do not want to obey the law and try to go around the protection; but this would be a strong possibility with the money that has already been found, and they could spend an additional \$1 million. He stated because he lives between Stony Hill Road and Oxford Valley Road, he hears the sound almost constantly because the distances are so short. Mr. Collins stated 27% of CSX's revenues came from coal and this is not a growing industry; and in order to offset this, they are going to petroleum which is coming across the Country so there will be increased freight traffic in the form of more tank cars in this area. He stated he feels at least they should turn the horns off.

Mr. Kneuppel stated while this is not in their project now, they would have to work on this with CSX; and they will raise this issue with them. He stated this would be a quiet zone; and while it would eliminate blowing the horns, they would have to install a very high-tech arrangement to make sure that no cars are on the crossing and you bring down gates that would completely seal off the crossing.

Mr. McLaughlin asked Mr. Kneuppel if he is aware if any other Townships were able to get funding which could be allocated to SEPTA to do this; and Mr. Kneuppel stated given SEPTA's financial affairs this is what he has recommended when other communities have raised this issue.

Mr. Brian Morton, 1760 Dobry Road, asked if they will be putting a crossing gate where his home is located. Mr. Kneuppel stated they have been trying to reach him to discuss this. Mr. Kneuppel stated this home has a private crossing over the railroad which has no crossing gates, and this is the only way to access this home.

Mr. Kneuppel stated they have been discussing how to provide a greater level of safety for this property. Mr. Kneuppel provided Mr. Morton his contact information so they can discuss this further.

Mr. Jaydeep Nanavaty, 468 Jenny Drive, stated he does not feel that it is right that they are still blowing train horns in 2013. He stated a quiet zone was considered a number of years ago, and they were very close to getting it approved; and if that had been approved, they would not be discussing this topic this evening. He feels it would have cost less than \$1 million to have the quiet zone, and he feels it should be possible.

Mr. Benedetto stated according to the Meeting Minutes when this was discussed in May, 2009 a project in Edison, New Jersey was referenced and the cost was in excess of \$1.5 million.

Mr. Stainthorpe stated they did seriously look into quiet zones in 2009, and the engineers were very involved. He stated at the time it was the Township that was considering funding it; but when they learned it would cost \$1.5 million, this was not something that the Township could afford. He stated this is an opportunity to reopen that issue and look for alternative methods for funding.

Mr. Bob Daly, 597 Long Acre Lane, stated CSX was not willing to spend the money the last time on the quiet zone and implementing the technology required at the crossing; but now they are able to spend \$7 to \$8 million on this project under discussion this evening even though there is no benefit to them. He stated the only benefit SEPTA will realize is that their Stations will become more accessible, but he feels everyone knows how to get to the Stations now. He stated the SEPTA representative also stated they will be able to go ten miles an hour faster, and he does not feel anyone is complaining about how fast they currently get from point A to point B. He stated he does not see real value in this expansion, and he feels the signal protection would solve all the issues. He feels the additional line will increase train traffic, disrupt the community even more, and decrease the property values of people who live near the trains. Mr. Daly stated he also feels CSX should be present this evening.

Mr. Kneuppel stated they did discuss other solutions, but it became very difficult; and neither group wanted to change to the other system for six miles. He stated if SEPTA was going to have to double the equipment on their trains for the two different style of positive train control, they were not sure how it would fit in the cab. He stated the law was passed in 2008, and it was not until the end of 2012 that the engineers gave up since there was not a viable or economic approach at that point. He stated they want to make the Stations accessible for wheelchairs and to have high level platforms, and to be able to preserved dispatching for SEPTA.

He stated they also need to meet the law. Mr. Daly asked if the expense would have been more than what they are incurring by installing this additional line; and Mr. Kneuppel stated SEPTA has over 300 vehicles, and they would have to put the extra system on all the vehicles. He stated there were expenses for SEPTA either way; and in the beginning they did try to work on a technical solution, but they were not able to come up with one and deadline was fast approaching.

Mr. David White, Gale Drive, stated assuming this new track is going to proceed, on the inbound side of the tracks, it is almost the entire distance by residential properties. He stated he understands that the new track will be within the confines of the existing towers, but also in that space now there is an access road where there is a lot of truck traffic that goes up and down the lines. Mr. White asked if the access road will be even closer to their properties, and Mr. Kneuppel stated they will lose the access road, and equipment will have to be on vehicles that are equipped with steel wheels.

Mr. White stated in the Press Release it indicated that the project will cost approximately \$38 million, and there was an agreement that SEPTA was going to fund \$28 million and CSX the other \$10 million. Mr. White stated now a Grant has been obtained in the amount of \$10 million toward the project, so he feels that they have found the money for the quiet zones. Mr. Kneuppel stated when SEPTA put their program together they had always hoped for a 50/50 match from the Government, and they got less than that so their budget is really worse than what they anticipated. Mr. Daly stated the Press Release stated that his perception was that the project got funded even before the Grant was received so he feels there is money for the quiet zone. Mr. White stated the Press Release also indicated that this expansion will generate \$75 million over the five-County area, and he asked Mr. Kneuppel to explain this. Mr. Kneuppel stated as part of the Grant Application there are a variety of things that are put in to show the economic benefit, but he would have to look into this further as to what the benefits were to provide that number.

Mr. White stated with regard to the petroleum trains, there are currently no than four a day with over one hundred black tank cars each coming through the Township now; and he feels they will be seeing even more of these.

Ms. Sara Spengler Campanella, 29 Greenridge Road, asked if the surrounding environment in the area where there were previously four tracks is the same now as it was when they were last used in the 1960s or are there now housing developments there; and Mr. Kneuppel stated there have been changes.

Ms. Campanella asked if they will be doing impact studies on those properties, and

Mr. Kneuppel stated all Federal requirements will have to be met. Ms. Campanella asked if the Grant is being dispersed in stages; however, Mr. Kneuppel stated he is not sure how it will be paid. He stated they are only dealing with getting the Grant obligated now. He stated he would have to get further information on this from the Finance Department.

Ms. Campanella stated Mr. Kneuppel indicated that SEPTA was anticipating increasing speeds from sixty miles per hour to seventy miles per hour, and she asked how much extra distance would be required to stop a train going seventy miles per hour. Mr. Kneuppel stated that distance would mean that the trains would have to be separated further. He stated the entire rest of the West Trenton line is seventy miles an hour, and they are trying to provide uniformity.

Ms. Campanella asked if the fact that passenger trains are currently utilizing a track along with CSX causes any restrictions on the type of freight CSX is permitted to transport through the area, and Mr. Kneuppel stated it does not to his knowledge. Ms. Campanella stated she does not understand why there is a push from CSX for separating, and Mr. Kneuppel stated they do not want to have to stop freight trains; and in the existing environment, they end up stopping. He stated this separation will give them the ability to run unimpeded by passenger train traffic so it is attractive to both entities.

Ms. Campanella asked Mr. Kneuppel if he knows what forecasting methods were used for the benefit cost analysis part of the Grant, and Mr. Kneuppel stated he is an engineer and would have to find this out from someone else in the organization. He stated they are willing to come back to discuss these issues further. He stated they had prepared for the meeting with CSX, but the individual who was to come from CSX was unable to attend.

Ms. Lois Collins, 479 Jenny Drive, asked for further explanation about the tracks. Mr. Kneuppel stated currently SEPTA and CSX share the two tracks, and this would give SEPTA exclusive use of two tracks, and CSX exclusive use of one track. Ms. Collins stated Mr. Kneuppel indicated that they did not anticipate increasing the number of SEPTA trains so she questions why they need to use two tracks. She asked if they could not just use the one that CSX is not going to use; and Mr. Kneuppel stated they did look into this, but they cannot meet rush-hour schedules with one track.

Ms. Collins stated she feels that SEPTA will benefit the most from this project, and the neighborhoods are losing. She asked if any conversations have been held about compensating the property owners for their depreciation. She stated the neighborhoods went up after the tracks were not in use, and now they are bringing one back which will increase traffic and noise. Mr. Kneuppel stated if the freight

were able to run on any of the three tracks, it would be a different situation; but the residences on the one side will have only passenger trains running on that side. He stated he does not feel those on the north side will notice much of a difference.

A gentleman read from statistical information about fatalities and injuries, and he feels that efforts should be made to improve safety at the crossings. He stated he is also concerned about the noise for people living near the crossings. Mr. Kneuppel stated he feels they would need to look at the statistics and break down what kind of protection was provided at the different crossings where the fatalities and incidents happened. He stated there is a wide variety of how railroads deal with grade crossings. He stated the gates that are there presently are of the higher levels of safety. The gentleman stated he feels the quiet zone would address both the noise and safety concerns.

Ms. Deanna Bottcher, 2313 Weinmann Way, stated Mr. Kneuppel indicated that it would be too cumbersome to equip the SEPTA trains with both types of systems; and Mr. Kneuppel stated they go in the cab and freight-style positive train control equipment is very big, and it would be difficult to scale it down and put it in the SEPTA cabs. Ms. Bottcher asked if the SEPTA trains are running on CSX tracks in areas other than this six miles which they are discussing expanding; and Mr. Kneuppel stated they are not. Ms. Bottcher stated while she understands why SEPTA cannot put both systems in their trains, she asked why both signals could not be put on those six miles of track. Mr. Kneuppel stated because the systems have to be able to stop the engine or cab of the train there is equipment both inside them and out in the field. Ms. Bottcher asked if they could not have the freight signal that speaks to the freight train on the track as well as the passenger signal that speaks to the passenger train on the same track. Mr. Kneuppel stated while he is a structural engineer and not a signal expert who could explain this in more detail, they pressed for a long period of time on ways to do this project; and they were not able to have the systems be compatible. He stated the systems also have to be able to “talk” to each other.

Ms. Bottcher stated SEPTA will still be a tenant on the new track; however, Mr. Kneuppel stated they will have a real agreement that will protect their rights out for a substantial amount of time such as ninety-nine years.

Ms. Bottcher asked if the train bridge that is before the Yardley Station equipped to handle the third line; and Mr. Kneuppel stated it is as it had track on it previously, and they do not have to expand the train bridge.

Ms. Bottcher stated Mr. Kneuppel indicated that people who live on the north side will not have more of an impact in the amount of noise from what they have now; and Mr. Kneuppel stated while they can verify this, he does not feel that there will be more than a minimal impact. Ms. Bottcher asked about those living on the south side, and Mr. Kneuppel stated it would be a similar situation where the train is as far from them as it is now. He stated he does feel that there will be more freight trains running on the south side. Ms. Bottcher stated she would be in favor of noise abatement being part of the project such as trees or some kind of barriers for the properties that are adjacent to the trains.

DISCUSSION AND MOTION ON SCAMMEL'S CORNER STREET LIGHTS

Mr. Garton stated the decision was reserved by the Board to a later date as to whether they wanted one, two, or no street lights. He stated the Board was provided a Plan as to where the street lights would be located. He stated if the Board decides that there should be one or two lights, they will then need to decide on the style to be installed.

Mr. Stainthorpe stated there are not many street lights in the Township, and he feels having this development a little brighter would be a good idea; and he would suggest that there be two street lights and that they be the Granville Classic style.

Mr. Benedetto stated one of the existing residents indicated that the existing development has no lights. He stated one of the locations was at the entrance and one was at the cul-de-sac; and he feels the light at the entrance would make sense as a compromise.

Ms. Tyler stated the woman who lives across the street from the proposed entrance to the new development was concerned about the street-side light shining into her home. Mr. Eisold stated there would be only a minimal impact in that area. He stated the Ordinance does call for street lights at intersections although at some point the one at the cul-de-sac was added during the negotiation process.

Mr. Benedetto stated the developer has indicated they would do whatever the Township decides, and he feels the one in the cul-de-sac should be eliminated.

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to require the developer to install one street light of the Granville style at the intersection.

Mr. Garton stated the Board met in Executive Session for fifteen minutes prior to the meeting to discuss Zoning Hearing Board matters.

APPROVE GRANTING EXTENSION OF TIME TO BRUNO MINOR SUBDIVISION

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to approve an Extension of time to Bruno Minor Subdivision to January 22, 2014.

APPROVE CERTIFICATE OF APPROPRIATENESS FOR 653 HEACOCK ROAD

Mr. Fedorchak stated HARB has recommended Approval of this Certificate of Appropriateness.

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to approve the Certificate of Appropriateness for a sign at 653 Heacock Road.

ZONING HEARING BOARD MATTERS

With regard to the Walter and Gail Burgess Variance request for property located at 393 Collins Grant Court in order to permit construction of a single family dwelling resulting in encroachment into resource protection area, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Wendy DeSantis Variance request for the property located at 1451 Robison Place (a/k/a 1451 River Road) in order to elevate the home resulting in disturbance of the floodplain, it was agreed to leave the matter to the Zoning Hearing Board.

SUPERVISORS REPORTS

Mr. Dobson stated this Sunday is the Veterans Day Parade on Edgewood Road at 1:00 p.m.

Mr. Benedetto asked that anyone interested in serving on the Historic Commission or the Historical Architectural Review Board provide their resume to Mr. Fedorchak as they are in need of members.

APPROVAL OF RESOLUTION #2270 EMERGENCY MANAGEMENT PLAN

Chief Coluzzi stated according to the Code every two years the Township needs to update the Emergency Management Plan, and they have done so. He asked the Board to Approve Resolution #2270 adopting the new Emergency Management Plan.

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to Approve Resolution #2270 adopting the new Emergency Management Plan.

Mr. Benedetto congratulated the Police Department on capturing the individual who was holding up the Rite Aid stores.

There being no further business, Mr. McLaughlin moved, Ms. Tyler second and it was unanimously carried to adjourn the meeting at 9:35 p.m.

Respectfully Submitted,

Dan McLaughlin, Secretary