

# Unsafe Railroad Tracks Will Terminate Passenger Tours

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LITTLE VALLEY — Unsafe track conditions on the New York & Lake Erie Railroad have caused the termination of rail passenger excursions into Salamanca, leaving the future of freight service into the village Cattaraugus in jeopardy as well.

NY&LE President Robert O. Dingman said the last passenger train from the lines' depot in Gowanda to the Salamanca Rail Museum was run Oct. 14.

The 52-mile line is owned by the Cattaraugus County Industrial Development Agency. Dingman has been meeting behind closed doors with IDA directors and county legislators for several months, telling them he is considering terminating the 24-mile line between Dayton and Salamanca because it needs rehabilitation "which can't be supported from our existing revenue base."

He also talked to legislators about getting some money to do the repair work and requested \$40,000 from the 1990 county budget. Budget officer Donald E. Furman struck down the request.

Dingman met with legislators on the Development and Agriculture Committee Monday evening to talk about the situation and make public the plans, which have been discussed in private by officials for several months.

Dingman said "the pressure culminated Oct. 20" when the Federal Railway Administration's regional director and a state Department of Transportation railroad inspector advised him not to continue to use the line for passenger service.

"It is my feeling the DOT generated greater concern for the issue than was appropriate," said Dingman.

In an Oct. 13 letter sent to the IDA and Dingman, Mark Silo of the passenger and safety section of DOT in Albany said DOT "considers the Dayton to Salamanca line of the NY&LE unsafe for operation of passenger trains.

"The line does not meet minimum Federal Railway Administration Class I track safety standards. This conclusion was reached through

six track inspections through two DOT inspectors and one FRA inspector from April 15 to Oct. 8," the letter continued.

"Many of the same defects have been found on each of these inspections. The railroad has had ample notice of the findings and ample time to make appropriate repairs. 132 violations have been filed for June 1988, to date. It is our opinion that in the interest of public safety all passenger operations should cease until the line at least meets minimum Class I standards," Silo's letter stated.

Dingman told legislators, "Unless I have a fairly large gun to my head, I'd have not stopped passenger service to Salamanca in October. It's economically unfeasible for an operator to continue that line."

Dingman said the railroad faces 1,700 defects and 15 percent of them are ties in need of replacement. Another 70 percent are mechanical conditions, he said, "loose bolts at frogs, which were not even written up by inspectors years ago. I think the federal government received pressure from New York State due to the operation of the passenger service. Based on that you can't fight city hall."

Norman Leyh of the IDA staff said the agency took over the railroad line in 1981 from Conrail. The line now serves eight industries and carloadings exceeded 600 in 1988. The Carnation plant in South Dayton is the railroad's largest customer.

Dingman said if the county provides \$40,000 for rehabilitation he will continue the line from Dayton to Cattaraugus, where service is provided to two industries. He said Setzer Stix, a division of Wakefield Corp., and Todco, receive six or seven cars a month.

Dingman said the FRA has imposed a Dec. 4 deadline on the railroad to provide a plan for repairing the defects. He noted the railroad has never had a passenger train wreck.

Currently the railroad picks up some freight cars in Salamanca routed over Conrail lines. Dingman said he's already made plans to have those cars delivered via Buffalo Southern Railroad into Gowanda.

Leyh, who works closely with Dingman, said, "We hope for a stronger cost-effective rail line

for industries. At this point any amount of money will not allow us to continue passenger service into Salamanca."

The railroad also operates branches into Cherry Creek and Conewango Valley and passenger excursion trains from Gowanda to South Dayton. Legislators agreed that stopping service will, in effect, "mothball" the Salamanca line.

Leyh explained the IDA has several options—leave the line in place, cease operating on it or tear up the tracks. In the third case, the county would get 20 percent of the net salvage, which he estimated would be about \$250,000 for the 24 miles of tracks.

"After 11 years of coming close to success," Dingman said, "rather than have that section destroy the entire line, I'd have to terminate the service into Cattaraugus. Industry is the issue which brought us into the rail service. While we have not been successful in locating new rail industries, we have serviced existing industries."

Dingman said he's also seeking \$30,000 from Chautauqua County, added to \$50,000 from railroad earnings, and intends to use the money "as leverage with DOT" to get money for a rail maintenance program, which currently is not funded in the state budget.

Legislators reminded Dingman they asked him for a five-year financial statement. He said he hasn't completed the five-year projection but said 35 percent of the line's gross revenues come from passenger trains.

Dingman projected for 1989 the railroad will take in \$122,000 from passenger trains and that \$15,000 is from trains into Salamanca.

He admitted his extensive marketing program for passenger trains does not include excursions from Salamanca. "Instead we left that up to the rail museum."

Legislators took no action on restoring the \$40,000 in the 1990 budget, saying they need more financial information on the railroad's operations.

The money could be restored during deliberations by the Finance Committee on Nov. 28 or when the budget comes up for a vote before the entire legislature Nov. 30.