

**PRESS ADVISORY**  
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**FOR IMMEDIATE RELEASE**

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**SAVE THE DINKY WILL CONTINUE LITIGATION  
AND ADVOCACY TO PRESERVE DINKY RAIL LINK  
TO PRINCETON JUNCTION**

Princeton, NJ. Anita Garoniak, President of the railroad passenger advocacy group Save the Dinky, said the group was “disappointed but not surprised’ that the New Jersey Supreme Court declined last week to grant the group’s request to review a ruling that effectively ended historic sites protection for the Princeton Branch (“Dinky”) Station on University Place. “We knew this was a long shot,” said Garoniak, “but the decision will have no effect on our other cases which we will pursue vigorously”

Save the Dinky has two pending state court cases. One is an appeal from the ruling that the 1984 contract permitted a second move of the station. The other is a challenge to the June 2014 decision by New Jersey Transit’s Board of Directors, made at a last minute special meeting, that authorized its staff to transfer the easement covering the Dinky property to the University in exchange for an easement of lesser of value. Save the Dinky argues that state law required New Jersey Transit to hold a full public hearing on the environmental, transportation, and financial aspects of the station move before turning it over to a private owner. The group also contends that Governor Christie, who has veto power over all NJ Transit Board decisions, should have recused himself because he serves as a Princeton University Trustee and has been an outspoken advocate of the Arts and Transit project.

Also pending before the Washington D.C. Surface Transportation Board is a petition filed in 2013 by the National Association of Railroad Passengers and the NJ Association of Railroad Passengers seeking a ruling that the shortening of the Dinky line requires federal review and approval. NJ Transit claims that its decision to abandon commuter lines are exempt from federal oversight.

The Supreme Court petition was filed in mid-April by Princeton attorney Virginia Kerr and Morristown attorney Phil Rosenbach, who represents Save the Dinky in the other pending state court cases. The petition asked the Court to review a March 18, 2014 Appellate Division ruling affirming a Department of Environmental Protection decision granting New Jersey Transit permission to relinquish public rights in the Princeton Station. The Court issued a single sentence order on July 9 denying the petition.

Rosenbach said he was disappointed that the Court declined to review the case since it “presented a clear example of a state agency using a private contract to avoid its regulatory obligations in the plain view of another state agency—the DEP—that is supposed to represent the public interest.”

Kerr said the group knew the quest for Supreme Court review was “uphill” because “New Jersey courts have never overturned an approval to encroach on a protected historic site.” “We thought it was worth it,” she said, “because the Dinky station was listed as as an historic operating passenger railroad station, it was fully functioning, and the plan to destroy it was made to accommodate the expansion plans of a private university with no obligations to respect historic values or to serve the public’s mobility needs.”

Garoniak said “it is sad that in this time when we are dealing with the effects of climate change a major University is persisting in a plan that will degrade pedestrian access to mass transit.”

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