

AGENDA – DIVISION 175 – COUNCIL MEETING

- I. **CALL TO ORDER:** 12:15PM, 09-30-12, Hornell SOB
- II. **ROLL CALL:** K. Button, L. Quarles, P. Burnes, J. McCumiskey, B. Nisbet, C. Houser, A. Puleo

III. **READING OF PREVIOUS MINUTES:**

LAST MEETING WAS: 07-27-12

CORRECTIONS: None

MOTION to:

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

IV. **TREASURER'S REPORT –**

\$2603.31 Avb.

\$1169.75 Credit

I, Andrew Puleo hereby Motion that Division 175 donate \$50.00 to the Alex Porterfield Charity cited in the following link:

<http://genbible.org/Alex>

I, Kathy Button second Andrew Puleo's Motion that Division 175 donate \$50.00 to the Alex Porterfield Charity cited in the following link:

<http://genbible.org/Alex>

All in favor? - Unanimous
Approved!

I, A. Puleo hereby Motion that Division 175 purchase (4) PEF Convention Delegate DOT Caucus Windbreakers @ \$30.00 each.

I, Kathy Button second the motion

All in favor? – Unanimous
Approved!

V. **COMMITTEE REPORTS**

A. **Standing**

Audit - The 2012 Audit has been signed/sealed/delivered/rcvd.

Budget - No Report

Communication – No Report

If you have any additional information or thoughts about these or other MAP-21 provisions, please let us know. In the next NASHTTU update, we'll look at streamlining and environmental provisions that will affect DOTs around the country and NASHTTU represented members.

Tolling and Public-Private Partnerships. MAP-21 expands the states' ability to place tolls on a Federal aid facility for any new capacity. However, the amount of new tolled lanes cannot exceed the number of free lanes on a Federal aid facility. The P3 amendments proposed by Senator Jeff Bingaman (D-NM), which would have reduced formula funds for states that sell or lease toll facilities to private companies and changed the way toll facilities are assessed for tax purposes, were rejected by the conference committee and left out of the final bill.

TIFFA. The Transportation Infrastructure Finance and Innovation Act (TIFFIA) program increases the funding available from \$122 million to \$750 million in FY2013 and \$1 billion in FY2014. It eliminates the selection criteria for funding projects and instead awards funding based on credit worthiness on a first come, first serve basis. MAP-21 also formalizes the approval of using availability payments as a revenue source for projects. Previously, most TIFFIA funded projects used tolls as a revenue source. While TIFFIA funding can be used for traditional projects, many state and local departments of transportation utilize the funding for public-private partnerships.

Transportation Alternatives. This program still ostensibly provides funding for bike and pedestrian paths, the Safe Route to School program, highway beautification projects, and other community improvement activities. However, under MAP-21, total program funding has been reduced by \$300 million per year and States have more flexibility in how they use the funding (i.e. 50% of the money can be diverted to other Federal aid highway programs).

95% Rule. All states are guaranteed a minimum return of 95% of their payments into the Highway Trust Fund. That's an increase over the 92% funding guarantee that was part of the last authorization, SAFETEA-LU. Currently, every state is receiving more than their contribution to the HTF due to additional funding provided through the American Recovery and Reinvestment Act of 2009.

Funding Distribution. MAP-21 eliminates all formula factors for individual highway programs. Instead, all highway formula funds to states will be distributed based on each state's share of total highway funds in FY2012.

Here is Part 2 of the Highway provisions in [MAP-21](#), (Part 1 was provided in last minutes), that are likely of interest to NASHTTU members. You can link to our last week's report on the Highway Provisions Part 1 by [clicking here](#).

More MAP-21 Details – Highway Provisions (Part 2)

(A) NASHTTU –

- a) Internal
 - (1) Website (www.pefl75.org) – updated as needed
 - (2) Bulletin Board – updated as needed
- b) External
 - (1) PAC/PAL – No Report

MAP-21 – Notable Streamlining and Environmental Provisions

MAP-21 significantly changes project delivery and environmental policies with the intent of speeding up project delivery. While state DOTs and their transportation professionals continually strive to deliver transportation projects as quickly as possible, NASHTU is concerned that some MAP-21 provisions will actually make some projects more costly and cause unnecessary delays. The so-called streamlining provisions are on pages 126 through 154 of [MAP-21](#). Here are summaries of provisions most relevant to NASHTU members:

CMGC Contracts/NEPA Shortcuts. *Section 1303 specifically authorizes Construction Manager/General Contractor Contracts (CMGC) for federal aid highway projects. CMGC allows a contracting agency to award a two-phase contract allowing a single contractor to perform the preconstruction services (which could include elements of preliminary engineering) for a project and then win the construction contract at a negotiated price. Not only does this raise concerns about the outsourcing of inherently governmental services, it also allows the awarding of enormous highway and bridge contracts without competitive bidding, inevitably escalating the cost of tax-payer funded transportation projects.*

Section 1303 also allows States to proceed with pre-construction and design work before the NEPA analysis has been completed. While NASHTU strongly supports speeding up project delivery, allowing preconstruction work and design services prior to NEPA approval is inherently risky. It has the potential to either corrupt the NEPA review by influencing the outcome subjecting projects to litigation or they waste huge amounts of taxpayer money on preconstruction and design services for a project that will ultimately not be approved.

So-called Innovative Project Delivery Methods. *Section 1304 further incentivizes wasteful outsourcing practices such as CMGC and design-build procurement by allowing the federal cost share to be up to 100 percent of project costs if such “innovative technologies” are utilized.*

Surface Transportation Project Delivery Program. *The last authorization, SAFETEA-LU, instituted a pilot program that allowed the U.S. DOT to delegate the NEPA review authority for highway projects to five states (Alaska, California, Ohio, Oklahoma, and Texas). Section 1313 of MAP-21 makes the pilot program permanent and allows all states to participate. It also expands the program beyond highways to include rail, public transit and multimodal projects.*

If you have any additional information or thoughts about these or other MAP-21 provisions, please let us know.

Steuben/Livingston County Labor Council – Meets tonite in Corning NY. All members welcome to attend.

Rochester & Genesee Valley Area Labor Federation – From the R&GV ALF website, (www.rgvalf.org),

This electronic AFL-CIO Voting Record will let you know where your lawmakers stand on such working family issues as strengthening Social Security and Medicare, freedom to join a union, workplace safety and more.

Voting Records for U.S. Senate and Congress updated on National AFL-CIO Website:

Check out how your representatives voted so far in 2012:

www.aflcio.org/Legislation-and-Politics/Legislative-Voting-Records

1. **Constitution** – No report

2. **Grievance** – Several OOT grievances are in play.

3. **Local Labor Management** - The Local L/M agenda building meeting is scheduled for Sept. 5, 2012, from 10AM to 12PM.

4. **Statewide Labor Management** –

Note the s/w l/m address list as it stands now;
MO – Charlie Keletant

1 – Mike Stella

2 – John Canarelli

3 – Patti Bush

4 – Jerry Jobson

5 – John Duenfelder

6 – Andrew Pulio

7 – Lorraine Turturo

8 – Steve Geyer

9 – Dan Majeski

10 – Bill Holthausen

11 – Juan Viera

H&S - Paul Gendron

PEF – Bob Tompkins, btompkins@pef.org

a) **Membership** - totals: n/a

b) **Social Committee-**

We are pleased announce that Division 175 has allocated \$2,000.00 to your committee for this event!

Also:

1. We urge you to invite our new President, Sue Kent, and her Staff.

2. Any gifts must include the PEF Logo

3. PEF Membership Benefits will do a mass mailing to announce your event but you must notify them in advance, I believe 4 weeks notice is required but Matthew Biswanger is our liaison with PEF Membership Benefits so please do coordinate the mass mailing specifics with him.

4. Of course there should not be any fee to attend this event, as no PEF member should ever have to pay to attend a Division 175 event.

5. Do post your flyer region-wide, as we will post it on our Website.

c) **VIP** – *No report*

B. Ad Hoc -

a) **Health & Safety** – *A grant for ergonomic improvements is in play by Kathy Button.*

(1) **FSS** – *No report*

(2) **EAP** – *No Report*

REGIONAL COORDINATOR –

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.*

Our Brown Bag lunchtime events continue. Yesterday the Hornell Humane Society presented for the record setting attendance of 6 persons. Pauline Burnes announced that this will be the last year in which she coordinate these events.

X. NEW BUSINESS –

Motion to: Purchase a Camera in an amount not to exceed \$250.00 for Division 175 - A. Puleo

Second: *K. Button*

Approved: *All*

XI. OPEN FORUM – *Proceeded in confidence.*

XII. ADJOURNMENT

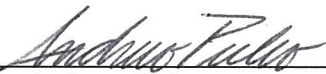
MOTION TO ADJOURN & Pay Expenses:

Second: *AP*

Approved: *KB*

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

RESPECTFULLY SUBMITTED:



Andrew Puleo
September 31,-2012

