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New York State County Highway Superintendents Association
New York State Association of Town Superintendents of Highways

**2020 Joint Legislative Budget Hearing on Transportation
January 28, 2020**

Good afternoon, Senator Krueger, Assemblymember Weinstein and other members New York State Legislature. I am Joel Kie, President of the New York State Association of Town Superintendents of Highways (NYSAOTSOH) and Public Works Commissioner for the Town of Dickinson. With me representing the New York State County Highway Superintendents Association (NYSCHSA) is their President, Wyoming County Commissioner of Public Works, Todd Gadd and Legislative Co-Chair Erie County Commissioner of Public Works, William Geary. As always, we appreciate the annual opportunity to discuss the Executive Budget proposal and the needs of the New York's local transportation system.

We would like to begin by thanking you and your colleagues for your steadfast support of local roads, bridges and culverts. As you know, our collective membership is responsible for ensuring the safe operation of 87 percent of the state's public roads, half of its bridges and plowing not only our huge system but over a quarter of the New York State Department of Transportation (DOT)'s roads. This massive local system is owned by 1,600 local governments and consists of over 97,000 centerline miles of roadways and 8,600 highway bridges. Every time there is a weather event, major snow accumulation, freezing temperatures or severe flooding -- the hardworking men and women on our local crews ensure New York's drivers get to and from work, homes, schools, hospitals and other destinations safely.

The Executive Budget proposes a 2-year, \$11.9 billion New York State Department of Transportation Capital Program. It increases funding by \$3 billion over the next two years—33% over the last two years of the current 5-Year Transportation Capital Program. While we are pleased with the continuation of such valuable programs as CHIPS, BRIDGE-NY and PAVE-NY, the budget proposal holds CHIPS funding at \$438 million for what will be the eighth and ninth year, and BRIDGE-NY and PAVE-NY are also proposed to have no increases. In addition, the Extreme Winter Recovery program is cut to zero over each of the next two years—all this despite the 33% funding increase in the overall 2-year DOT program. This means we are held to just \$678 million per year to be distributed to all localities throughout the state, including NYC, to address the needs of our systems. This level of funding for local road and bridge programs is simply not enough.

LOCAL SYSTEMS' NEEDS ARE GREAT

We'd like to start by reviewing the condition of our local system.

- According to NYSDOT, ten years ago in 2009 local governments were allocated \$924 million in the Locally Administered Federal Aid (LAFA) for bridge projects which enabled them to build 56 new/replacement bridges and complete 39 bridge rehabilitations. In 2017, the last year for which

we have data, local governments were only allocated \$452 million, replacing only 26 bridges and rehabilitating only 23 bridges. Even the much-needed BRIDGE-NY program only appropriated \$450 million during the current five-year capital program, resulting in less funding available for local bridge work than in past years.

- This lack of bridge funding has had a crushing impact on local bridge conditions. In 2009, NYSDOT staff projected that approximately 600 local bridges would become deficient over the following five-year period. In 2017, again the latest year of available data, NYSDOT projected 1,075 local bridges would become deficient over the next five-year period--nearly doubling the number of deficient bridges in just eight years.
- In 2013, the NYS Association of Town Superintendents of Highways conducted a study of local pavement and bridge needs finding that \$1.3 billion in additional annual spending is needed in order to address these needs of the local system. While that report is currently being updated, we have some preliminary data on local pavement needs. Nearly half of our local roads are in fair or poor condition and excluding New York City localities must now spend an additional \$1.75 billion annually just to bring our system into a 12- year paving cycle.

CHIPS/PAVE-NY/EWR

As you know, the Consolidated Highway Improvement Program (CHIPS) is the financial lifeblood of any local highway department, distributing vital and reoccurring state funding through a formula to every local government in the state. **Yet, the Executive Budget for the seventh consecutive year proposes to keep the CHIPS base level flat at \$438M.** In 2013, the Legislature championed our last increase in the CHIPS base, by adding \$75M. While providing a reliable base amount of state funding for local roads and bridges, CHIPS funds fall short of what is needed to keep the locally-owned ailing and aging transportation system from falling further into a state of disrepair. In addition, PAVE-NY and Extreme Winter Recovery (EWR) funding has been essential to our local highway programs, utilizing a formula to distribute monies statewide. There is no EWR appropriations proposed in the Executive Budget. We urge you to re-appropriate EWR funding in the 2020-21 Enacted Budget.

BRIDGE-NY

Round II of the local portion of BRIDGE-NY which includes the last two years' appropriation for the program made available \$250M designated specifically for local bridge and culvert work. In Round II, 259 bridge applications and 514 culvert applications were submitted by counties, towns, cities and villages throughout the state. In both Round I and Round II, the value of project applications far exceeded what was available for each region of the state.

Year	Amount \$ Available	Applications	Funded
2016	\$200M (\$20M dedicated to culverts)	Round I: 229 bridges, 366 culverts	93 bridges, 39 culverts
2018	\$250M (\$50M dedicated to culverts)	Round II: 259 bridges, 514 culverts	86 bridges, 79 culverts

It should be pointed out that the program limited the number and value of bridge and culvert project applications. Based on this experience, the need for additional bridge and culvert funding is clearly justified.

WHAT IS NEEDED NOW

In previous years, the Legislature has responded to the dire conditions of the state's transportation systems and augmented CHIPS and other local transportation funding but more is required to reverse the deteriorating conditions of our local transportation systems and make significant progress in its rehabilitation.

Based on the conditions we discussed above and rising costs we make the following requests:

- Increase the CHIPS program from \$438 million to \$588 million annually
- Determine whether Marchiselli is adequately funded at \$39.7 million since it has not been increased in 20 years
- Increase BRIDGE-NY from \$100 million to \$200 million annually
- Increase PAVE-NY from \$100 million to \$200 million annually
- Increase local federal construction by \$200 million annually
- Establish a \$400 million (over five years) City Routes Program – assisting municipalities that are responsible for maintaining state touring routes with these costs – including sewer, water, and utility work.

In addition to the appropriations, NYSCHSA & NYSAOTSOH supports the following Article VII Transportation, Environment and Economic Development (TED) Executive Budget provisions:

PART A – CHIPS Bidding Threshold Increase

This provision amends the Highway Law to increase the Consolidated Highway Improvement Program (CHIPS) competitively bid threshold from \$250,000 to \$750,000. Increasing the CHIPS bidding threshold will give municipalities more flexibility to pursue the most cost-effective option to bid out or perform in-house projects less than \$750,000 reducing costs to taxpayers.

PART D –The SLOW Act of 2020

This provision imposes tougher criminal penalties for dangerous intrusions into active work zones. The budget language directs the Governor's Traffic Safety Committee to design and implement a public outreach and awareness program designed to reduce incursions, accidents, and improve work zone safety.

Our associations and the mutual constituencies and communities we serve appreciate the support of our state elected officials who partner with us to provide the public with a safe and functional statewide transportation system; one that supports jobs and economic growth for our communities. We look forward to continuing working with you to make more state funding and resources available to meet the critical needs of our local transportation systems.

Thank you.

January 28, 2020