



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

**2023-2024 Joint Legislative Budget Hearing on Transportation
February 6, 2023**

Good afternoon, Senator Krueger, Assemblymember Weinstein and other members New York State Legislature. I am David Miller, President of the New York State Association of Town Superintendents of Highways (NYSAOTSOH) and Highway Superintendent for the town of Lockport in Niagara County. With me representing the New York State County Highway Superintendents Association (NYSCHSA) is their President, Wayne County Highway Superintendent, Kevin Rooney. 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'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 people on our local crews ensure New York's drivers get to and from work, home, schools, hospitals and other destinations safely.

Governor Hochul's Executive Budget proposal continues the second year of the \$32.8 billion five-year investment plan for the New York State Department of Transportation (NYSDOT) and the local road system. This means we are held to \$1.2 billion per year to be distributed to all localities throughout the state, including NYC, to address the needs of our systems. Despite our best efforts this level of funding for local road and bridge programs is simply not enough.

Record high inflation rates on highway construction materials have severely increased costs and, as a result, local governments are seeing almost a 25% reduction in real dollars from local highway maintenance programs. It is critical that an additional \$270 million be added to the 2023-24 budget for local highway programs like CHIPS and EWR just to keep funding at the same level it was when the five-year program was initially adopted in 2022.

LOCAL HIGHWAY FUNDING REQUEST 2023-24

NYSDOT Capital Program (in Million \$s)	SFY Proposed 2023-24	Budget Request
CHIPS	\$538.1	\$738.1
Marchiselli	\$39.7	\$39.7
Local PAVE-NY	\$150	\$150
Local POP	\$100	\$100
EWR	\$100	\$170.1
Local BRIDGE-NY	\$200	\$200
Local State Touring Routes	\$100	\$100
Total	\$1,227.8	\$1,497.9 (+\$270M)

LOCAL SYSTEMS' NEEDS ARE GREAT

According to a report issued by New York State Comptroller Thomas DiNapoli titled *Locally Owned Roads By the Numbers*, local governments, excluding New York City, spent \$2 billion on road maintenance and improvement in the 2020 fiscal year. The report highlighted a 2013 study of local highway and bridge needs published by our Association, based in part on a 2007 "Transportation Needs Assessment" by NYSDOT, which found that municipalities would need about \$32 billion over 15 years to restore locally owned roads through repaving and improvements. The report estimated that there was a spending gap of \$1.3 billion a year for locally owned roads and bridges. In 2023, we've updated that need to \$2.074 billion a year, as a result of unprecedented inflation of construction materials costs.

Many of the proposed initiatives included in the Climate Action Council Final Scoping Plan which will be moving forward over the next several years will impact local governments and require significant changes to our highway garages, our equipment and vehicles and even the materials we buy to maintain our critical infrastructure systems. These mandates will require planning and significant additional financial investments well beyond what our traditional needs have been. And they will vary depending on where in the state municipalities are located.

Nearly 90% of Local Roads are Not Eligible for New Federal Infrastructure Money

Thanks to the Federal Infrastructure and Jobs Act, New York State will receive an additional \$4.6 billion from 2022-2027. Unfortunately, the vast majority of local roads -- 87% -- aren't eligible to receive these funds. At a time of declining local pavement conditions and increased federal aid, the state should be committing more resources to our local transportation system which is so critical to the recovery of our economy.

BRIDGE-NY

BRIDGE-NY is a signature program to direct federal and state funding to local bridge and culvert projects throughout the state. In all three rounds of BRIDGE-NY thus far, the number and value of project applications far exceeded funding available for each region of the state. In 2021, only about 1 in 5 bridge applications received funding and about 1 in 8 culvert projects got an award. The chart below clearly indicates this gap between needs and availability of BRIDGE-NY funding. Round IV's applications were due in January – and we expect to see a similar gap in funding after the awards are made. Periodic review and modifications to the program's administration help improve its efficiency and regional balance. As a result of this process, NYSDOT is implementing the BRIDGE NY program through the existing capital program planning process instead of the statewide solicitation used in recent years. We think this approach will provide greater local input on project scoring and selection.

Year	Amount \$ Available	Applications	Funded
2016	\$200M (\$20M dedicated to	Round I: 229 bridges, 366	93 bridges, 39 culverts
2018	\$262M (\$50M dedicated to	Round II: 259 bridges, 514	86 bridges, 79 culverts
2021	\$216M (\$50M dedicated to culverts)	Round III: 240 bridges, 421 culverts	52 bridges, 57 culverts

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. Funding shortages mean many local governments' preventive pavement preservation strategies—to apply well-timed and targeted maintenance treatments—fall short of what is necessary to avoid more costly major rehabilitation or reconstruction down the road.

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

- ✓ Support increasing the CHIPS program by \$200 million to \$738.1 million annually.
- ✓ Support increasing the Extreme Winter Recovery funding by \$70 million to \$170 million annually.
- ✓ Support maintaining the Marchiselli program at \$39.7 million annually.
- ✓ Support maintaining the local BRIDGE-NY program at \$200 million annually.
- ✓ Support maintaining the local PAVE-NY program at \$150 million annually.
- ✓ Support maintaining the State Touring Route funding program at \$100 million annually.
- ✓ Support maintaining the POP program at \$100 million annually and allow the four sub project types (microsurfacing, paver placed surface treatment, single course surface treatment and double course surface treatments) which were removed as eligible on January 1, 2023 to continue to be efficiently utilized as pavement preservation methods.

NYSCHSA & NYSAOTSOH support the following policy initiatives:

TED Article VII - Part H Transportation Worker Assault Prevention

We support the proposal that attacks causing physical injury against traffic checkers, motor vehicle license examiners, motor vehicle representatives, highway workers, motor carrier investigators, and motor vehicle inspectors, constitute assault in the second degree.

CHIPS Bidding Threshold Increase

We support the addition to the Budget of language in A.426 (Magnarelli) to amend the Highway Law to increase the Consolidated Highway Improvement Program (CHIPS) competitively bid threshold from \$350,000 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.

CONCLUSION

As fellow public officials, we understand the difficulty in trying to meet all of our constituent's needs with limited resources. We must work together so that all state and local critical infrastructure needs are being addressed.

We look forward to continuing to work with you to direct the necessary resources to meet our shared community's vast economic and transportation needs.

Thank you for your time and consideration.