

AGENDA – DIVISION 175 – COUNCIL MEETING

I. **CALL TO ORDER:**, 12:00 PM, Hornell, State Office Building, Rm. 365

II. **ROLL CALL:** P. Burnes, H. Hoyos, K. Button, A. Puleo

III. **READING OF PREVIOUS MINUTES:**

LAST MEETING WAS: 5-31-12

CORRECTIONS: None

MOTION to:

ACCEPT: KB **SECOND:** AP **APPROVED:** All

IV. **TREASURER'S REPORT** – Available total: \$2,643.65 Available credit: \$1219.75

V. **COMMITTEE REPORTS**

A. *Standing*

Audit - Division 175 Audit Committee members are Brian Nisbet, Jeremy Wildrick-Cole, and Kathy Button. 2011-2012 Audit had a surplus of \$3,195.43. Audit submission is due 7-31-12.

Budget - No Report

Communication –

1. FROM PEF:

This is the website for the new senate and assembly districts for NYS. Our Assembly districts for Region 2 are 124 and 132. The Senate district is 58 and US Congressional district is 23.

When you enter the website go to maps and click on Senate, Assembly or Congress using the numbers above.

<http://www.latfor.state.ny.us/>

a) **Internal**

(1) *Website (www.pef175.org) – updated as needed*

(2) *Bulletin Board – updated as needed*

b) **External**

(1) *PAC/PAL – No Report*

(A) *NASHTU –*

President Signs Transportation Authorization

On Friday, the president signed into law the new transportation authorization. [Moving Ahead for Progress in the 21st Century](#), or MAP-21, will authorize \$120 billion in transportation funding until September 30, 2014. Congress passed the legislation June 30 and then passed a week-long extension of the expiring authorization to allow more time to get the bill enrolled and sent to the White House.

There are many substantive changes in the new authorization. Some of these include:

CMGC Contracting – Loss of Competitive Bidding

(Section 1303 on page 130)

The new authorization allows the use of Construction Manager General Contractor (CMGC) contracts. CMGC contracts are two-phase contracts that include both the preliminary engineering and construction services. Incredibly, the provision eliminates competitive bidding on construction contracts. It replaces competitive bidding with a competitive selection process that doesn't require that cost be considered.

Environmental Streamlining

(Section 1303 on page 130)

MAP-21 has new environmental streamlining provisions that allow projects to continue before NEPA review and approval. While this might help projects move to the construction stage sooner, it also could result in state departments of transportation wasting millions of dollars on a project design that is ultimately rejected.

Bridge and Tunnel Inspection

(Section 1111 on page 42)

The bill also requires the DOT Secretary to establish and maintain inspection standards for the proper inspection of all highway bridges and tunnels for safety and serviceability. These will include minimum standards for the personnel charged with carrying out inspections.

DOT Oversight Responsibilities

(Section 1503 on page 163)

The authorization also seeks to improve DOT's oversight program. It calls on the DOT Secretary to review its oversight program to ensure that it is capable of tracking the extent of cost and schedule overruns on highway projects. It also asks the Secretary to make legislative recommendations to improve the program.

Outsourcing Mapping and Surveying Services

(Section 1517 on page 173)

As previously reported, MAP-21 includes a provision designed to increase outsourcing of surveying and mapping services. Current law already strongly encourages the outsourcing of mapping and surveying services but MAP-21 adds new annual reporting requirements to ensure compliance. The House and Senate Conference Committee has finally come to an agreement on a new Surface Transportation Authorization. And not a moment too soon, the current Authorization expires tomorrow at midnight.

The new STA will provide funding at current levels plus inflation through September 2014. The good news is that the language to utilize the private sector, to the maximum extent practicable, for the performance of engineering and design services is not included in the compromise bill.

The bad news is that the bill adds language to current law that requires states to report on "what percentage of projects ... utilizes the private sector for surveying and mapping." NASHTU and its affiliates had advocated against the inclusion of this reporting language because the intent is to encourage the outsourcing of this work.

Steuben/Livingston County Labor Council –

Steuben Livingston Labor Council, AFL-CIO, meeting tonite at CSEA Unitat 9 East William st., Bath NY. Let it be known that all PEF Division 175 members are welcome to attend monthly SLCLC meetings, for more info contact A. Puleo.

GRAY METAL WORKERS SEEK UNION REPRESENTATION!! AVON, NY: Hourly production workers at Gray Metal Products have chosen the Shett Metal Workers Union Local 46 to represent their best interests with regards to collective bargaining, wages, benefits and conditions of employment. When approached by representatives of Local 46 to discuss these matters, Gray Metal management took the unfortunate position of fighting the workers rights to form a union by hiring two well-known union-busting law firms. Apparently, they would rather spend their money paying these attorneys to keep the union out rather than respecting employees' rights to collectively bargain. According to the workers, safety concerns, poor working conditions and lack of respect by management prompted their decision to form a union at their workplace.

Please join the workers at Gray Metal, Local 46, and supportive members of the community in their efforts. They can be found every Monday-Thursday from 8:00 a.m. to 5:30 p.m. in front of Gray Metal Products (495 Rochester St. in Avon, NY). Local 46 is providing food and beverage every day at noon for the supporters and employees.

1. Constitution – No report

2. Grievance – Several OOT grievances are in play.

3. Labor Management -

a) Local – *Mgmt. intends to work on ensuring that counseling memos take on a more positive tone. Mgmt. has requested funding to improve AC units in the TMC.*

b) Statewide – *Design Build ventures will be used where they are proven to be most effective. Find these minutes on the PEF website.*

c) Membership - *totals: n/a*

d) Social – *No report*

e) VIP – *No report*

B. Ad Hoc -

a) Health & Safety – *No Report*

(1) FSS – *No report*

(2) EAP – *No Report*

REGIONAL COORDINATOR – *Bonnie requested a yearly accomplishment report from Division 175 for entry into her report to this year's PEF Annual Convention. (A. Puleo subsequently requested each committee submit reports specific to their respective committees, several have responded)*

VIII. E-BOARD REP – *No report*

IX. UNFINISHED BUSINESS – *An open call to all members to serve on any Division 175 Committee remains in effect.*

X. NEW BUSINESS – *None*

XI. OPEN FORUM – *Proceeded in confidence.*

XII. ADJOURNMENT

MOTION TO ADJOURN:

Second: AP

Approved: KB

NEXT MEETING SCHEDULED FOR: SOB Rm. 365, Thursday, August 30, 2012

RESPECTFULLY SUBMITTED:



Andrew Puleo

07-26-2012