



N64W23760 Main Street
Sussex, Wisconsin 53089
Phone (262) 246-5200
FAX (262) 246-5222
Email: info@villagesussex.org
Website: www.villagesussex.org

Public Service Commission of Wisconsin
RECEIVED: 05/11/16, 2:48:21 PM

Rec'd 5-11-2016
May 9, 2016

Yash Wadhwa, Commissioner
Office of the Commissioner of Railroads
PO Box 7854
Madison, WI 53707

Dear Commissioner Wadhwa:

Please consider this letter a formal complaint regarding the condition of the railroad crossing at Good Hope Road in the Village of Sussex. The crossing is in a state of disrepair and is currently a safety hazard to motorists. The Village adopted resolution No 15-59 on June 23, 2015, requesting that Canadian National Railroad repair the crossing pursuant to Wis. Stats. 86.12(1). Notice of the resolution was sent to Canadian National Rail on June 26, 2015. To date the railroad has failed to repair the crossing, and has exceeded the 30 day time limit for repairing the crossing, after receiving notice as required under state statute. I have enclosed a copy of the adopted resolution and the original letter sent to Canadian National Rail last year.

The Village requests that the Office of the Commissioner of Railroads schedule a formal hearing to review the complaint. Please contact the Village when this item has been scheduled for review.

Sincerely,

A handwritten signature in black ink, appearing to read "Casen J. Griffiths", followed by a long horizontal line extending to the right.

Casen J. Griffiths
Administrative Services Director

cc: Jeremy Smith, Village Administrator (via email)
Melissa Weiss, Assistant Village Administrator/ Public Works Director (via email)

RESOLUTION NO. 15 - 59

VILLAGE OF SUSSEX

RESOLUTION REQUIRING THE REPAIR OF AN AT-GRADE CROSSING

WHEREAS: Good Hope Road, a public street in the Village of Sussex crosses the tracks of the Canadian National Railroad; and

WHEREAS: Section 86.12 of the Wisconsin statutes requires railroads to maintain public at-grade crossing is in good condition and repair for public travel; and

WHEREAS: The Good Hope crossing is in need of such repairs and is currently a safety hazard to motorists; and

WHEREAS: The Village of Sussex hereby requires that the Canadian National Railroad pave, plank, repair, change or otherwise improve the crossing as the needs require; and

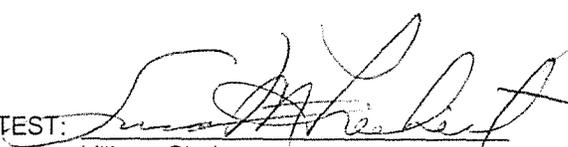
WHEREAS: The Public Safety & Welfare Committee has recommended that the Village Board request the Canadian National Railroad to repair the crossing at Good Hope Road.

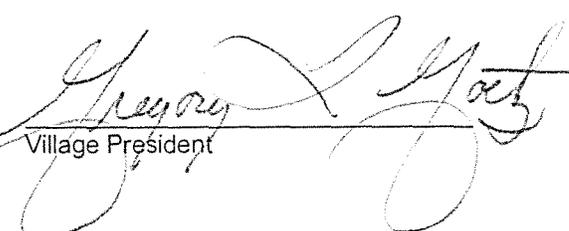
NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Sussex, Waukesha County, Wisconsin, that:

1. The Canadian National Railroad repairs the crossing at Good Hope Road pursuant to Wis. Stats. 86.12.
2. Said repairs shall be completed as soon as possible due to the significant damage of the roadway and safety hazard resulting from a failure by the railroad to maintain the roadway surface in good condition as required by Wis. Stats 86.12.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that in the event that the Canadian National Railroad fails to repair the rail-highway crossing within 30 days after service of the resolution, the Village Board hereby directs the Village of Sussex staff to take all necessary steps to petition the office of the Commissioner of Railroads for an investigation and order for the repair of the rail-highway crossing of Good Hope Road with the tracks of the Canadian National Railroad in the Village of Sussex, Waukesha County.

Adopted June 23, 2015

ATTEST: 
Village Clerk


Village President