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

**Testimony before the NYS Assembly Transportation Committee**

**The Enacted Two-Year Capital Plan**

**Submitted by**

**Randy Gibbon, NYSCHSA Legislative Committee Co-Chair**

**Roger W. Wolfe, NYSAOTSOH President**

Good afternoon Chairman Gantt and members of the Assembly Transportation Committee. My name is Randy Gibbon, Co-Chairman of the Legislative Committee for the New York State County Highway Superintendents Association (NYSCHSA). I am joined today by Roger W. Wolfe, President of the New York State Association of Town Superintendents of Highways (NYSAOTSOH).

The NYSDOT Five-Year Capital Program is intended to represent the financing needed to support the entire State highway system; State, county, city and village roads and local bridges; capital needs of public transportation systems other than the MTA; and passenger and freight rail, port and aviation capital projects. While the needs of the transportation systems are massive, the NYSDOT proposed Five-Year Capital Plan goes a long way in recognizing the critical needs of the local highway and bridge system.

Consequently, NYSCHSA and NYSAOTSOH argues that the Two-Year Capital Plan, adopted as part of the State Budget, does not meet the needs of the road systems throughout the State as outlined by the Five-Year Plan and evidenced by the numerous State government reports identifying the advanced state of disrepair of the State's transportation infrastructure.

That's why the DOT Five-Year Plan's call for a 40% increase in overall spending on local road and bridge projects over what was spent under the previous 5-Year Capital Plan is justified.

The current Two-Year Plan funds CHIPS and Marchiselli at \$363 million and \$39 million respectively each year. This is compared to what the Five-Year Plan proposes: a total CHIPS appropriation of \$2.1 billion (an average of \$420 million per year) and an appropriation for Marchiselli of approximately \$56.2 million per year.

In addition, the Five-Year Plan includes a \$150 million State aid to a local bridge program. The enacted Two-Year Plan has no such bridge program.

For this reason, NYSCHSA and NYSAOTSOH continue to urge the Legislature to work with the Governor to find ways to fully fund transportation at the Five-Year Capital Plan levels.

The twenty-year needs of the local system exceed both that of the MTA and State DOT. According to a recent study by the New York State Comptroller, local roads have a capital need of \$175.2 billion. At the current funding levels, over \$56 billion of this will go unfunded.

New York State is burdened with a rapidly decaying and severely underfunded local transportation system that will undermine its status in the national economy unless the State and the public embrace infrastructure investment and support innovative and stable long-term funding mechanisms.

New York State Comptroller, Thomas DiNapoli, earlier this year issued a significant report on the condition of the State's transportation infrastructure. The Comptroller confirmed that the infrastructure maintained by local governments is in dire need of repair and/or modernization. The report stated that roughly one-third of the 8,535 bridges maintained by New York's local governments are structurally deficient or functionally obsolete and this number increased between 2002 and 2007, from 2,966 to 3,006 bridges. The DOT indicates that the number of deficient bridges will increase by 1,500 in the next few years.

Perhaps to drive this reality home, the DOT just closed a state bridge on a town road in Wayne County because of its deteriorated condition. This bridge is a single lane truss typical of those that span the Erie Canal. Even though the bridge averages more than 4,000 crossings per day, there is no plan to address the deficiencies to allow the bridge to be used while waiting for its replacement, scheduled for late 2012. I'm sure legislators in this area will be hearing from their constituents about the hardships and disruptions this will cause the affected communities.

In line with DOT's and the State Comptroller's predictions, at our current levels of funding, we are expecting many more of these closings of both State and locally-owned bridges in the future. And, as the Comptroller further reported, a significant number of New York's roads and highways are also in a similar deficient state of repair.

Over the course of the previous Five-Year Plan, the Legislature understood this situation and augmented the inadequate levels of CHIPS and other local transportation funding every year in order to address the critical needs of local roads and bridges. For this, we and the traveling public are extremely grateful.

NYSCHSA and NYSAOTSOH knows that the Legislature is keenly aware of this funding gap for the local transportation system, is similarly concerned with its deteriorating condition and endeavors to devise a transportation budget that will truly address the necessity to significantly improve the local bridge and pavement deficiency ratings.

To support local governments in preventing further deterioration of this massive system, the State should distribute a greater share of the gas taxes and motor vehicles fees generated by the drivers on the local system. Nearly half of the miles currently driven by New Yorkers are on local roads and bridges, yet they receive less than 15 percent of the State's gas taxes and DMV fees revenues. The MTA gets a greater share of our driver's fees and taxes.

To ensure that all of New York travelers are being treated fairly, we suggest that once again the MTA Capital Plan and the DOT Capital Plan be approved simultaneously and funded at similar levels restoring parity between the two systems. In May 2009 the MTA Rescue Plan was adopted providing the transit agency with \$2.26 billion a year in additional revenue and an additional \$6.5 billion in capital funding. In June 2010, the MTA Capital Plan was approved a month before the DOT's Plan and at a record 31 percent larger. It's time that we have a local road system rescue plan.

Alarming, Sixty-five percent of the Dedicated Highway and Bridge Trust Fund (DHBTF) revenues go to debt service. With general fund transfers of \$700 million per year now needed to keep the Trust Fund solvent, the current method of funding local transportation needs is unsustainable. While taking on debt for most infrastructure expenditures is necessary and prudent for construction, replacement, reconstruction and rehabilitation type projects, the State must look at increasing pay-as-you-go capital expenditures for preventative maintenance type projects such as pavement sealing and resurfacing work, for example.

It is also imperative that we maximize cost efficiencies on town, county and State levels. There are many additional opportunities for the continued cooperation of shared services between contiguous and adjacent local governments. This is particularly true during the purchasing of equipment, materials and supplies. Once again we ask the Assembly to pass the "piggy backing" bill which would allow towns to purchase off of county contracts, creating further cost savings for our localities.

While proposed mergers and consolidations receive the attention, many case studies have failed to show the appreciable savings. Fewer governments result in larger bureaucracies and less accountability as there are more administrative layers between the taxpayer and the public officials responsible for providing services.

As public officials charged with insuring the maintenance of the local highway and bridge system and the safety of the traveling public, we stand ready as always to work with you and all our State elected representatives to meet this tremendous obligation to our mutual constituents. We ask that you consider our suggestions and adequately fund our local transportation system so that it can remain a secure and efficient asset that helps to bring people, businesses, and jobs back to New York State.

Thank you. We are available to answer any questions you may have.

December 7, 2010