

Workers gather at Rochester's Amtrak station to discuss the work taking place as Pike Construction gets ready to build a new passenger facility on the site of the old one. Part of the work involves removing a portion of the remaining platform canopy, which dates to 1914. OTTO VONDRAK PHOTO

New plans for 2015

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As we announced at our March museum meeting, the New York Museum of Transportation has chosen not to operate with us this year, and has severed the years-long business partnership that we both built up together. This was not the outcome your museum leaders wanted, especially after months of work behind the scenes to prepare for another joint operating season. **Rest assured, the R&GV Railroad Museum will be operating and open to the public in 2015.** You can find our new expanded special events schedule on page 2.

Unfortunately, there have been many rumors floating around as to how this situation came to be. Many of these rumors are due to some communications issued by NYMT board members, some are caused

by a misrepresentation of the facts by what has been heard second-hand. In this special issue, I have asked your board to explain in their own words the events that have led to our present situation.

Some may not like what has to be said, but the truth must be told as the integrity of our dedicated museum volunteers has been dragged through the mud.

You'll be seeing many positive changes around your museum in the coming months as we prepare for our 2015 season. Train crews, car hosts, tour guides and more will be needed, and as always we'll be looking for your help to make it happen.

Have questions or comments? Call me at (716) 474-2833 or by email at mdow@rochester.rr.com.

—Mike Dow, Museum President



www.rgvrrm.org

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The official publication of
the Rochester & Genesee Valley
Railroad Museum

Volume 58, No. 7

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©2015 Rochester & Genesee Valley Railroad Museum. THE SEMAPHORE is published monthly by the Rochester & Genesee Valley Railroad Museum. Electronic distribution by e-mail is free. First-Class mailing is available for \$7.00 a year. Non-member mailed subscriptions are \$12.00 and run from January 1 to December 31. Member meetings are held the third Thursday of each month, and the Board of Trustees meets the first Thursday of each month. Any items related to the activities of the Rochester & Genesee Valley Railroad Museum, and regional railroad history and current events are gladly accepted for publication.

2015 OPERATING SCHEDULE

Enter our historic Industry depot and purchase your ticket from the friendly agent inside. Tour our displays while you wait to board your train. You will be welcomed aboard by friendly volunteers as you enjoy your ride aboard restored freight train cabooses. Disembark at our Restoration Shop to tour our collection of historic railroad equipment. Peek behind the scenes to see how we preserve Rochester's rich railroading history for future generations to enjoy. Your return trip arrives at Industry depot, where you will have time to enjoy our displays and museum grounds. Please visit our web site at RochesterTrainRides.com for more details.

June 20-21 - Fathers Day Weekend

July 18-19 - Classic Cars

August 15-16 - DIESEL DAYS

September 19-20 - RG&E and Kodak Day

October 3-4 - Fall Foliage

October 17-18 Pumpkin Patch Trains

December TBA - Santa Trains



All events details posted in one place!
Tell your friends to please visit...

RochesterTrainRides.com

JOIN THE MUSEUM TODAY

Annual Dues: \$25.00

Rochester & Genesee Valley RR Museum

P.O. Box 23326

Rochester, NY 14692-3326

PLAN AHEAD: Next Meeting:

May 21

at INDUSTRY DEPOT

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Since the NYMT decided not to operate with us this year, your board of trustees has been hard at work implementing a plan to make it easier for RGV to host visitors for the coming 2015 season. We also have a great schedule of events planned that makes the most of our volunteer resources. Arguably, many of the changes you'll see are things we should have done years ago. Everyone is working together to help us get ready for our June opening!

INDUSTRY YARD PROJECTS

The first change you'll notice right away is expanded visitor parking on the west side of the LA&L tracks. Trailers will be relocated and the gate to the construction yard will be moved further north. When complete, we'll be able to host more than 75 automobiles. Bumping blocks will keep cars from fouling the LA&L tracks.

Removable fencing will guide visitors towards the west entrance of the south waiting room. Industry Depot will be transformed into a gift shop and welcome center with displays describing our history and the museum tour. The ticket window will once again serve its intended purpose! Additional lighting will draw attention to the new exhibits and make the interior more inviting.

Visitors will enjoy self-guided tours of



Everyone is pitching in as we work to make our museum ready for opening day on June 20. New parking areas will be created and displays will be arranged. OTTO VONDRAK PHOTO

the outdoor displays as well as the updated exhibits housed inside the baggage car and MDT refrigerator car. A new piece of panel track will be built along the platform north of the sign garden so we can put some of our track cars on display.

THE TRAIN RIDE

We have devised a new operating plan that extends the diesel ride AND opens a new area to the public! Trains will depart Industry Depot and head north towards Midway. The train will then reverse direction and head down Track 9 to the Restoration Building. This provides a longer ride and opens up new territory to our visitors.

UPPER YARD PROJECTS

For years, we have hidden what is arguably the best part of our museum. The Upper Yard contains the majority of our collection, many pieces waiting their turn in the Restoration Shop.

Passengers will disembark and take a self-guided tour of the trains displayed on Track 6 and 7. Equipment will be rearranged for display. Crushed stone will be added to provide a safe walking surface for visitors.

The Pennsylvania Railroad hopper, Fruit Growers Express wooden reefer, and our second MDT steel reefer will all get temporary paint jobs to help improve their appearance. Signage will help briefly

explain the significance of each piece of equipment on display.

On warm weather days, the large garage doors on the Restoration Building will be open, and roped off so visitors can safely view the activity inside. This will be a great way to show off our activity and possibly get new volunteers!

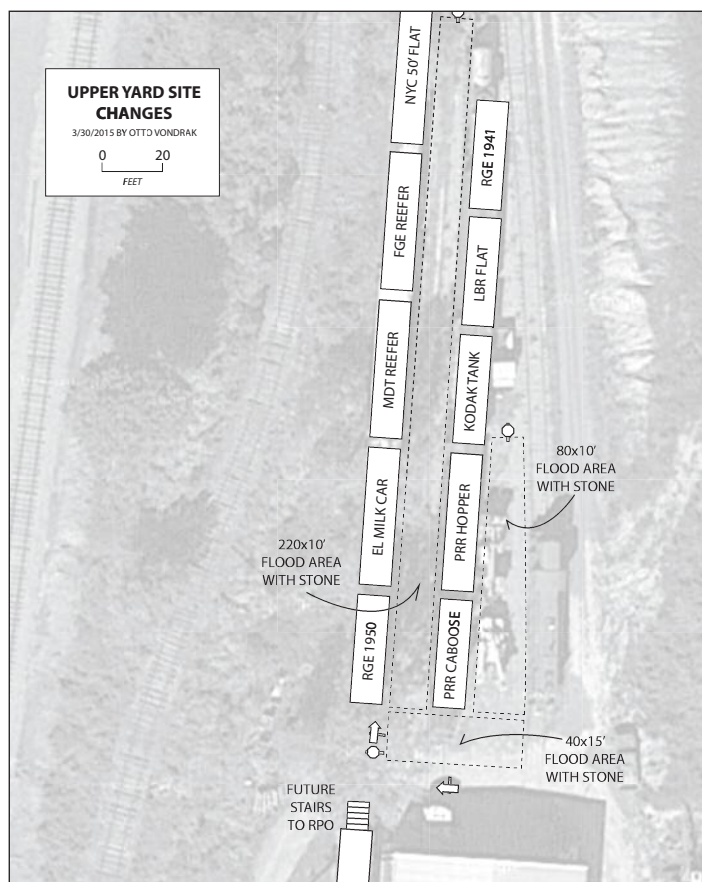
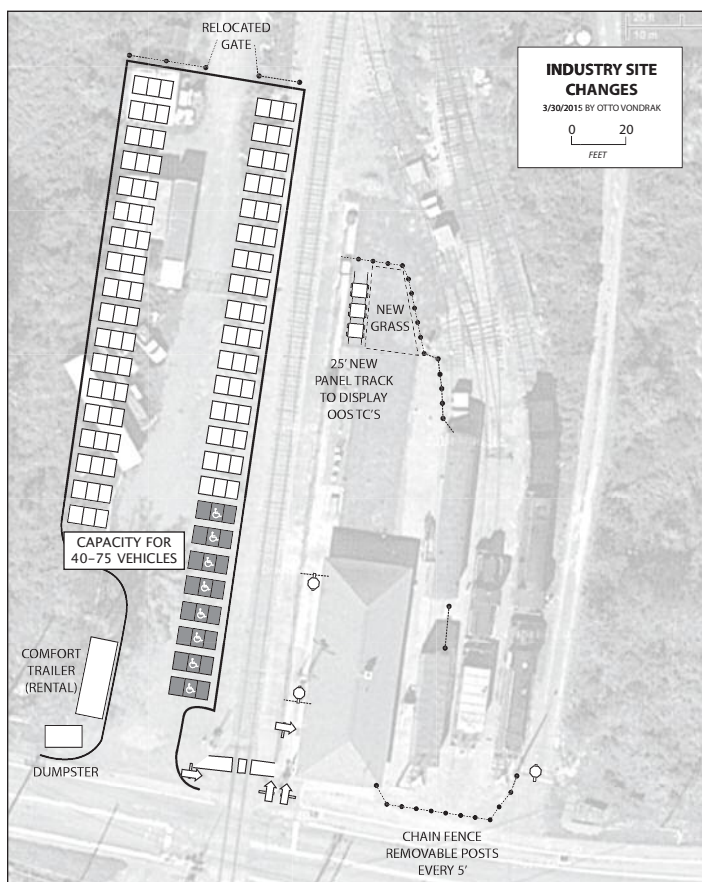
VOLUNTEERS

Upon completion of the tour, visitors will board the train for the return trip to Industry. Visitors will have additional time to browse our museum displays or enjoy our grounds.

Aside from train crews (engineer, conductor, car hosts and brakemen), we will need a volunteer to man the cash register inside Industry Depot. Another volunteer will be needed to monitor guests visiting the Upper Yard. Additional volunteers are always welcome to act as additional helpers and greeters.

NEW SCHEDULE

Our new operating schedule (see **page 2**) helps us concentrate all of our volunteer efforts and advertising promotion into one special weekend of activity! Our 2015 operating season will begin June, and continue the third weekend of every month through October. We decided not to operate in November and instead operate a second weekend in October during our peak season. We will, of course, be operating



our popular Santa Trains in December.

By operating on both Saturday and Sunday, not only are we opening up new opportunities for visitors but for volunteers as well. Many of our members have weekend conflicts that precluded volunteering on a Sunday. By reducing the number of weeks we are open, we reduce volunteer "burnout" and also increase the opportunities to "recover" and complete needed maintenance tasks around the museum. What's more, we can also increase the number of fun social activities including parties and cookouts.

RISKS AND REWARDS

Your board has carefully planned this year's operating season to reduce our financial exposure and increase our operating potential. We will be trying some new things, but also sticking to what we do best: *The continued safe operation of our museum railroad for our members and the public to enjoy.*

Volunteers have lined up to help us complete our many tasks to get ready for our June opening. Meanwhile, our other projects will continue as time permits. Thanks to everyone for their continued support.

—Mike Dow, RGVRRM President

UTICA/COOPERSTOWN TRIP JUNE 6-7

The motorcoach tour will depart from Rochester on Saturday, June 6. Upon arrival at Utica, the tour group will enjoy a guided tour of the Utica Union Station presented by the Landmark Society. Restored in 1978, this beautiful 1914 Italianate edifice has served railroad passengers for more than a hundred years, and is the anchor of Utica's downtown district. Following the tour, we will browse a railroad antique show and sale. Our group will then board a special charter train operated by the Mohawk, Adirondack & Northern Railroad with equipment borrowed from the Adirondack Scenic Railway to the quaint village of Boonville and dinner at the Boonville Hotel. On Sunday, June 7, our motorcoach will transport our tour group to the Cooperstown & Charlotte Valley, where a special chartered train awaits us. We will visit with the volunteers of the C&CV to learn how they are preserving the heritage and history of this old Delaware & Hudson Railway branch line for future generations to enjoy.

Cost per ticket is **\$155.00**, and must be purchased before May 6. Tickets can be purchased from our museum web site at

www.rgvrrm.org/utica. Please note, **you must make your own arrangements for food and lodging.** Contact Dave Shields for details at marberth@aol.com or (585) 315-0123.

LAL 50TH ANNIVERSARY TRIP MAY 9

Our special excursion trains will depart from the Conesus Lake Sportsmens Club in Lakeville, New York, on Saturday, May 9, at 10:00 a.m. and 2:00 p.m. You will enjoy a special end-to-end ride over the LA&L Railroad from Lakeville all the way to Henrietta and return. Ride in comfort aboard our restored 1940s streamlined coaches, pulled by vintage Alco diesel locomotives provided by the LA&L Railroad. Our snack bar will provide chips, candy, drinks, and water for purchase, and all coaches are equipped with restrooms. Your special train ride will last approximately two hours for the entire round trip. Tickets are **\$50.00** each for ages 12 and up, **\$25.00** each for seniors (65+) and youth ages 12 and under. Children age 2 and under not occupying a seat ride free. Purchase tickets at any participating Wegmans service desk.

The LA&L Railroad is hosting a special



DEPATCH JUNCTION REBORN: Following a tragic fire last May that gutted his business and destroyed the old New York Central freight house it was housed in, owner Stan Slade has vowed to reopen his Despatch Junction hobby shop in East Rochester. The new structure is patterned after a train station in Michigan, and it planned to open by the end of May. OTTO VONDRAK PHOTO

Night Photo Session on Saturday, May 9, at their shop facility in Lakeville, New York. A number of vintage locomotives and equipment will be arranged for photography. Attendance is limited to 30 participants, and tickets are \$20.00 each. Lighting will be coordinated by Steve Barry of *Railfan & Railroad* magazine. All participants will need a tripod and cable release, and will need to sign a liability waiver to participate. Advance ticket purchase required, available directly from the

R&GV Railroad Museum. Tickets on sale now, limited to 30 participants. Tickets for the photo shoot can be purchased from our web site at www.rgvrrm.org/LAL50.

MUSEUM PROJECT REIMBURSEMENT POLICY

Now that Spring is here (well almost), and activities are picking up around the Museum, I would like to remind everyone of the policy on reimbursements. Here are the guidelines:

1. If the purchase is for an approved project, it only needs the approval of the project manager. The project manager is responsible for keeping to his budget.

2. If the purchase is *not* part of an approved project, either:

- It must be approved by the Museum Manager if it is *under* \$250.

- It must be approved by the RGV Board of Trustees if it is *over* \$250.

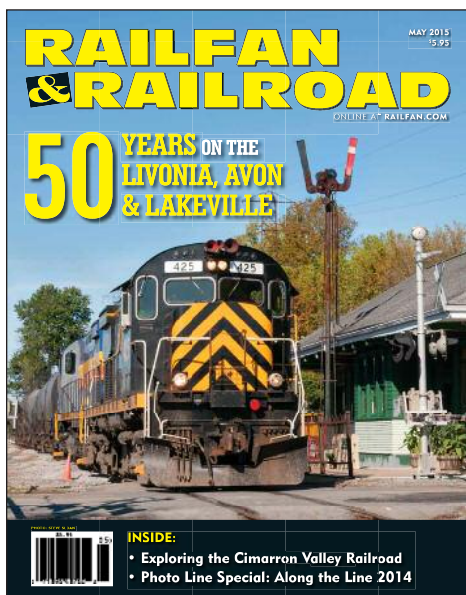
Please remember this as you purchase things for the Museum with the intent of getting reimbursed. treasurer Dave Peet has been instructed not to pay for things that do not conform to these guidelines. If you have any questions, please feel free to contact me.

—Mark Wilczek, Museum Manager

RGVRRM BOARD MEETING

The next Board of Trustees meeting is **Thursday, May 7, 2015**. Meetings are held at the 40&8 Club, 933 University Ave., Rochester, starting at 6:00 p.m. To get an item added to the agenda, please contact president Mike Dow at (716) 474-2833 or email mdow@rochester.rr.com. Remember that any members are welcome to attend, but to address the board, you must be on that meeting's agenda. **S**

WWW.RGVRRM.ORG



LA&L Celebrates 50 Years

The May 2015 issue of *Railfan & Railroad* magazine features a cover story by Otto Vondrak detailing the history of the Livonia, Avon & Lakeville Railroad. The cover photo is particularly interesting, featuring a southbound road train passing our very own Industry Depot! The photo was taken by railfan Steve Sloan who was visiting from California in October 2011. If you're looking for a copy of this issue and your local store doesn't carry it, you can order direct from the White River Productions store at www.whiteriverproductions.com or call (877) 787-2467.

We will help the LA&L celebrate 50 years of smart growth and expansion with a series of public train excursions departing Lakeville on Saturday, May 9. Many volunteers have been working behind the scenes to get equipment ready and ensure a smooth journey. If you'd like to volunteer for these trips, contact **Dave Shields** at marberth@aol.com or (585) 315-0123.

Statements from the RGV Board of Trustees

Each member of the RGVRRM Board of Trustees was asked to prepare a brief statement regarding NYMT's recent decision to suspend joint operations and the new plans for 2015. —Mike Dow, President

"Like many of you, I am deeply disappointed that the two organizations will no longer be working together to offer a joint museum experience. We've had a long history together, and it's a shame that we couldn't work things out this time. While it might appear that the two museums have a lot in common, we are both very unique. The RGVRRM has always been an ambitious group. Building a railroad wasn't enough for us. We are always setting our sights on higher goals; always looking for ways to improve. We are dynamic. I'm curious to see what 2015 will bring. I know that with our talent, creativity, and hard work, we will have another successful season under our belts. I have a tremendous amount of confidence in you, our volunteers. I'm looking forward to working with you this year."

—Joe Nugent, Vice President

"I have come to realize that RGVRRM's interests in serving the public are different than those of the board of NYMT. I believe and support that providing a separate experience for the public will be in both museum's best interests. I would hope that we can continue to do some number of events together this year."

—David Peet, Treasurer

"I have been on the Board of Trustees for several years, including being the Recording Secretary for three and a half years, and presently as Corresponding Secretary. I must say that I am very disappointed with our neighbors up the hill at NYMT. The disrespect, lies, duplicities, etc. are endless. Their kingdom/fiefdom model has destroyed hope of any kind of meaningful relationship with them. We are now on our own and will be starting down an exciting as well as challenging road. We are going to need everyone to help us in this new direction. We can all win together. Thank you."

—Joel R. Shaw
Corresponding Secretary

"I personally will not work with a business partner that demonstrates a clear disregard for safety, is negligent in its duties, intentionally misleads its members, and is unwilling to discuss matters of mutual interest in a professional manner. The mismanagement of NYMT can no longer be allowed to contaminate our efforts at RGVRRM."

—Otto M. Vondrak,
Recording Secretary

"At the February joint board meeting I was asked by both organizations to take on the additional role as Chief Track Car Operator. My first task was to prepare the track car operators for the new season, and I contacted all of them to provide details about the rules class. The only contact I received was from one NYMT volunteer who simply replied, 'Bullsh-t.' No questions, no concerns voiced, just that one word response. After that, the NYMT board instructed their operators to ignore me and not to attend rules class, without informing me of this decision. Why ask me to take on a responsibility and then attempt to take away my authority to do it?"

—Jim Otto, Trustee, Supt. of Operations,
and Chief Track Car Operator

"I consider myself fairly new to the RGV Board my interaction with NYMT has been limited until now. Some of our more experienced members grumble about how difficult NYMT can be to work with and how they are 'afraid of change.' I always try to keep an open mind and determine my own opinions based on my personal experience. After several interactions I had with the NYMT, I am now fully convinced it is not that they are afraid of change, they are actually very happy with the way things are and are not open to discussion about any topic that might involve a different point of view. The two museums are actually businesses and need to be managed as such. Growth and change are absolutely necessary for success. I have personally witnessed willful acts of deceit, untruths and outright lies this winter that have convinced me that NYMT is not working in the best interest of our joint business partnership. They absolutely are not good business partners, despite what many may think, and I fully support the RGV's renewed course of action for a successful 2015 season."

—Mark Wilczek
Trustee and Museum Manager

"As someone who is a fairly recent member and a recently appointed trustee, it appears there is a problem in the working relationship with the NYMT. The differences seem petty and trivial, which in the past we were able to overcome. One of the recent problems seems to be centered around the rules class, which everyone should take. I took it, it's not hard, and everyone should have the important safety background it offers. There seems to be a fear by some to get out of their comfort zone. I hope the two museums can overcome their differences, but in the meantime, we must move forward."

—Dave Boswell, Trustee

"Due to an illness I was not able to participate as a trustee this winter. I have long been aware of each museum having a very different culture and goals and at times this has unfortunately helped to make it very difficult to work together. I think that safe operation is a top priority and my vote has been for the use of the NORAC-based rulebook. At this point I support having all of us work together to make the best of our plan to have a separate operating season. I am disappointed that it has come to this and hope that we can have some joint operations in the future"

—Rob Burz, Trustee

A few years ago, I advised Mike Dow to look at adopting the NORAC rulebook for operations of our joint railroad and 'stop trying to reinvent the wheel.' I came to this conclusion after watching Mike and others try to write a new joint rule book and in the process of doing so, taking up an excessive amount of time with revisions and changes. It seemed to me that this lost time could be better utilized in working on projects that were more in need of the our limited amount of volunteer hours. The NORAC rulebook, which had already been approved for many railroad operations (some of which are small railroads like ours) could be reduced to what was necessary for our small operation, with adjustments made by a joint timetable. This would allow the railroad to be run with a set of rules that were the same for both groups and that had already been vetted for mistakes. Our equipment is the 'real thing' and a mistake in a 'home grown' set of rules could be deadly."

—Pete Gores, Trustee

"For the years that I was president and museum manager I had my fill of ups and downs with the NYMT. While I certainly could write a long diatribe about the experience, I wanted to highlight one facet. Seemingly every positive RGVRRM achievement would receive a 'disapproving glare' from NYMT. They would quietly let us know that anything they determined to be beyond the scope of the joint operation was a waste of time. In my past role I worked hard to maintain our business partnership while protecting the safety of our volunteers and visiting public. I also hid the fact from our volunteers that NYMT disapproved of most of their hard work. Recently NYMT has made it very clear they do not value your contributions or your safety."

—David Scheiderich, Trustee

"We're moving forward and I support our plan for the 2015 season."

—Jim Johnson, Trustee

How I Learned to Stop Worrying and Love NORAC

INTRODUCTION

Since we drove the Golden Spike in our museum railroad in 1993, the R&GV and NYMT have cooperated in a special joint railroad operation. First, it was track cars, with diesels operated once or twice a season for special events. Then we added trolleys into the mix, operating every Sunday. Then we increased the frequency of diesel operation to meet the trolley. Yet while all this growth was taking place, there was little change in our operating policies, from train crews to ticket desk to depot guides. The policies we had set in 1993 were simply not enough to continue safe operation and public service. Unfortunately, any review of these policies has been strenuously opposed without cause by members of the NYMT, leading to our present situation.

"TO THE RGV BOARD OF TRUSTEES"

In an email written by Jim Dierks dated March 3, 2015, and distributed to the NYMT and RGV board of trustees, the majority of the RGV's concerns regarding safety and good business practices are ignored and dismissed. For example:

"NYMT has often felt that the volunteer effort expended in joint operations, on Sundays and in group tours, has been heavily weighted toward our own people. But, clearly, both organizations bring talents and resources to the table and we have continued to split admission income equally."

This is false. Dierks fails to acknowledge that a number of volunteers hold memberships in both organizations, while insulting the efforts of all RGV volunteers. He also expresses his disgust at having to split the joint admission revenue equally. This, despite our repeated attempts to review the policies that affect our joint business operation and volunteer turnout.

"Recently, a change has taken place that has worsened and endangered the relationship between our organizations."

This is false. The only "change" that has taken place is we have requested NYMT to work "on the record" and use written communication to follow-up conversations to avoid the misunderstandings that have plagued our organizations in the past.

"Decisions affecting our joint operations are being formed within RGVRRM's ranks and presented as finished products on a take it or leave it basis."

This is false. All proposals affecting our joint operation have been brought forward for discussion. NYMT has demonstrated over and over its contempt for the process and with its refusal to discuss any proposal in a meaningful fashion.

"The impression we have is that we are regarded as a subsidiary of RGVRRM, being told what to do, and in fact being threatened with such things as cancellation of our joint insurance policy if we don't 'obey' demands of the home office. We find this to be demeaning and disrespectful."

This is false. At no time has the RGV board made "demands" or threats to cancel the joint insurance policy.

"Principle among these decisions is the attempt to unilaterally impose a new NORAC-based rule book on us, without acceptance of many of our suggested changes to accommodate unique aspects of trolley operations, much less the whole effort being done together from the start in a cooperative manner."

This is false. NYMT was repeatedly invited to review the revisions and refused to provide comment. At the request of Jim Otto and Mike Dow, NYMT Charlie Lowe was indeed providing revisions to the **Employee Timetable**, which is a *separate and completely different governing document than the Employee Rulebook*. Commonly accepted employee rulebooks *do not* make a distinction in motive power (steam, diesel, electric, horse, etc). The Employee Timetable contains operating instructions specific to our railroad (physical characteristics, operating restrictions, and so on). Rules relating to electric operation are now published in Special Instructions, a document that NYMT had full input on. The fact that the NYMT does not understand how these very important governing documents provides further evidence of their flawed decision making process.

"The 2010 'Railroad Operating Policy Agreement for New York Museum of Transportation and the National Railway Historical Society, Rochester Chapter' presumes this cooperation. It also explicitly states in article 21:

Failure by the two Boards to act under a single Railroad Operating Policy Agreement mutually agreeable to both Boards of Trustees of NRHSCRC and NYMT shall result in trains being restricted to lands controlled by their respective organizations."

It is very interesting that NYMT takes sudden interest in the 2010 ROPA. First, no one has bothered to address the fact that our organization legally changed its name in 2011 to "Rochester & Genesee Valley Railroad Museum." The Rochester Chapter NRHS was legally dissolved. However, RGV continued to honor the 2010 ROPA in *good faith*, expecting NYMT to do the same. However, Item 16(c) states

"Gasoline-mechanical track cars and passenger trailers used in passenger service shall be provided by both Boards in equal shares."

NYMT has been in violation since the start of this agreement, since they only provide one operable track car and trailer for public operation (TC 1), while RGV provides two (TC 2 and TC 3). In fact, NYMT requested we contribute a *third* track car and trailer for public operation to meet "capacity demand." In the spirit of cooperation, we agreed. However, the fact remains that NYMT has been in violation of the 2010 ROPA since the beginning, has taken no action to remedy, yet RGV has made no action to invalidate the agreement, either.

"According to our peer museums and others, the NORAC-based proposal covers much more than necessary for NYMT's operations..."

This is false. NYMT has ignored our request to furnish the complete list of "peer museums and others" contacted, nor the full contents of those alleged communications. Also, to our knowledge, our joint operation over shared track is a unique situation not duplicated anywhere else. Do we truly have "peers" or are we a "category of one?" We are the only rail operation (museum or otherwise) where trains operated by two separate organizations are set on a collision course towards each other on the same track every Sunday without so much as radio communication between the two crews, let alone a common rulebook.

"...carrying a potential risk to safety as essential requirements are lost in extraneous material."

NYMT has refused to submit in writing what they call "extraneous material." This is a clear indication of their lack of understanding of accepted best practices for safe operation.

"There are errors in the editing that RGVRRM has done in the NORAC rules, and the next NORAC revision will require a wholesale repeat of this editing process again."

This is false. NYMT has refused to submit in writing what errors they discovered in the document. Since the rulebook is now produced in three-ring binder format, any changes only require specific pages to be reprinted, not the entire book.

"Trolleys will operate with the 2010 rules, and diesel trains are free to use whatever rules RGVRRM chooses."

The NYMT is admitting to willfully and purposefully using an obsolete rulebook that contains errors and omissions. The entire NYMT board of trustees therefore accepts complete and full responsibility for any actions resulting in injury or death as a result of their negligence.

"On non-diesel days, and for group tours involving track cars between NYMT and RGVRRM, we expect either the 2010 rules will apply to track car operators or a simple, mutually agreeable set of track car rules will be used."

The NYMT's original complaint was rejecting a single rulebook that governs the entire railroad from end to end, principal among their reasons was the new revised rulebook would be "too complicated." Not only is the NYMT suggesting we use two different rulebooks, but is now suggesting a *third* separate set of rules and training for track cars. This is clear evidence of the NYMT board's lack of understanding of safe railroad operations.

"A MESSAGE FOR NYMT VOLUNTEERS"

NYMT board secretary Jim Dierks then issued a public message to museum volunteers that contains a number of false statements in an effort to intentionally mislead their members and confuse our volun-

teers. The following are excerpts from an email dated March 18, 2015, titled "A Message for NYMT Volunteers."

"Our museum has recently been going through a difficult period stemming from disagreement between us and RGVRRM over railroad operating rules for use by trolley, train and track car crews. The following is a brief review of the situation intended to clarify the facts for you. In 2010, after considerable effort, agreement was reached on rules for use on the joint museum railroad..."

What Dierks fails to mention is that prior to 2010, there were *three* separate operating instructions for trolleys, diesels, and track cars, despite the fact they all ran on the same track, with potentially overlapping schedules and territories. This was a mistake by both organizations as our operations grew faster than our policies could be reviewed.

Members of the NYMT fought hard against adopting any kind of common rulebook in 2010, but eventually agreed to work together. The current 2010 rulebook is a composition of several documents, and contains many significant omissions. Rather than continually rewrite a rulebook that is already flawed and hope all omissions are corrected, the latest rulebook revision addresses all issues in a uniform manner that is commonly accepted.

"The [2010] rules are comprehensive, governing all the common and unique aspects of our three modes of operation."

This is false. The 2010 rules are *not* comprehensive, and in fact are incomplete in many aspects. Among the omissions was the part of Rule 97 which requires you to report clear after receiving verbal permission to operate between two points; Rule 17 regarding protection of "camp cars" which is very important since we have volunteers and Scouts sleeping over inside trains often; No rule against threatening another volunteer, which happened at NYMT last year; No rule against showing up to volunteer when intoxicated; No rules against cell phone usage; and many more.

"Recently, some members of RGVRRM decided that the 2010 rules should be replaced by a stripped-down version of a comprehensive rule package that is used by some large railroads."

The "some members" Dierks refers to are Operations Supt. Jim Otto, Road Foreman Mike Dow, and Rules Examiner Dave Scheiderich, backed by unanimous board decision on the advice of many industry professionals. It was NYMT who originally requested the rulebook be "stripped down" because it would be "too confusing" for their volunteers to understand. Dierks also fails to understand that rulebooks are a universal document that apply to railroads of all sizes and service.

"The decision was unilateral, in violation of the Policy Agreement, and NYMT representatives were not involved at the beginning or as equal partners as the editing took place."

This is false. The proposed revision to the joint operating rulebook was emailed to Charlie Lowe for comment on December 16,

2014 [Note 3]. It was also presented at NYMT's request at the January Joint Board Meeting [Note 1], and again at the February Joint Board meeting [Note 2]. All operational matters were referred to NYMT board member Charlie Lowe. At the February JBM, Lowe specifically asked to review the documents, and was given a reasonable deadline by RGV to present corrections to Supt. Jim Otto [Note 2]. Lowe then proceeded to disregard all written communication attempts by both Supt. Jim Otto [Note 3] and museum president Mike Dow [Note 4]. At no time did Lowe ask for a time extension or make any attempt to contact RGV.

"Discussions on specific issues that arose which we felt were inappropriate ended with a disregard for NYMT's needs."

This is false. The only discussion regarding the rulebook was raised by NYMT board member Bob Sass at the February JBM [Note 2] regarding Rule M requiring train crew members to carry a second pair of eyeglasses if they were required to operate a vehicle. Dow acknowledged Sass' request [Note 2], and made the corresponding edit.

What Dierks does not tell you is that NYMT hosted a "secret" meeting for trolley operators on February 14, 2015, under the guise that concerns about the rulebook revisions would be discussed. Neither Jim Otto or Mike Dow were invited to present, no other RGV operating personnel were invited. The meeting was conducted by NYMT board members Charlie Lowe and Rich Fischpera. Responding to an inquiry by Mike Dow [Note 6], Charlie Lowe explained that no notes were taken and, "Most don't like the idea of NORAC but many will live with it." We were later told by a volunteer who attended the meeting [Note 7] the proposed revisions were *not* presented to the attendees for feedback, instead Lowe provided false statements to support his plan for independent operation of the trolley without RGV involvement.

"Added to these specific issues was our more general concern that the rule package contained more comprehensive language to cover a wide array of situations, such that what could...for our use...be expressed simply became more complex and in our view less safe."

This is false. Without reviewing the material in question, Jim Dierks incorrectly decides on his own that the recent rulebook revision would be too "complex" for volunteers to understand. This was proved false on March 14, 2015, when NYMT and RGV volunteers successfully attended the annual Rules Class and passed the examination [Note 5]. In fact, everyone who attended the March 14 Rules Class passed, and many attendees remarked that the 2015 edition was actually *easier* than past years.

"Another concern has to do with unanswered questions about copyright infringement, the fact that railroad users of the national rule package are 'members' (neither RGVRRM nor NYMT are), and whether or not trainers for the rules have to be certified.

This is false. NYMT's inquiries were answered in an email from a railroad industry professional [Note 8], that explained there was no copyright infringement and no membership was required if we were to use a book based on NORAC.

"Above all, this has been imposed on NYMT without discussion and in recent weeks accompanied by strident statements, accusations of lying, and other abuse that leaves us seriously in doubt about how the formerly collegial joint operations can continue."

This is false. It was the NYMT board that has refused to put their concerns in writing, and ignored repeated attempts at communication [Note 4]. To date, NYMT has not been able to produce any objection to a specific rule other than the original request by Bob Sass regarding Rule M [Note 2]. Any statements of fact made by the RGV can be backed up with written documents and correspondence, the same cannot be said by NYMT.

"At this time, we have been given an ultimatum by RGVRRM to either accept their rules or consider the joint operations severed. Our reply to RGVRRM, in which we offered to go to mediation, has not been answered. The ultimatum email and our reply both can be found at the end of this email."

What Dierks erroneously calls an "ultimatum" is an email from the RGV Board dated March 7, 2015, [Note 9] where a response in writing was requested due to the impending Rules Classes and training required for the upcoming joint season. What Dierks fails to mention is the weeks of written communication willfully ignored by the NYMT Board. Since the NYMT failed to respond to repeated attempts at communication, a message was sent advising that the review process had closed and training for the joint season would soon begin.

Also ignored by Dierks was our respectful request "to grant joint committee members reasonable access to the NYMT board meetings to address the board, on the record, and receive guidance at the time, if needed." RGV also requested, "A commitment to continue joint board meetings quarterly to work out other issues, form, and maintain active joint committees as needed." This request was also ignored by the NYMT Board.

"We at NYMT feel the loss of joint operations would be a serious setback for our visitors and our reputation in the Rochester area and throughout the rail museum community."

With this point, the entire RGV Board strenuously agrees.

"We look forward to joint operations, operating on our 1-mile portion of the rail line under the current 2010 rules."

This is an especially troubling statement, especially after the admission from NYMT's own board members [Note 2] that the

Note 1. *Minutes of the January JBM*, January 9, 2015, by Jim Dierks

Note 2. *Minutes of the February JBM*, February 4, 2015, by Otto Vondrak

Note 3: Dec. 16, 2014; Jim Otto to Charlie Lowe re: NORAC draft edit

Note 4: Feb. 28, 2015, Feb. 26, 2016, Feb. 20, 2015; and others.

2010 rules contain errors and omissions. We find the NYMT's willful disregard for the safety of their volunteers and the public to be an intolerable situation. **All editions of the joint railroad rulebook previous to March 14, 2015, are obsolete.** Their continued use is a danger not only to NYMT, but to RGV as well.

"However, if RGVRRM decides to sever relations, we are prepared to continue to provide the best museum and trolley ride experience we can."

Sadly, it was the NYMT who decided to end our business partnership when their board failed to provide any meaningful discussion and refused to furnish their objections to the rules revision.

"TO THE BOARD OF TRUSTEES, R&GVRRM"

What follows are excerpts of an email written by Jim Dierks titled, "To Board of Trustees, Rochester & Genesee Valley Railroad Museum" [Note 10].

"Safety is of paramount concern to all of us at NYMT and the lack of any blemishes upon our record testifies to our adherence to solid practices."

This is false. NYMT volunteers have been involved in several safety violations over the years, including numerous track car collisions and derailments. However, since NYMT does not keep records of these incidents or resulting disciplinary action, their record is "spotless" only by omission. The most recent example involved a volunteer intentionally grabbing a branch off the overhead trolley wire, despite witnesses instructing him not to. As a result of numerous safety violations observed throughout 2014, this volunteer was removed from their duties at RGV.

"We have no opposition to exploring potential changes in our operating systems but constructive dialogue between our organizations needs to serve as the foundation for any changes."

This is false. NYMT has purposely ignored all attempts at dialogue or meetings regarding the most recent rules revision.

"With regard to NORAC, we question the applicability of this sophisticated system to our fairly simple operation. Moreover, neither of our organizations belong to NORAC."

Dierks incorrect claim that the most recent rules revision is "too sophisticated" was made without review of the material in question. To call our shared railroad operation "simple" does not dis-

miss the fact that the trains, trolleys, and track cars we operate at our museum can kill or injure someone just as easily as those operated elsewhere. The issue of NORAC "membership" was answered previously [Note 8].

"We would like to note that the suggestion that the current operating guidelines are unsafe is an insult to our dedicated members who have committed their personal time to provide the public with a safe, reliable and efficient, not to mention enjoyable, experience. Moreover, said insinuation is contradicted by our spotless safety record over the past number of years."

The adoption of the latest rulebook revision is *not* a statement saying that RGV or NYMT is operating in an unsafe manner. Instead, it broadcasts loud and clear that our museums are continually committed to making our railroad operations as safe as they can be by using commonly accepted best practices.

Please note, the acceptance of the rulebook revision and safety training does not adversely effect NYMT's day to day operations, or cost NYMT any money to accomplish. However, all of the members of the NYMT board will be held personally liable for any damages resulting from improper train operation resulting from the use of the obsolete 2010 rulebook. It won't take a sharp lawyer very long to find the inconsistencies and errors in language stemming from the use of a non-standard document. As a result, the NYMT board members are gambling with the future of their museum should a serious incident occur.

The adoption of the latest rules revision and safety training not only ensures the continued safety of our volunteers and the general public, but also helps safeguard our museums and its officers from potential liability. While rare, a number of railroad museums around the country have fallen victim to accidents, some fatal. As officers of the RGV, it is our responsibility to take every reasonable action to protect the safety of our volunteers and visiting public. We do not know why NYMT has chosen to publish false statements against our organization, but they have provided clear evidence of their disregard for safety.

Your Board of Trustees has taken the appropriate action in the best interest of our joint operation with the adoption of the latest revision, and we encourage our counterparts at NYMT to put aside their prejudice against our organization and follow suit.

—Otto M. Vondrak,
RGV Recording Secretary

Note 5: March 14, 2015; April 18, 2015 rules class passed several NYMT members without incident

Note 6: February 14, 2015; Charlie Lowe to Mike Dow, "Re: 2-14 Meeting"

Note 7: February 26, 2015; confidential email to Mike Dow

Note 8: March 13, 2015; email from private industry professional to Rich Fischpera, re: NORAC copyright, membership, certification. On file with Mike Dow.

Note 9: March 7, 2015; email from RGV to NYMT Trustees: "At our board meeting on March 5, 2015, The RGVRRM Board authorized me to send you this letter. We hereby request that you please consider the following options: OPTION 1: In the name of safe operations accept the 2015 rules, Employee Time Table, Safety Book, Bulletins, etc, and training classes, as is, unless safety errors are found, in which case they will be addressed accordingly. Be willing to grant joint committee members reasonable access to the NYMT board meetings to address the board, on the record, and receive guidance at the time, if needed. A commitment to continue joint board meetings quarterly to work out other issues, form, and maintain active joint committees as needed. Please note, none of the above adversely effects your day to day operations, cost you money, or require use of your volunteers to accomplish. OPTION 2: Sever all relations, and cease joint operations. We politely request your response in writing by no later than 5:00 p.m. on March 18, 2015. The lack of a response by that date will constitute a choice of OPTION 2. This is NOT the result we seek, and we trust it is not the result desired by your board. We value the safety of our volunteers and the public in all that we do and we hope you feel the same. We also hope you see the value of working together to build up our two organizations, to learn from one another, and to grow to meet future challenges. We await your response."

Note 10: March 18, 2015; email from NYMT to RGV Trustees: "To the RGV Trustees..."



Rare-Mileage Public
PASSENGER EXCURSION

SATURDAY
May 9

**Celebrate 50 years of service on the
Livonia, Avon & Lakeville Railroad!**

The **Livonia, Avon & Lakeville** celebrates 50 years of serving western New York! Our special excursion trains will depart from the Conesus Lake Sportsmens Club in Lakeville, New York, on Saturday, May 9, at 10:00 a.m. and 2:00 p.m. We will travel from Lakeville all the way to Henrietta and return. Ride in comfort aboard our restored 1940s streamlined coaches, pulled by vintage Alco diesel locomotives provided by the LA&L Railroad. Our snack bar will provide chips, candy, drinks, and water for purchase, and all coaches are equipped with restrooms. Your round trip will last approximately two hours. **ALL ABOARD!**

ADVANCE RESERVATION REQUIRED

Purchase your tickets at all Wegmans service counters

LAKEVILLE

**BOARD
HERE**

\$50⁰⁰

ADULTS 12 and UP

\$25⁰⁰

**SENIORS 65+
CHILDREN 2-12**



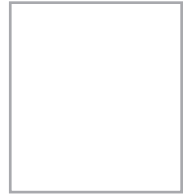
**ROCHESTER & GENESEE VALLEY
RAILROAD MUSEUM**

Please visit our web site at www.rgvrrm.org/LAL50 for details



THE **SEMAPHORE**

ROCHESTER & GENESEE VALLEY RAILROAD MUSEUM
P.O. BOX 23326
ROCHESTER, NY 14692-3326



This Month's Meeting:

April 16

7:30 PM at 40&8 Club

933 University Ave., Rochester NY

Next Month's Meeting:

May 21

Industry Depot

282 Rush-Scottsville Rd., Rush, NY

*Meetings move to
Industry Depot starting
May 21!*

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Trees have been cleared as Norfolk Southern prepares to construct a replacement span over the Letchworth Gorge this summer. The trestle dates to 1875, and was built by the Erie Railroad to replace a wooden structure that burned. CHRIS PLAYFORD PHOTO