



I, Tim Molnar, have read the foregoing pages of a copy of my testimony given during an interview relating to the accident that occurred on June 10, 2017, near Queens Village, NY and these pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

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I declare that I have read my statements and that it is true and correct subject to any changes in the form or substance entered here.

Date: 7/13/17

Witness: [REDACTED]

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

EMPLOYEE FATALITY \*

LONG ISLAND RAIL ROAD \* Accident No.: DCA17FR009

QUEENS VILLAGE, NEW YORK \*

JUNE 10, 2017 \*

\*

\* \* \* \* \*

Interview of: TIM MOLNAR

Long Island Rail Road Offices  
Jamaica, New York

Monday,  
June 12, 2017

## APPEARANCES:

JOE GORDON, Chairman, Track and Engineering Group  
National Transportation Safety Board

ANNE GARCIA, Chair, Human Performance Group  
National Transportation Safety Board

TOMAS TORRES, Rail Accident Investigator  
National Transportation Safety Board

ED FLYNN, Chief Inspector  
Region 1, Federal Railroad Administration

DON WILSON  
Track and Engineering  
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ROB MARALDO  
New York State Department of Transportation

RAYMOND PERSAUD, Safety and Health Inspector  
New York State Department of Labor

GLENN GREENBERG, Deputy Chief Engineer  
Engineering Department  
Long Island Rail Road

MARTY SACCENTE, Accident Investigations Manager  
Engineering Department  
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SMART National Transportation Safety Team

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Brotherhood of Locomotive Engineers and Trainmen (BLET)

ANTHONY LAVORATORE, President/Local Chairman  
Local 29, SMART Transportation  
(Representative on behalf of Mr. Molnar)

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I N T E R V I E W

1  
2 MR. GORDON: Good afternoon. My name is Joe Gordon and I'm  
3 the NTSB Track and Engineering Group chairman for this accident.  
4 We are here today on June 12th at the Long Island Rail Road  
5 headquarters in Jamaica, New York to conduct an interview with  
6 Mr. Tim Molnar, who works for the Long Island Rail Road.

7 The interview is in conjunction with the NTSB investigation,  
8 where on June 10th at about 10:12 a.m. a westbound passenger train  
9 struck and fatally injured a roadway worker near Queens Village,  
10 New York. The NTSB Accident reference number is DCA17FR009.

11 And before we begin the discussion, I'd like to go around the  
12 table. Everyone introduce themselves, spell your last name, who  
13 you're representing, and your title. Please speak clearly for the  
14 transcription and I will pass it off to my right.

15 My name is Joe Gordon, G-O-R-D-O-N, with the NTSB.

16 MR. LAVORATORE: Anthony Lavoratore, L-A-V-O-R-A-T-O-R-E,  
17 local chairman/president of Local 29, SMART Transportation.

18 MR. MOLNAR: Tim Molnar, 53715, NWEU boom truck operator.

19 MS. GARCIA: Anne Garcia, G-A-R-C-I-A, Human Performance  
20 Group chair for this investigation for the National Transportation  
21 Safety Board.

22 MR. GREENBERG: I'm Glenn Greenberg, G-R-E-E-N-B-E-R-G,  
23 deputy chief engineer, Long Island Rail Road, Engineering  
24 Department.

25 MR. SACCENTE: Marty Saccente, S-A-C-C-E-N-T-E, accident

1 investigations manager, Engineering.

2 MR. HILL: Don Hill, the BLET Safety Taskforce; H-I-L-L.

3 MR. WILSON: Don Wilson, W-I-L-S-O-N, FRA Track and  
4 Engineering.

5 MR. FLYNN: Ed Flynn, F-L-Y-N-N, FRA Region 1, chief  
6 inspector.

7 MR. MARALDO: Rob Maraldo, M-A-R-A-L-D-O, New York City DOT.

8 MR. TORRES: Tomas Torres, T-O-R-R-E-S, NTSB.

9 MR. AMENDOLARE: Dominic Amendolare, A-M-E-N-D-O-L-A-R-E,  
10 SMART Transportation Safety Team.

11 MR. BATES: William Bates, B-A-T-E-S, SMART National  
12 Transportation Safety Team.

13 MR. PERSAUD: Raymond Persaud, P-E-R-S-A-U-D, safety and  
14 health inspector, New York State Department of Labor.

15 MR. GORDON: Thank you. And thanks to everyone for being  
16 here.

17 Before we get the discussion started, I just want to be sure.  
18 Is it okay if everyone refers to you as Tim today when they're  
19 asking questions?

20 MR. MOLNAR: (No audible response.)

21 MR. GORDON: Thank you.

22 And you understand we're going to record the interview today.  
23 That will be transcribed. You will have an opportunity to look at  
24 that and make any corrections before it becomes part of the public  
25 docket.

1 Do you have a representative here with you today?

2 MR. LAVERATORE: Anthony Lavoratore, L-A-V-O-R-A-T-O-R-E.

3 MR. GORDON: Okay. Thank you.

4 INTERVIEW OF TIM MOLNAR

5 BY MR. GORDON:

6 Q. And, Tim, to get started, if you'll just give us an idea of  
7 your railroad experience, when you came to work for the railroad;  
8 and kind of your progression of your different jobs and where  
9 you've worked?

10 A. Sure. I started in -- August 30, 2006. Started in the Track  
11 Department. Went through my 60 days. I had my CDL at the time,  
12 so I went to a better job as a driver. Been a driver for most of  
13 my career there. Made a couple rosters, the MO roster, on a  
14 machine, and then went back to a -- EWE roster, made that, and  
15 then went back to being a driver. So most of my career was as  
16 being either a boom truck operator, grapple driver, or utility  
17 truck driver.

18 Q. Okay. And if you'll go to the day of the incident, and  
19 there's no level of detail, just -- you know, that's too much. We  
20 want your story. Just kind of tell us, you know, when you  
21 reported to work and just walk us through any discussions that  
22 were had about, you know, the work, the on-track safety,  
23 everything leading up to the accident.

24 A. Sure. My orders were to come in 7 a.m., pick up a truck from  
25 Hillside that had four pieces of 100-pound rail on there. We were

1 supposed to do a standby over at Queens -- between Queens Village  
2 and Queens Freight.

3 The foreman directed us to go to Queens Freight as a standby.  
4 We waited there. I got there probably -- between picking up that  
5 truck and driving over there, got there probably around 7:45,  
6 8:00. And standby there for about -- approximately, we had an  
7 hour, until the foreman told us that he was told that we have to  
8 go out and do an inspection of the track between the interlocking,  
9 Queens Interlocking.

10 Q. Okay.

11 A. So that's what we did. So between our gang and Queens  
12 Village gang, they were going to work west to east -- east to --  
13 yeah, east to west, and we were going to meet up with them working  
14 from Queens Freight, west to east. And then meet up with them,  
15 and that's what we pretty much did, inspect the track.

16 Q. Okay. And, after you got that call to go out and do that  
17 work, can you talk to us a little bit about any briefing that was  
18 held?

19 A. Oh, sure. Well, Mike gave us -- there was only four of us  
20 that time that met with Mike on our gang. He gave us a safety  
21 brief, signed the briefing card. I believe the rule of the day  
22 was don't pick up anything without help of another employee. And  
23 then he told us, you know, we're going to be working from where we  
24 are till the east -- I forget what bridge it is -- but just past  
25 the Y, checking nuts, bolts, tightening bolts, and so on.



1 Q. Okay. And that was four of you, in addition to Mike. So  
2 there was Mike and then four others?

3 A. That's correct.

4 Q. Okay.

5 A. There was one flagman and then three of us and Mike.

6 Q. Okay. All right. And what were the, kind of the duties?  
7 Once you guys got out on the track, what were the duties that each  
8 person was responsible for?

9 A. Mario had the flag. Jose -- he was another driver -- he had  
10 a hammer in his hand to hit on clips if he noticed any clips  
11 missing. Pat had the wrench; he was tightening the bolts. I had  
12 the bolts in my hand, if anything was missing -- any IJs to put  
13 in, you know, or any loose bolts or something that needed to be  
14 replaced.

15 Q. Okay. And, if you will, just -- if you would talk to us a  
16 little bit about fouling the track. What's your understanding of,  
17 when you're fouling the track, what you have to do to be out of  
18 the foul of the track?

19 A. Well, that's why you have your flag protections. Flag  
20 protection's, you know, well, we're all looking out. And you, you  
21 know, look out for each other and tell each other you see  
22 something coming, you know, let each other know.

23 Q. Okay.

24 A. We were pretty tight to each other at the time, so we would  
25 let each other know. Flag detection, Mario, would honk the horn,

1 hold up his disc, and show us where to clear and tell us where.  
2 At the time he was always telling us what track the train was on.

3 Q. Okay.

4 A. Eastbound/westbound, Track 1/2, whatever it is.

5 MR. GORDON: Okay. All right. I'm going to pass it over to  
6 Anne for her questions.

7 MS. GARCIA: Okay. Thank you.

8 It's Anne Garcia. I have a number of standard questions.

9 MR. MOLNAR: Sure.

10 BY MS. GARCIA:

11 Q. Okay. So, first, I want to get a good idea of what your  
12 regular work days and work hours are like.

13 A. I'm in Sub 2, so we work 7:30 a.m. to 3:30 p.m., Monday  
14 through Friday.

15 Q. Okay. And how long is your commute into work?

16 A. About 50 minutes.

17 Q. Okay. Excuse me. Thought I had that -- I apologize.

18 A. Sure.

19 Q. Fifty minutes, 5-0?

20 A. Yes, 45, 50 minutes.

21 Q. Okay. And going home?

22 A. Roughly the same, unless I -- well, no. Actually, give or  
23 take, because half of the time I take my car; half of the time I  
24 take the train.

25 Q. Okay.

1 A. So on an overtime, I usually take my car.

2 Q. Okay.

3 A. So it matters within traffic. Usually it's about 50 minutes  
4 to -- otherwise, during rush hour, it's going to take me an hour  
5 and 20 minutes, an hour and a half.

6 Q. Okay. So an hour and 20 minutes normal rush hour --

7 A. Right.

8 Q. -- to go -- okay.

9 A. Uh-huh.

10 Q. And if you work overtime, you would be there later, so it's  
11 about 50 minutes going home?

12 A. Yeah. Yeah. I would say, yeah, after rush hour, around 8:00  
13 or something like that if I get off. Yeah.

14 Q. Okay.

15 A. But like I said, I normally take the train. Monday through  
16 Friday I take the train.

17 Q. Train. Okay.

18 A. Yeah.

19 Q. And how long would the train be going home, the same?

20 A. Yeah. It's about the same: roughly 40 minutes, I guess.

21 Q. Okay. Thank you.

22 A. Sure.

23 Q. So overtime, how often do you work overtime?

24 A. Whenever available. I mean three, four times a week.

25 Q. Okay. About how many hours would that be each time?

1 A. I don't know. Usually it's anywhere from 8 to 12 hours,  
2 around there.

3 Q. Okay. Okay.

4 A. Normally I work 8 hours.

5 Q. Each time, yeah.

6 A. Yeah. Usually about 8 hours.

7 Q. Okay. And on this -- the week leading up to Saturday, had  
8 you worked any overtime?

9 A. I think just that Thursday. Not the Friday, but the  
10 Thursday, I think, I just worked.

11 Q. Okay. And what hours were those? Do you recall the  
12 overtime?

13 A. Oh, shoot. It was more -- it was either 9 to 5 or 6 to --  
14 somewhere around there. Yeah, 9 to 5, around there.

15 Q. Okay.

16 A. Or 10 to 6, one of those two. I can't remember.

17 Q. On Thursday?

18 A. On Thursday. Correct.

19 Q. Okay. But your normal times would be 7:30 to 3:30?

20 A. Monday through Friday. This was -- yeah. And then that was  
21 an overtime, 9 p.m. to 5 a.m.

22 Q. Oh, p.m.

23 A. Correct.

24 Q. Thank you. Okay. Thank you.

25 A. Sure.

1 Q. And then this Saturday was overtime?

2 A. This Saturday was overtime, correct. 7 a.m. start, for a  
3 standby until 11 p.m.

4 Q. Till 11 p.m. was your schedule?

5 A. That's correct.

6 Q. Okay. And when were you made aware that you were going to  
7 work the overtime on Saturday?

8 A. Friday. Friday sometime in the afternoon.

9 Q. And did you have an option or were you --

10 A. Yeah, sure.

11 Q. Okay.

12 A. If I wanted to.

13 Q. Okay.

14 A. Yeah.

15 Q. Okay. Great. And so to round out your week, to give us a  
16 good idea of your flow, what time would you -- on your work nights  
17 when you're going to be working the next day, what time would you  
18 normally go to bed?

19 A. In regards to, what, after overtime?

20 Q. If there wasn't overtime.

21 A. If there wasn't overtime. Oh, sure. Around 9:30, 10:00.

22 Q. Okay. 9:30. And what time would you normally get up in the  
23 morning?

24 A. About 5:00.

25 Q. Okay. And on days when you have the overtime, like Thursday

1 you had overtime until 5 in the morning or 6 in the morning. So  
2 when would you have worked then -- slept then?

3 A. During that, you know, 9 to -- what is it? At 5:00, right  
4 when I got off, whenever I got off. I don't go home. I stay into  
5 the shanty because it's too far to go home. And then I got to  
6 start up.

7 Q. Okay.

8 A. So I go -- I stay there.

9 Q. So you catch a couple hours' sleep?

10 A. Correct.

11 Q. Okay. And they have a crew quarters there, beds, things like  
12 that?

13 A. No, no beds. Just a couch -- two couches there.

14 Q. Okay.

15 A. It's either that or sleep in the car.

16 Q. Sometimes the -- both couches are taken?

17 A. That's true.

18 Q. Okay. And when would you normally have dinner on a work  
19 night?

20 A. Oh, I -- it's all different times.

21 Q. Okay.

22 A. All different times. Sometimes I don't even eat. Sometimes,  
23 you know --

24 Q. Okay.

25 A. But on a regular work night, I go home about 6 -- you know,

1 about 6, 6:30. I usually eat, you know.

2 A. Okay.

3 Q. And on weekends, when would you be going to bed at night.

4 Friday night, Saturday night?

5 A. Usually around the same time. I don't do much on the  
6 weekends usually. Pretty boring.

7 Q. So I'm looking back in my notes. That would be about what  
8 time?

9 A. Oh, if I'm --

10 Q. Friday night and Saturday night?

11 A. If I'm working?

12 Q. If you have time off.

13 A. Right after I'm done working?

14 Q. No, if you had the day -- if you had the weekend off.

15 A. Oh, them -- oh, okay. Yeah, I usually go to be same time, 9,  
16 10:00.

17 Q. Okay.

18 A. Yeah, on a weekend.

19 Q. And what time would you normally get up on Saturday and  
20 Sunday morning?

21 A. Usually the same time.

22 Q. Yeah?

23 A. Yeah. I'm not a big sleeper.

24 Q. Okay.

25 MR. GREENBERG: You're seeing a common thing with

1 railroaders, right?

2 MS. GARCIA: I am.

3 MS. GARCIA: Okay. That's all very helpful. Thank you.

4 MR. MOLNAR: Sure.

5 BY MS. GARCIA:

6 Q. About how much overtime would you say that you would work in  
7 a typical week or month?

8 A. Oh --

9 Q. Do you have a certain amount you'd like to work?

10 A. No. It -- I like to -- in a month? Oh, I don't know.

11 Q. Or a week?

12 A. I'd like to at least work at least 10 to 12 hours, at least.  
13 per week.

14 Q. And would that normally be in one shift or broken up into  
15 two?

16 A. Sometimes it's one shift; sometimes it's two. But I like to  
17 at least take two shifts, if there's --

18 Q. Okay. Good.

19 A. Okay.

20 Q. Thank you.

21 The crewmembers, how long have you been working with this  
22 group? Do you know them pretty well?

23 A. Yeah. We're all in the same division. Yeah, we've been -- I  
24 don't know. I've been working off with them -- Pat, we work  
25 together every day, Monday through Friday.



1 Q. Okay.

2 A. Mike, I've worked with him a dozen different times, but he  
3 just came back. Worked a different job, came back. So I've  
4 worked with him a dozen times, too.

5 Mario, he's in the same division, you know, so we see each  
6 other every day.

7 Q. Okay.

8 A. And pretty much work with each other almost every day, too.

9 Q. Okay.

10 A. Yeah. He's in a different gang but we still pretty much work  
11 together.

12 Q. You know him?

13 A. Yeah. All of them I know, yeah, pretty well.

14 Q. Okay. Good.

15 Do you know where Mike was working before? You say he just  
16 came back?

17 A. I think he was in a construction job, you know, like on a tie  
18 job with the railroad.

19 Q. Okay.

20 A. Yeah.

21 Q. Okay. And so you've worked with him before. Do you think  
22 you work well together?

23 A. Absolutely. He's a good friend.

24 Q. Okay. And on this particular day, on Saturday, how would he  
25 seem? What was his mood? Is that --

1 A. Oh, he was fine. He was showing me pictures an hour before  
2 we went out there of where he was going on vacation with his  
3 girlfriend and his two kids -- actually, her two kids and his one  
4 boy. Yeah. So, yeah, he was -- his spirits were up. He was, you  
5 know, fine, you know? Yeah.

6 Q. Thank you.

7 Taking a look at the day, I know that Joe went over some of  
8 the details of it. You know, you were talking about what you did  
9 that day. Could you mark for us -- we have this here --

10 A. I figured that.

11 Q. If you could, go ahead and take my pen. Just to orient  
12 you --

13 A. All right.

14 Q. -- after I get oriented, myself.

15 A. All right. Well, if this is 3 over here -- say, 3 track on  
16 the north side. All right, this first track. It's considered  
17 three, right?

18 UNIDENTIFIED SPEAKER: No, different, different --

19 MR. GORDON: That's not where the train comes in.

20 UNIDENTIFIED SPEAKER: That's not --

21 MR. MOLNAR: I'm sorry? Oh, so it's upside down?

22 MR. GORDON: Yeah. Let's see. See if we've got the right  
23 one. Let's see. Is that one -- is that different?

24 MS. GARCIA: Yes.

25 MR. GORDON: Okay.

1 MS. GARCIA: Okay. Thank you. I was looking for it, because  
2 this is the tower.

3 MR. MOLNAR: Okay. So then -- all right. Let me turn it  
4 around. Okay, so --

5 BY MS. GARCIA:

6 Q. Okay. And then this is the station.

7 A. Oh, okay. Got you.

8 Q. So the train would be coming from this direction.

9 A. Yeah. So we were right about -- we were right -- okay,  
10 obviously the train was on 3, right here. And the rest of these  
11 guys were on 1, right, the next track over?

12 Q. Okay.

13 A. All right? I was -- before we got to this point, we started  
14 walking west.

15 Q. Uh-huh.

16 A. All right. So as we were walking west, I happened to be on  
17 this track because I had to take care of my business, urinate. So  
18 Mario noticed the train was coming on the east end, okay, going  
19 east. So being that I was on this track, I had to obviously clear  
20 the track. These guys were on 1. All right?

21 The last time I seen them, they were on 1. So he says, go  
22 around. You can walk all -- I waited for the train to come and he  
23 says go around. You can -- there's a walkway all the way around  
24 this little shed here.

25 Q. Okay.

1 A. And then what happened is, I came over here; did my business.  
2 Came back over here. That train was already clear.

3 Q. Okay.

4 A. Okay. Then, by this time, I came over here and I  
5 don't -- they caught up because they were walking on 1.

6 Q. Uh-huh.

7 A. Next thing I know -- I picked up my bucket, again. I had a  
8 bucket of bolts.

9 Q. Uh-huh.

10 A. And at the same time, I heard, boom, and that's when I seen  
11 Mike get hit with the -- I seen his arm fly off and the rest of  
12 his body underneath the train. It looked like it -- underneath  
13 the third rail.

14 Q. Thank you.

15 A. And that was it. We couldn't do anything.

16 Q. No.

17 If you could, mark down -- so did you hear Mario do the  
18 airhorn, call out the train?

19 A. Yeah, as I came back over. Yeah. He -- like I said, he  
20 always calls. He called on the outside 3, on the outside 3 track.

21 Q. Okay.

22 A. And that's basically what he would always call, because he  
23 even called for my train over here and told me, get out, walk  
24 around. And he said, it's on you, Tim. So that's when I walked  
25 around herd, and these guys are safe in 1.

1 Q. Uh-huh.

2 A. And then, when I came around here, I'd say probably a minute  
3 later after that one cleared, then I heard him, you know, and I  
4 heard him yell out, on the outside, you know, Track --

5 Q. What does that mean --

6 A. -- Track 3 or 3 -- on 3.

7 Q. What does that mean, on the outside?

8 A. On the outside, the train's on the outside. He would call  
9 where it is.

10 Q. Okay.

11 A. Yeah.

12 Q. And if you could mark on here, when he called that out, where  
13 you were, where he was, the best that you -- just put an X where  
14 you were.

15 A. I was a little farther. I want to, say, around here --

16 Q. Okay.

17 A. -- on the outside. And then these guys --

18 Q. Where was Mario?

19 A. Mario was around here.

20 Q. Okay.

21 A. Mike was about here.

22 Q. Mike was?

23 A. Mike was in front of them.

24 Q. Okay.

25 A. Mario, I think -- I'm not sure --

1 Q. Jimmy and Jose?

2 A. This was, I think, Pat or Jose.

3 Q. Pat. Sorry.

4 A. These two. Yeah. So I think one -- yeah. So one of them --  
5 he was between like all three of these guys. All right?

6 Q. Okay. Good. And you were here?

7 A. That was me, yeah.

8 Q. Yeah? So we've got everybody circled here and we know the  
9 order that they were in.

10 A. Right.

11 Q. And this was when Mario gave the --

12 A. Gave the order.

13 Q. -- the order?

14 A. Basically, he hold up the flag; I heard his horn go off.

15 Q. Heard his horn.

16 A. And then that was it.

17 Q. Could -- did you have a good view of them from where you  
18 were, where you think that --

19 A. At this point I didn't.

20 Q. Okay.

21 A. At this point I didn't. At this point I didn't. And that  
22 was the last time, and I could have -- I don't remember if I  
23 looked up over -- back over there and, you know -- all I remember  
24 is seeing them after the fact, you know, all at that area, because  
25 I was counting them.

1 Q. And you were clear?

2 A. Yeah, I was on the right-of-way. That's why I probably seen  
3 Mike first as he -- once it happened, I guess, because it looked  
4 like it was on my side, if you want to say.

5 Q. Yeah.

6 A. You know, on the third-rail side.

7 Q. Okay.

8 A. I think this was on rail there, because there was -- I think.  
9 I don't know. I guess that's where it was. Yeah.

10 Q. Okay.

11 A. There is a third rail right there, right? Yeah.

12 Q. Uh-huh. Yeah. And there's also -- farther on down there's  
13 the third rail --

14 A. Yeah.

15 Q. -- ends here and then there's a open area here.

16 A. Yeah. I think, yeah, because I says -- yeah. So it was  
17 only, probably a little bit more past this this tower here,  
18 because I remember the guy coming out, too.

19 Q. From the tower?

20 A. From the tower and asking did we just hit somebody?

21 Q. And where did everybody go after?

22 A. They all went to the north side.

23 Q. Okay. You want to put a mark there where they went?

24 A. They went all the way over here after that.

25 Q. Okay.

1 A. Yeah.

2 Q. And did you join them over there?

3 A. No. At this time I was still over here.

4 Q. Yeah.

5 A. And then I was yelling back and forth. Mario said he'll  
6 call, because I had my phone in my pocket and I said, I'll call.  
7 And then I was just so, like, shocked that I couldn't function  
8 that damn -- and he said he'll call. And he called Phil, which  
9 was downstairs.

10 Q. So Phil is the supervisor?

11 A. Supervisor.

12 Q. Yeah.

13 A. Yeah.

14 Q. And he was there at the tower?

15 A. No. He wasn't at this tower.

16 Q. Oh.

17 A. He was just over here. They went down -- the other crew went  
18 down there. So we were told by the supervisor, okay, you four  
19 guys continue going west to your truck, which is Queens Freight,  
20 which is back over in this area. Over here, right?

21 So he says continue on 1 and 3 and inspect it until you get  
22 to your trucks.

23 Q. Okay. So --

24 A. So that's what we continued to do. That's why there was only  
25 four of us still out there and Mike.



1 Q. Okay.

2 A. Because these guys were done. We already met up with them on  
3 the east end, and then we walked west. Then they cleared and then  
4 that's when we continued inspecting 1 and 3.

5 Q. Okay. So your plan was -- you were told the plan was to  
6 continue walking on down the truck [sic] --

7 A. Continue inspecting --

8 Q. -- down the track?

9 A. -- down the track until we get to Queens Freight where, you  
10 know, where we were done inspecting.

11 Q. Okay. Okay.

12 A. And then, you know, stand by. Then stand by.

13 Q. Good. Thank you.

14 A. Sure.

15 MS. GARCIA: That's all I have right now.

16 MR. MOLNAR: Okay.

17 MS. GARCIA: So if you want to go ahead.

18 MR. GREENBERG: First, I'd like to say it's a sad day for all  
19 of us, you know. I'm sorry you had to see this and be part of it.  
20 You know, I worked with Mike a bunch of times over the years and  
21 he was -- he was a good guy. This is a -- I guess, I don't know  
22 what else to say. I don't really have too much.

23 BY MR. GREENBERG:

24 Q. How long did you work at Sub 2? You been there a while,  
25 right?

1 A. Yeah. It's about 2 -- I'm usually a Sub 1 guy, then I went  
2 to Sub 2, on and off, and then the last 2 years I've been there.  
3 Yeah, as the boom truck operator. Just decided to stay there.  
4 The hours are better. Yeah.

5 Q. When you left Queens Freight, did you guys walk on the Queens  
6 Village platform or did you go on the track?

7 A. We did. Yeah, we walked the platform from the west end to  
8 the east end -- yeah, and then came back down.

9 Q. Did you happen to know if that was the plan to go back that  
10 way or --

11 A. No. He told us originally we were walking and going to meet  
12 up, inspect the track all the way east and meet up with the other  
13 gang.

14 Q. I'm saying, when you were going on your way back west.

15 A. Did I know --

16 Q. Did you know if the plan was to get on the platform or to  
17 stay on the track?

18 A. Well, we weren't even up to that point yet, you know.

19 Q. Oh, so you didn't --

20 A. We were all walking together. So he would have told us, hey,  
21 you know -- but for the most part, yeah, we probably would have  
22 came back over and walked the platform again right to our  
23 vehicles. We were -- so we were pretty much done, if you want to  
24 say. Between that area, we were pretty much done inspecting.  
25 Yeah.

1 Q. Thank you.

2 A. Yeah. Sure.

3 MR. SACCENTE: Mr. Molnar, I'm sorry that we're in here and  
4 the circumstance. I'm sorry you went through that. There's  
5 nothing really I could say to mitigate it.

6 I got some questions for you. I'll make it as brief as  
7 possible. Enough is enough.

8 BY MR. SACCENTE:

9 Q. So you're in Sub 2 two years? You're familiar with Queens  
10 interlocking?

11 A. Right.

12 Q. Okay. So you're familiar with that. All right.

13 A lot of your time was spent over there as an operator and  
14 everything else. You're just familiar with the place?

15 A. Correct.

16 Q. Okay. Was there anything different about that morning? It  
17 was just a typical, routine thing? Any --

18 A. Besides there was a lot more trains.

19 Q. A lot more trains. Okay. No, I could see that.

20 A. Because we there, you know, like I said, standby for the  
21 stakes.

22 Q. Yeah. Yeah. Getting back to your briefing in the morning  
23 that you had over at Queens Freight. You guys -- did you fill out  
24 a job briefing card?

25 A. Yeah. Mike had it.

1 Q. Okay. All right.

2 A. Well, I didn't fill that out. Mike filled it out.

3 Q. Of course. Of course.

4 A. And I signed my name.

5 Q. Of course. Do you recall the brief, like what hazards were  
6 discussed? Like what were you concerned about that day going out  
7 there?

8 A. It was -- well, basically the heat. He wanted to get it done  
9 because of the heat. He says, let's -- you know --

10 Q. Yeah.

11 A. -- they want us to inspect it. Let's go out now and get it  
12 done.

13 Q. Uh-huh.

14 A. And, you know, that was it. He gave his briefing, it was  
15 like every other briefing he normally gives, a thorough briefing.  
16 Let us know that we have a watchman. You hear the horn, clear  
17 out.

18 Q. Okay. Basic instructions for how to do that. You guys  
19 didn't get foul time or anything during the course of the day for  
20 anything?

21 A. No.

22 Q. It was basically like just minor correction and inspection,  
23 really, by definition?

24 A. Correct.

25 Q. Okay. No additional briefings as you moved around? You all

1 stayed together and you really had nothing to do with the east end  
2 gang?

3 A. No. No.

4 Q. All right. Why did you guys settle on just a watchman?  
5 That's just the way you always did it or --

6 A. Correct. Yeah.

7 Q. -- just because it was a minor inspection and correction?  
8 And Mario told you where to clear, you know --

9 A. Correct. Yeah.

10 Q. -- on a case-by-case basis.

11 How many trains you think you cleared for? There were a lot  
12 more trains that day. Any idea? Any way you can get your hands  
13 around any kind of number?

14 A. I want to say about -- between the time from when we went out  
15 there in the morning --

16 Q. From the time you jumped in and walked.

17 A. -- to then? No --

18 MR. SACCENTE: Yeah. Okay. All right. I can imagine.

19 That's all I really have. Thank you.

20 MR. MOLNAR: Okay. Sure.

21 MR. SACCENTE: Thank you.

22 MR. HILL: Hi. Don Hill with the BLET Safety Taskforce.

23 Just a few questions.

24 BY MR. HILL:

25 Q. You said you cleared for, you believe, a total of nine

1 trains?

2 A. Correct.

3 Q. Did you -- the previous eight trains that you cleared for,  
4 did you clear the entire right-of-way or did you -- do you recall  
5 whether or not you stood and engaged the enemy up top?

6 A. I think we were -- cleared the -- some of us, if we -- if we  
7 were on a different track, we cleared the whole entire track,  
8 empty the right-of-way. From what I remember, I think it was  
9 maybe one or two that we were on a different track.

10 Q. Okay.

11 A. Yea, when they went by.

12 Q. And we've heard that term standby used quite frequently  
13 today. What is your understanding of standby?

14 A. I understand standby was stand by. I have four pieces of  
15 rail in my truck. If a deficiency comes up, they lose a signal  
16 and stuff, meaning we have a broken rail, to replace that rail and  
17 only if we have a broken rail. Besides that, that's all we need  
18 you for.

19 Q. Okay. So the work that you were doing at the time of the  
20 incident, would it be located -- would it be correct to classify  
21 it as preventive maintenance work?

22 A. No. Preventive maintenance? No, because -- I don't look at  
23 it as that. I look at it -- because we weren't out there to look  
24 out for deficiencies. Like you say, standby is to stand by until  
25 they find a problem. Preventive maintenance, to me, is to go out

1 there and inspect the track, like we had to after the fact, you  
2 know, of finding out that that's a new job.

3 Q. Well, with the -- you weren't -- may I say it this way then?  
4 Were you sent out to do the work because there was a problem?

5 A. No. There was no problem.

6 MR. HILL: Okay. That's all I have. Thanks.

7 MR. GORDON: Okay. Mr. Wilson?

8 MR. WILSON: Oh. Don Wilson, FRA, W-I-L-S-O-N.

9 You know, like everyone here has said, you know, sorry for  
10 your loss of the crew and everything. I -- luckily, in my career  
11 at the railroad, I didn't have to deal with that. I was just  
12 lucky, I guess. I couldn't imagine.

13 But, anyway, I had some questions.

14 BY MR. WILSON:

15 Q. So you -- the nine trains -- and the number could be  
16 different. I understand that, you know. But how many times do  
17 you think you cleared on the tracks?

18 A. I recall maybe twice.

19 Q. Okay. And you mentioned cleared at different locations. So  
20 I understood that -- and I could be wrong, you know; please  
21 correct me -- do you mean like some guys would stay on the tracks  
22 and some guys would clear like off the 4-foot on the field side,  
23 or did you mean something else?

24 A. Well, it mattered. At that time, particular time, I had to  
25 go use the facilities. So that's why I was on a different track

1 going towards the right-of-way. For the most part, we all stay  
2 together.

3 Q. Okay.

4 A. And the flag protection guy was telling me go around due to  
5 an oncoming eastbound.

6 Q. Right.

7 A. So I had no choice, besides -- don't take the chance coming  
8 back the other way. Just clear all the way out and go to the  
9 right-of-way.

10 Q. Yeah.

11 A. And then at that time wait for them to pass.

12 Q. Yeah. I was thinking more of other trains even. I wasn't  
13 trying to re-enact the -- the thing, this -- you know, the way  
14 that you'd clear before all this happened.

15 A. Well, sometimes we have to clear at different positions if  
16 we're going to get -- as a driver, we'll go get  
17 (indiscernible) a lot of different material and stuff. So,  
18 obviously, you're going to clear in different positions at that  
19 time.

20 Q. Okay.

21 A. Yeah. Or, if they're inspecting 1 and 3 track, one might be  
22 on 3; one might be on 1. So that would be the only time that that  
23 guy would step all the way out, if he was on 3.

24 MR. WILSON: Okay. Thank you.

25 MR. MOLNAR: Sure.



1 MR. FLYNN: Ed Flynn, F-L-Y-N-N, FRA Region 1.

2 Tim, first of all, just want to say sorry that you had to  
3 experience such a tragic event but thank you for being here today.

4 BY MR. FLYNN:

5 Q. I just have a few questions, the first being: You said that  
6 the warning -- you heard the warning from the watchman and you  
7 were over by 4, main line 4, correct?

8 A. Yes.

9 Q. On the south side?

10 A. Correct.

11 Q. How close was the gang in linear footage away from each  
12 other, would you say? Were they bunched up or were they spread  
13 out?

14 A. I'd say about the distance between you and I.

15 Q. Each person?

16 A. Yeah, roughly, between you and I and, you know, one -- yeah.

17 Q. Okay.

18 A. Possibly.

19 MS. GARCIA: Could you give an estimate for the record as to  
20 what this distance is?

21 MR. MOLNAR: About 15 feet, right? Fifteen, 20 feet away  
22 from you?

23 MR. FLYNN: Fifteen, 20 feet? Yeah.

24 BY MR. FLYNN:

25 Q. Okay. So they would -- each individual was approximately 20

1 feet apart in --

2 A. Yeah, I would say roughly around --

3 Q. -- walking around the track? Okay.

4 A. Correct. Yeah.

5 Q. And, also, did you hear the train horn after the signal that  
6 you heard, the warning from the watchman? Did you hear the train  
7 horn as well?

8 A. Yes.

9 Q. Okay. And how far out was the train when that happened; do  
10 you know roughly?

11 A. Oh, shoot. I don't, I don't recall, to be honest. Yeah.

12 Q. But --

13 A. But we all yell out, "Railroad. Railroad."

14 Q. Okay.

15 A. We repeat it.

16 Q. Yeah. And that happened as well?

17 A. Yeah, from what I remember. Yeah.

18 Q. Okay. So --

19 A. I believe so.

20 Q. Did the foreman acknowledge? Did you see -- did you notice  
21 if the foreman --

22 A. To be honest, I thought he did. My mind's so, you know,  
23 flustered, but I could have sworn I seen Mike, his hand up. I  
24 could have -- you know, because at the same time, that was the  
25 same time -- or it might not have been, because all I remember is

1 the visual of his hand flying off.

2 Q. All right.

3 A. So maybe it was, maybe it wasn't; I don't know.

4 MR. FLYNN: I understand. I'm very sorry, again. And thank  
5 you. That's all I have.

6 MR. MARALDO: Hi. Rob Maraldo. I have nothing to ask.  
7 Thank you.

8 MR. AMENDOLARE: Dominic Amendolare, no questions.

9 MR. BATES: Oh, William Bates, B-A-T-E-S. I had a -- Tim, I  
10 had a couple questions I'd like to follow up on and get  
11 clarification on that struck me a little bit.

12 BY MR. BATES:

13 Q. In your initial job briefing you stated that the foreman told  
14 you that you had to do inspection on the track. How long in the  
15 job briefing, after you went to work, was -- did he tell you that?

16 A. About an hour into we were there. We were there. We got  
17 there about -- yeah, about 8:00, and he told us about 9:00.

18 Q. Okay.

19 A. We went back out, and then he gave a job briefing 9:15.

20 Q. Did he state where he got those instructions from?

21 A. He did not. No. He just said, we have to do this.

22 Q. Okay. Overtime, the men you work with, that you interact  
23 with, is overtime, is that the norm for your craft?

24 A. As far as what? What do you mean? Is overtime the norm?

25 Q. For you and the rest of your -- the rest of the employees

1 that's in your craft, is overtime the norm?

2 A. Yeah. We got -- yeah. I mean, yeah. Get off at all -- all  
3 overtime, all the time.

4 Q. Okay. On this particular day -- I'm trying to make sure I  
5 made my notes correct. You were scheduled to work from 7 a.m. to  
6 11 p.m.?

7 A. Correct.

8 MR. BATES: Okay. That's all I have. Thank you.

9 MR. PERSAUD: I'm going to pass. I don't have anything.

10 MR. GORDON: Okay. Tim, you're doing a great job helping us  
11 fill in some of the blanks here.

12 BY MR. GORDON:

13 Q. And we've talked about the trains that came through before.  
14 And correct me if I'm wrong, but sometimes, depending on where  
15 people were, you would just remain in the tracks that you were in.  
16 Like when you got the warning that a train was approaching you,  
17 you would just stay where you were if the train wasn't on the  
18 track that you guys were in at the time?

19 A. Sometimes you have to.

20 Q. Okay. And there was no -- or was there any other form of  
21 protection on those tracks, anything --

22 A. Just normal flag protection.

23 Q. Just the flagman? Okay. As --

24 A. That's all, obviously.

25 Q. Yeah. And as far as when you receive your roadway worker

1 training, is that something that's covered? You know, like the  
2 place of safety, is that something that -- can that be a  
3 in-service track, as far as what you remember from the training?

4 A. As far as the training with the railroad, as far as where are  
5 we supposed to clear?

6 Q. Right.

7 A. As far as the training, you're supposed to clear all the way  
8 out.

9 Q. Okay. And it -- just in this location, you know, sometimes  
10 because of the --

11 A. Well, they weren't going to clear all the way out with the  
12 train coming on the outside track. I guess they felt that, you  
13 know, that --

14 Q. They were safer where they were?

15 A. Correct.

16 Q. Okay. And, if you're given -- well, first off, the -- to  
17 your knowledge, you're familiar with that interlocking. What's  
18 the train speed? What would you say is the speed of the trains  
19 through there?

20 A. Seventy.

21 Q. Seventy?

22 A. Uh-huh.

23 Q. And do you feel like the sight distance, in order for the  
24 watchman to see the train, give you guys the warning, everybody  
25 could get in the clear?

1 A. Oh, he gave us plenty of warning.

2 Q. You feel like it's --

3 A. I think he did.

4 Q. -- you got enough time?

5 A. Right.

6 Q. Okay. And tell us again about his warning before that  
7 accident train. Was it you -- and I understand you weren't with  
8 the group right there at the time. But do you remember seeing the  
9 warning and --

10 A. I heard it. Yeah. We were -- I wasn't that far away. I  
11 mean, I heard him yell out.

12 Q. Okay.

13 A. And I heard him honk the horn.

14 Q. Okay.

15 A. Yeah. And then I heard the engineer blow his horn as well.

16 Q. Okay. So all that happened, and then about how long was it  
17 before the accident, before --

18 A. Oh, I don't know, 10, 15 seconds, around there.

19 Q. Okay. You have a job brief -- if you guys are going out to  
20 work and covering your job briefing, this is the work you're going  
21 to perform, and, you know, the foreman says, we're going to use a  
22 watchman. If you're in a location where you don't have the -- you  
23 know, the curvature of the track, you don't have the required  
24 sight distance, what's your training tell you to do?

25 A. Put out more flag protection.

1 Q. Okay.

2 A. Yeah. So they have a longer distance, you know, to clear --

3 Q. Okay.

4 A. -- make sure you clear in time.

5 Q. But in this location, there was no need for another watchman?

6 A. No. There was no -- you could see east and west in plenty  
7 of -- we felt, we all felt.

8 Q. Right.

9 A. We would have challenged it if there -- we felt there was  
10 any, you know, any threat.

11 Q. Okay. And that challenge, just for people that aren't  
12 familiar with railroad?

13 A. We would have just let Mike know, Mike, we need more flag  
14 protection out here. Yeah.

15 Q. Okay. And is that something -- advance watchman, is that  
16 something that you guys do regular or is it typically you have the  
17 sight distance required, that just one --

18 A. If you have a small gang like that, yeah, you're only going  
19 to have the one.

20 Q. Okay.

21 A. But you have a bigger gang, yeah, you might have two flagmen.

22 Q. So if the gang was more spread out --

23 A. For the most part, we usually have. Yeah.

24 Q. Okay.

25 A. Uh-huh.

1 MR. GORDON: Okay. I think I've got -- those are the  
2 questions I have at this time. I'll pass it back over to Anne.

3 BY MS. GARCIA:

4 Q. I just want to just quickly verify the time frame for that  
5 morning time?

6 A. About 10:05, 10:00, somewhere around there -- between 10 and  
7 10:15.

8 Q. But I just want to -- the whole -- from when you arrived at  
9 work, if you could -- I know that you've said this before.

10 A. I got in at 7 a.m.

11 Q. Okay.

12 A. And by the time I got back over to Queens Freight, it was  
13 probably roughly around 8.

14 Q. Okay. Eight arrived --

15 A. 8 a.m., yeah. About an hour later, because I do the truck  
16 report and so on.

17 Q. Okay. So you --

18 A. Fuel up. Yeah.

19 Q. So were you driving the truck that day?

20 A. I just drove it from Hillside to Queens Village.

21 Q. It was just you in the truck?

22 A. At that time -- yeah, it was just -- the other guys met me  
23 there, at Queens Village.

24 Q. Okay. Good. And so you said, at 9:00, that was when the  
25 foreman told you where you were going out?



1 A. Yeah. We all got in there. We all, you know, relaxed for  
2 about half an hour and --

3 Q. Okay.

4 A. -- 45 minutes, and then he said, okay, guys, we've got to go  
5 do a track inspection, you know, from here to meet up with Pepe's  
6 gang.

7 Q. And he gave you the job brief and that and --

8 A. Yes. He gave us -- yeah. As soon as we left, came out of  
9 the shanty, he says, okay, listen. We went over to his car. He  
10 has everything in his car, if you needed any protection, this,  
11 that. Everyone had their PPE. Told us about the PPE, make sure  
12 that you have everything on. And then gave us our briefing and  
13 said we're going to be doing a track inspection.

14 Q. Okay. So all that was at 9:00?

15 A. Yeah. Roughly 9, 9:15, and we started about 9:30.

16 Q. Okay. So 9:30 you were -- and where did you walk out from?  
17 Is it on here?

18 A. Yeah. If this is -- well, where's -- I don't know where  
19 the --

20 MR. GORDON: I don't think it goes down that far. You  
21 would've come off of the station platform.

22 MR. MOLNAR: Here's the track platform back over here.

23 MS. GARCIA: Okay. Back over here. Okay.

24 MR. MOLNAR: Yeah.

25 MS. GARCIA: Got you.

1 BY MS. GARCIA:

2 Q. And then so you started walking this way?

3 A. So we started -- yeah. We took the platform. He says, all  
4 right, you could look from here. And then came down here. Walked  
5 all the way straight down.

6 Q. And how far down did you go past this?

7 A. Well, we went all the way past here. There's two -- or  
8 another bridge way down here, just past the Y. And met up with  
9 the other gang, and then that's when we came back this way. Came  
10 up with that gang. That gang left and then we continued walking  
11 down.

12 MS. GARCIA: Okay. Thank you.

13 MR. MOLNAR: Sure.

14 MS. GARCIA: That's all I have.

15 BY MR. GORDON:

16 Q. About how long had it been since the other gang left, when  
17 they departed and went off of the track, to the time of the  
18 accident?

19 A. Ten minutes.

20 Q. About 10 minutes? Okay.

21 And, just for clarification, you mentioned when you were  
22 going through your previous -- your work history, an EWE?

23 A. Yeah, an engineer. What is it? What is an EWE considered?

24 MR. SACCENTE: Engineer Work --

25 MR. GREENBERG: Engineer Work Equipment.

1 MR. GORDON: Okay. All right.

2 MR. MOLNAR: Yeah. I just tried to make the roster.

3 MR. GORDON: There you go. All right.

4 UNIDENTIFIED SPEAKER: Can't be blamed for that.

5 BY MR. GORDON:

6 Q. And just back to that Queens interlocking, have you worked in  
7 there with train approach warning before?

8 A. Correct. Yes, plenty of times.

9 Q. And feel comfortable with that?

10 A. Yeah.

11 Q. All right.

12 A. I've -- yeah, changed rail in there plenty of times.

13 MR. GORDON: Okay. I'm going to look around the room. I  
14 believe Ed has --

15 BY MR. FLYNN:

16 Q. Just one more question, Tim. Other than the accident train,  
17 were there any other trains approaching the interlocking or the  
18 work area there when the accident happened?

19 A. No. I believe -- that was the only one, I believe, because  
20 we just had that eastbound.

21 Q. How long --

22 A. Within a minute between the eastbound and then --

23 Q. It was about a minute between the eastbound train and the  
24 accident train?

25 A. Yeah, I believe so.

1 MR. FLYNN: Okay. Thank you.

2 MR. MOLNAR: Yeah, sure.

3 BY MR. PERSAUD:

4 Q. Just two things: Boom truck, you mind giving me a  
5 explanation as to --

6 A. Boom truck just picks up the -- picks up rail and installs  
7 the new rail, takes out the old rail, so if you have a deficiency.

8 Q. So drives a regular truck onto the tracks and use --

9 A. Correct. We got on -- yeah.

10 Q. Now the second item: The gang was coming back. Everybody  
11 was coming back. At what point you -- what point did your system  
12 told you you've got to go? Where were you -- where was the whole  
13 -- everybody when you left the group to go to do your business?

14 A. Where was everyone?

15 Q. Uh-huh.

16 A. They were on 1 track.

17 Q. They were doing?

18 A. Inspecting. One guy was hitting on clips. Another guy was  
19 tightening bolts.

20 Q. So you got the -- you have the interlock and then tower?

21 A. Uh-huh.

22 MR. GORDON: They were near the tower, correct, when you --

23 MR. MOLNAR: Just past the tower.

24 BY MR. PERSAUD:

25 Q. They were just past the tower?

1 A. Or, I would say -- yeah, about lined up with the tower.

2 Q. And then you went over? And then you crossed over --

3 A. Yeah. And then I crossed over here, yeah.

4 Q. Okay. To clarify that when you heard Mario's horn, you were  
5 at the back of the building or at the side?

6 A. I was in front of it.

7 Q. You were already finished doing what you had to do?

8 A. Yeah, I was -- yeah, I was actually already finished and I  
9 just had to wait for that eastbound to clear me before I can go  
10 meet the guys back over again.

11 MR. PERSAUD: Okay. Thank you.

12 MR. MOLNAR: Sure.

13 MR. PERSAUD: Sorry you had to witness what you did.

14 MR. MOLNAR: Yeah.

15 MR. PERSAUD: Thanks.

16 BY MR. SACCENTE:

17 Q. Quick question. Getting back to your roadway worker  
18 training. Are you RWIC or RWP qualified?

19 A. P.

20 Q. RW- --

21 A. RWP.

22 Q. Basic RWP --

23 A. Correct.

24 Q. -- all you guys except for Mike?

25 A. Correct.

1 MR. SACCENTE: Okay. Thank you.

2 MR. PERSAUD: You mind spelling that out?

3 MR. SACCENTE: Roadway Worker, okay, Protection. There's two  
4 levels of training: one, RWIC, Roadway Worker in Charge, is  
5 capable of leading a gang out there and provide protection,  
6 watchman or other the means. Roadway Worker Period is just  
7 somebody that follows the other one's instructions. Basically,  
8 that's it.

9 MR. HILL: I just want to speak for clarity of the record. I  
10 think the terms you used, RWP and RWC?

11 MR. GORDON: RWIC.

12 MR. HILL: IC.

13 MR. MOLNAR: Yeah.

14 MR. HILL: Okay. So, IC stands for Roadway Worker in Charge?

15 MR. SACCENTE: Right.

16 MR. HILL: For the record, correct?

17 MR. SACCENTE: That would be right. Correct.

18 MS. GARCIA: I have one additional question.

19 BY MS. GARCIA:

20 Q. When you worked overtime on Thursday night, who else was  
21 working overtime with you?

22 A. On Thursday night? Maybe Mario. I don't think Pat was. I  
23 can't remember if Pat was or not. It was either -- just me and  
24 Mario, maybe.

25 Q. And who was the foreman?

1 A. Who was the foreman? Probably Mike Pachowski (ph.),  
2 probably. Mike, yeah. Not this Mike.

3 Q. Not -- right.

4 A. Yeah.

5 Q. Okay. Thank you.

6 A. I think it was -- yeah, it was either Wednesday or Thursday  
7 I worked. I can't remember.

8 Q. Okay.

9 A. But I know it was only that one day.

10 MR. GORDON: All right, Tim. I believe all of the questions  
11 in the room -- I think everyone's asked their questions. Once  
12 again, really do appreciate you coming in and speaking with us and  
13 can't tell you how much help it will be for us.

14 And I always like to give the person that comes in and sits  
15 down and talks with us an opportunity to tell us anything that  
16 they think -- you know, we've asked a lot of questions but you may  
17 have something that you think's important that we know that we  
18 didn't ask. First off, I'll give you a minute to -- or, you know,  
19 a moment to reflect on that.

20 And then the other thing is, if there's anything -- you know,  
21 any safety improvement, we're here to identify safety  
22 improvements. If you have any, you know, any ideas for any safety  
23 improvements, you can feel free to share those with the group as  
24 well.

25 MR. MOLNAR: I don't know. The only thing I can think of is

1 maybe have some more of these managers come out and see what  
2 exactly we do and how we put our lives on the line for them every  
3 day. And when you don't need to be on the track, don't get on the  
4 damn track. Stop worrying about what everyone else thinks about  
5 the railroad. We do our job; we do it damn well.

6 MR. GORDON: I appreciate that. And this isn't a -- you  
7 know, we'll go off the record, but, you know, at the same time,  
8 I'm going to give you my contact information. Feel free to reach  
9 out to me if anything else comes to mind as you get further away  
10 from the accident, if anything else that you think would help us  
11 as we're going through this investigation.

12 With that, we'll go off the record.

13 (Whereupon, the interview was concluded.)  
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           EMPLOYEE FATALITY  
                                  LONG ISLAND RAIL ROAD  
                                  QUEENS VILLAGE, NEW YORK  
                                  JUNE 10, 2017  
                                  Interview of Tim Molnar

ACCIDENT NO.:               DCA17FR009

PLACE:                        Jamaica, New York

DATE:                         June 12, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

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Traci Williamson  
Transcriber