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IN THE MATTER OF AN EXEMPTION REQUEST  
BY THE TRUMBULL COUNTY ENGINEER  
FOR THE YOUNGSTOWN BELT RAILROAD CROSSING  
CASE NO: 23-165 RR RCP

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Transcript of
Public hearing

May 22, 2023

2:00 p.m.

Taken at:

Trumbull Law Library
120 High street NW
Warren, Ohio

Jill A. Kulewsky, RPR, Notary Public

1 MARCELLETTI: Good afternoon. The
2 Public Utilities Commission of Ohio has assigned
3 for hearing in Case Number 23-165 RR RCP, which
4 is captioned as In the matter of the request by
5 the Trumbull County Engineer for an exemption
6 from stopping for school Buses and hazardous
7 material vehicles at the intersection of South
8 Leavitt Road and West Market Street in Trumbull
9 County, Ohio.

10 My name is Izzy Marcelletti, and I'm
11 the Attorney Examiner assigned by the Commission
12 to hear this case. The purpose of the hearing
13 today is to receive public comments regarding
14 the request made by the Trumbull County Engineer
15 to classify the South Leavitt Road and West
16 Market Street railroad crossings as exempt.

17 For those in attendance who wish to
18 testify, your testimony will be considered as
19 part of the official record in this case, and it
20 will be reviewed by the Commission before it
21 makes its final decision.

22 I will call the witness forward and
23 swear you in. The court reporter will record
24 your statement. So please speak plainly and
25 clearly so they will be able to write down

1 everything.

2 Please provide us your name and
3 state your address. After that, state why you
4 think the request should or should not be
5 granted. I may ask you some questions after you
6 are finished with your testimony.

7 So with that, if you could please
8 raise your right hand.

9 ANTHONY J. CALDERONE
10 of lawful age, called for examination, as
11 provided by the Ohio Rules of Civil Procedure,
12 being first duly sworn, as hereinafter
13 certified, said as follows:

14 MARCELLETTI: Thank you. You may
15 proceed.

16 MR. CALDERONE: My name is Anthony
17 J. Calderone, that's spelled C-a-l-d-e-r-o-n-e.
18 I'm the Superintendent of the LaBrae Local
19 Schools, and our place of operation is at 1001
20 North Leavitt Road, and Leavitt is spelled
21 L-e-a-v-i-t-t, and that's in Leavittsburg, Ohio,
22 physical zip code is 44430.

23 I had submitted a request to the
24 County to solicit their help with the Public
25 Utilities Commission in getting two railroad

1 crossings declared exempt and provided that
2 documentation to them.

3 I would like the record to reflect
4 that I've also been working with our Township
5 Trustees, and our Trustees were actually able to
6 successfully get the owner of the southern most
7 railroad crossing where the railroads no longer
8 exist, they have been ripped up. They got the
9 owner of that railroad location to actually take
10 down their crossbuck signs. So now there's only
11 one set of crossbucks up, and they are the ones
12 on the northern most part of the road, and they
13 still have railroad crossings there.

14 I've been with the LaBrae Board for
15 12 years. Those railroads have never been
16 active during those 12 years. They do pose
17 quite a hazard as in our buses are required to
18 stop, and every time that our buses stop, we
19 face impatient drivers in front of us and behind
20 us, and you get in many cases people who will
21 pass the bus and go around.

22 So our primary concern is, number
23 one, safety for drivers and traffic from
24 railroads that are basically mothballed and not
25 active, and of course, our secondary concern

1 would be by creating an exemption status makes
2 us a little more efficient. While it's not
3 excessively timely for us to stop there, it
4 definitely slows down the timing of our routes,
5 and we could be slightly more efficient if we
6 didn't have to stop in both directions.

7 So our primary concern is to enhance
8 safety of the traffic so that drivers aren't
9 going to become impatient and pass us rather
10 than cooperating with us, and we know by
11 declaring those exempt, we would create a more
12 consistent flow of traffic, eliminate that need
13 for impatient drivers to pass us and create a
14 safer thoroughfare for our buses and other
15 traffic.

16 Other than that, that's our reason
17 for making this request.

18 MARCELLETTI: Thank you. I don't
19 have any questions at this time. I just wanted
20 to make sure that you knew that this was for one
21 crossing because you already mentioned the
22 crossing that had been ripped up.

23 MR. CALDERONE: Yeah, the timing of
24 it, they took it out, and so now we're down to
25 one. I would assume PUCO has been made aware of

1 that, correct?

2 MARCELLETTI: Yes. That was my only
3 clarifying thing, that you understood that the
4 original request was two railroad exemptions,
5 but we're only going to do the one because the
6 one was already taken care of. So thank you for
7 your time.

8 Jill, we'll go off the record for a
9 few minutes. Thank you.

10 (Recess taken.)

11 MARCELLETTI: I do want to note for
12 the record that it's 2:15, and we wanted to wait
13 to make sure folks had a chance if they were
14 running late, but seeing that no other folks are
15 present and we have no other questions from the
16 public, we are done for the afternoon.

17 I would like to thank Trumbull
18 County Law Library for allowing us to use its
19 facilities. Thank you to the court reporter.
20 The case will be submitted to the record, and
21 the Commission will issue its decision in due
22 course.

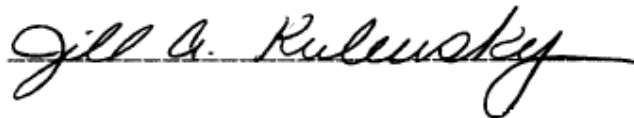
23 (Public Hearing Concluded.)

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REPORTER'S CERTIFICATE

I, Jill A. Kulewsky, do hereby
certify that as such Reporter I took down in
Stenotypy all of the proceedings had in the
foregoing transcript; that I have transcribed my
said Stenotype notes into typewritten form as
appears in the foregoing transcript; that said
transcript is the complete form of the
proceedings had in said cause and constitutes a
true and correct transcript therein.

A handwritten signature in cursive script that reads "Jill A. Kulewsky". The signature is written in black ink and is positioned above the printed name and title.

Jill A. Kulewsky, Notary Public
within and for the State of Ohio
My commission expires August 31, 2025.

1	august 7:19	complete 7:10	definitely 5:4
1001 3:19	aware 5:25	concern 4:22	directions 5:6
12 4:15,16	b	4:25 5:7	documentation 4:2
120 1:17	basically 4:24	concluded 6:23	drivers 4:19,23
2	belt 1:6	considered 2:18	5:8,13
2023 1:14	board 4:14	consistent 5:12	due 6:21
2025 7:19	bus 4:21	constitutes 7:11	duly 3:12
22 1:14	buses 2:6 4:17	cooperating 5:10	e
2224 7:16	4:18 5:14	correct 6:1	e 3:17,17,21
23-165 1:7 2:3	c	7:12	efficient 5:2,5
2:00 1:15	c 3:17	county 1:5 2:5	eliminate 5:12
2:15 6:12	calderone 3:9	2:9,14 3:24	engineer 1:5
3	3:16,17 5:23	6:18	2:5,14
31 7:19	call 2:22	course 4:25	enhance 5:7
4	called 3:10	6:22	examination 3:10
44430 3:22	captioned 2:4	court 2:23 6:19	examiner 2:11
a	care 6:6	create 5:11,13	excessively 5:3
able 2:25 4:5	case 1:7 2:3,12	creating 5:1	exempt 2:16
active 4:16,25	2:19 6:20	crossbuck 4:10	4:1 5:11
actually 4:5,9	cases 4:20	crossbucks 4:11	exemption 1:4
address 3:3	cause 7:11	crossing 1:6 4:7	2:5 5:1
afternoon 2:1	certificate 7:1	5:21,22	exemptions 6:4
6:16	certified 3:13	crossings 2:16	exist 4:8
age 3:10	certify 7:5	4:1,13	expires 7:19
allowing 6:18	chance 6:13	d	f
anthony 3:9,16	civil 3:11	d 3:17	face 4:19
appears 7:9	clarifying 6:3	decision 2:21	facilities 6:19
assigned 2:2,11	classify 2:15	6:21	final 2:21
assume 5:25	clearly 2:25	declared 4:1	finished 3:6
attendance 2:17	code 3:22	declaring 5:11	first 3:12
attorney 2:11	comments 2:13		flow 5:12
	commission 2:2		
	2:11,20 3:25		
	6:21 7:19		

folks 6:13,14	k	mentioned 5:21	people 4:20
follows 3:13	knew 5:20	minutes 6:9	physical 3:22
foregoing 7:7,9	know 5:10	mothballed	place 3:19
form 7:8,10	kulewsky 1:19	4:24	plainly 2:24
forward 2:22	7:4,17	n	please 2:24 3:2
front 4:19	l	n 3:17	3:7
g	l 3:17,21	name 2:10 3:2	pose 4:16
getting 3:25	labrae 3:18	3:16	present 6:15
go 4:21 6:8	4:14	need 5:12	primary 4:22
going 5:9 6:5	late 6:14	never 4:15	5:7
good 2:1	law 1:16 6:18	north 3:20	procedure 3:11
granted 3:5	lawful 3:10	northern 4:12	proceed 3:15
h	leavitt 2:8,15	notary 1:19	proceedings
hand 3:8	3:20,20	7:17	7:6,11
hazard 4:17	leavittsburg	note 6:11	provide 3:2
hazardous 2:6	3:21	notes 7:8	provided 3:11
hear 2:12	library 1:16	number 2:3	4:1
hearing 1:13	6:18	4:22	public 1:13,19
2:3,12 6:23	little 5:2	nw 1:17	2:2,13 3:24
help 3:24	local 3:18	o	6:16,23 7:17
hereinafter	location 4:9	o 3:17	puco 5:25
3:12	longer 4:7	official 2:19	purpose 2:12
high 1:17	m	ohio 1:17 2:2,9	q
i	made 2:14 5:25	3:11,21 7:18	questions 3:5
impatient 4:19	make 5:20 6:13	ones 4:11	5:19 6:15
5:9,13	makes 2:21 5:1	operation 3:19	quite 4:17
intersection 2:7	making 5:17	original 6:4	r
issue 6:21	marcelletti 2:1	owner 4:6,9	r 3:17
izzy 2:10	2:10 3:14 5:18	p	railroad 1:6
j	6:2,11	p.m. 1:15	2:16 3:25 4:7,9
j 3:9,17	market 2:8,16	part 2:19 4:12	4:13 6:4
jill 1:19 6:8 7:4	material 2:7	pass 4:21 5:9	railroads 4:7
7:17	matter 1:4 2:4	5:13	4:15,24

raise 3:8 rather 5:9 rcp 1:7 2:3 reason 5:16 receive 2:13 recess 6:10 record 2:19,23 4:3 6:8,12,20 reflect 4:3 regarding 2:13 reporter 2:23 6:19 7:5 reporter's 7:1 request 1:4 2:4 2:14 3:4,23 5:17 6:4 required 4:17 reviewed 2:20 right 3:8 ripped 4:8 5:22 road 2:8,15 3:20 4:12 routes 5:4 rpr 1:19 rr 1:7 2:3 rules 3:11 running 6:14	set 4:11 signature 7:16 signs 4:10 slightly 5:5 slows 5:4 solicit 3:24 south 2:7,15 southern 4:6 speak 2:24 spelled 3:17,20 state 3:3,3 7:18 statement 2:24 status 5:1 stenotype 7:8 stenotypy 7:6 stop 4:18,18 5:3,6 stopping 2:6 street 1:17 2:8 2:16 submitted 3:23 6:20 successfully 4:6 superintendent 3:18 sure 5:20 6:13 swear 2:23 sworn 3:12	testimony 2:18 3:6 thank 3:14 5:18 6:6,9,17,19 thing 6:3 think 3:4 thoroughfare 5:14 time 4:18 5:19 6:7 timely 5:3 timing 5:4,23 today 2:13 took 5:24 7:5 township 4:4 traffic 4:23 5:8 5:12,15 transcribed 7:7 transcript 1:12 7:7,9,10,12 true 7:12 trumbull 1:5 1:16 2:5,8,14 6:17 trustees 4:5,5 two 3:25 6:4 typewritten 7:8	v
			v 3:21 vehicles 2:7
			w
			wait 6:12 want 6:11 wanted 5:19 6:12 warren 1:17 west 2:8,15 wish 2:17 witness 2:22 working 4:4 write 2:25
			y
			yeah 5:23 years 4:15,16 youngstown 1:6
			z
			zip 3:22
s		u	
safer 5:14 safety 4:23 5:8 school 2:6 schools 3:19 secondary 4:25 seeing 6:14	t	understood 6:3 use 6:18 utilities 2:2 3:25	
	t 3:21,21 take 4:9 taken 1:16 6:6 6:10 testify 2:18		

**This foregoing document was electronically filed with the Public Utilities
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in

Case No(s). 23-0165-RR-RCP

Summary: Transcript of Public Hearing, May 22, 2023 at 2:00 p.m. at the Trumbull Law Library, Warren, Ohio before the honorable Isabel Marcelletti electronically filed by Ms. Mary E. Fischer on behalf of Jill A. Kulewsky, RPR, Notary Public.