

## Incident Report

**Date of Incident:** October 29, 2014  
**Location:** Amtrak Fatality at Mile Marker 100.95 (Tivoli, NY)  
**Report filed by:** Richard Drake for Baker International

### Summary of Incident

At approximately 11:00 hours this morning, an Amtrak Signal Maintainer suffered a fatality when struck by Amtrak Train #280 at Milepost 100.95.

Shortly afterward, Henkels & McCoy Employee Brad Harkleroad advised me that a Maintainer had been struck by the train, and we immediately reported to the scene. Upon our arrival, we found Henkels & McCoy Employee David Kessler at Milepost 100.95. He advised us that he was splicing cable in a Hand Hole on the west side of Track #1, and that prior to the incident, Maintainer Klein was in the process of contacting the Amtrak Hudson Line Dispatcher to get Foul Time on Track #1 so he could work in the Hand Hole. He also stated that she was standing on Track #1 at that time. Mr. Kessler stated that he did not witness the incident, but noticed the Maintainer's Hardhat on the ground and the train stopping abruptly, when he realized that she had been struck by the Train.

This morning, at approximately 07:30 hours, we had a Roadway Worker Protection Job Safety Briefing conducted Amtrak Employee in Charge, Jim Novak Jr. Since we were working on Track #2 today, instead of Track #1, which had been the track routinely taken Out of Service, I made it a point to insure that everyone understood that Track #2 would be Out of Service this morning. Tim Hockenberry agreed that everyone needed to be aware of this change. Maintainer Klein arrived after the Job Briefing, met with Jim Novak Jr., and proceeded north on the Right-of-Way.

When I met with Mr. Novak shortly after the incident, I asked him if he had discussed that Track #2 would be Out of Service instead of Track #1 this morning. He advised me that he had discussed this with her, and she had signed the Job Safety Briefing form. I advised him to make sure that this documentation was secured.

Columbia County Sheriff's Department, FRA, and Amtrak Personnel, including Craig Weed, Andrew Keefe, and William Cole conducted the investigation.