

Mobilizing the Region

A Weekly Bulletin from the Tri-State Transportation Campaign

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NEWS

Groups Sue New Jersey to Enforce Transportation Law

Last Thursday five non-profit organizations filed a complaint in NJ Superior Court against Acting Governor Donald DiFrancesco, Acting State Treasurer Peter Lawrence, and the NJ Dept. of Transportation over New Jersey's refusal to follow legislative directives laid down in the 2000 Transportation Trust Fund Reauthorization Act. The co-plaintiffs in the suit are the Tri-State Transportation Campaign, NJ PIRG Citizen Lobby, the New Jersey Environmental Lobby, Transportation Alternatives, and the United Taxpayers of New Jersey.

In particular, the groups cited the NJ Department of Transportation's failure to adhere to the law's

requirements for fixing half of the state's structurally deficient roads and bridges and for building 1,000 new lane-miles of bicycle paths in five years. The groups also challenge the diversion of \$90 million from the Transportation Trust Fund to the General Fund by Acting Governor DiFrancesco and the Acting Treasurer.

"The Governor and DOT are violating the law," Janine Bauer, Tri-State Campaign executive director told reporters. "Voters approved adding money to the Trust Fund on the pledge that our roads and bridges would be fixed. **There is enough money** to fix half the bridges and build the bike lanes, but it is being spent elsewhere."

"When they pull stunts like diverting the \$90 million, it's like saying to people 'Hey, we got ya again.' Do you blame people for being cynical?" Sam Perelli, state chairman of the United Taxpayers of New Jersey told the *Courier News*.

The Trust Fund vote last November was the second time in two years New Jersey citizens had approved more money for the Department of Transportation. In 1999, NJ voters supported the Local Bridge Bond Act, which allowed \$500 million in new bonding for the DOT half for the repair of municipally-owned structurally deficient bridges. In both cases, the administration's campaign for voter approval spotlighted the need to repair aging roads and bridges.

The law requires the DOT to prepare a "Capital Investment Strategy" that lays out capital spending plans towards meeting the goals. However, the Capital Investment Strategy DOT submitted to the legislature in March dismissed the bridge and road repair goals as "not feasible." No further plan was set forth and current allocations are not sufficient.

The legislature also included directives in the Trust Fund Reauthorization Act for building an additional **1,000 lane-miles of bicycle paths** within the next five years. The DOT now claims to have completed many miles towards this goal. But some of the projects DOT is counting are not improved bikeways, but simply roads and highways where DOT has placed **signs declaring a bicycle route**. Many other construction projects are not new, but rather have been in planning since 1998.

NJ's Stealth Bridge Bond Awaits Hearing

Allowing no public testimony and garnering no noticeable press coverage, the Assembly Transportation Committee approved the Local Bridge Bond Act of 2001 (A3496) on May 21st. The Bond Act would authorize **\$250 million in additional bonding** for the Department of Transportation to be granted to municipalities for the repair of structurally deficient local bridges (MTR #318).

Meanwhile, the Campaign and four other civic and environmental groups have filed suit against the Department and the administration for failing to allocate new funds gained last year to local bridge repair. Representatives of the Campaign, the NJ Environmental Lobby, and NJPIRG Citizen Lobby, the New Jersey Environmental Federation and the Sierra Club attended the Committee meeting and were prepared to argue that **the Department should not be trusted with more funds** until it began following the directives of the legislature in the use of authorized monies. However, the Committee Chair called for an immediate vote, dispatching the bill in a matter of minutes.

The bond bill has been sent to the Assembly Appropriations Committee for posting where it should find less favor. **Appropriations Committee Chairman Richard Bagger** has written a strong letter to Acting Governor DiFrancesco asking him to direct DOT to put more Trust Fund money into bridge repair to bring the 2002 DOT capital program into compliance with Trust Fund law.

“Simply putting a ‘share the road’ sign on a road does not magically make it safe for cyclists,” said John Kaehny, executive director of Transportation Alternatives. “The law directs the DOT to construct 1,000 additional lane miles for the exclusive use of bicycles, that means a striped bicycle lane or a path separated from traffic.”

In response to questions about the suit, a spokesman for the Department of Transportation told the *Bergen Record* that the Department believes that the 2002 capital program “not only meets the spirit of trust fund renewal, but the letter of the law.” A spokesman for the Governor’s office used similar phrasing, telling the *Courier News* that **the Governor “supports the budget.”** A Treasury Department spokesperson defended the \$90 million diversion by saying only, “From time to time its done as a fiscal management tool.”

The groups filed suit following meetings, legislative hearings, and other **attempts at negotiation** in the preceding months. They will ask the Court to resolve their concerns prior to the June 30th deadline for legislative approval of the state budget.

Fewer Station Workers = More Subway Crime

The NYC Transit 2001 operating budget identifies savings of up to \$6.5 million from removal of 235 **part-time subway token clerks** from 129 subway stations across NYC. The agency has not released detailed plans, but neighborhood, transit labor and police groups launched preemptory criticism of the move at a rally last Wednesday.

Because token booth workers are, as one officer told the *Daily News*, “the front line of defense for both the public and the police,” critics fear the cut will encourage crime and reduce subway safety. With Public Advocate candidate Norman Siegel, the groups called on the MTA to **hold hearings** on the plan and to **release data on the number of 911 calls** placed from part-time token booths.

An MTA spokesman told the *News* and the *NY Post* that token clerks would be reassigned to “the business of **servicing customers directly**” in the stations. If this is accurate, automation of fare-vending need not come at the cost of public safety. Critics are likely to continue to be suspicious, however, because it is difficult to see how savings would be realized if clerks are reassigned to station duty and because the MTA has cut hundreds of clerk positions in the past **without reassigning them** as customer service representatives (*MTR #70, 208*).

The Tri-State Transportation Campaign on-line:

www.tstc.org

Albany Freeze: Transpo Tax Measures on Ice

If Governor Pataki’s warning that NY State may go through the summer without a budget proves true, the drive by the State Senate and motoring advocates to **rescind the state sales tax on gasoline** will once again fail. The Senate’s original plan, also backed by Assembly Republicans, was to suspend the 4% sales tax on gas and diesel fuel from Memorial Day to Labor Day. It’s unclear, now that the start date has been passed, if the idea will be in play if and when Albany’s gridlocked budget talks get moving again. Most of NY State’s sales tax goes to the general fund. Advocates for the tax holiday argue that tax yields from high gas prices in the spring and fall will make up for lost summer revenue. The 4% sales tax on gas is distinct from NY State’s actual gas tax — the 8-cent/gallon Motor Fuel Tax, whose receipts largely fund highway and transit capital programs. Gas sales tax suspension also received significant attention in **Albany budget press releases in 2000**, but was eventually scrapped during budget talks as a “low priority.”

Glacial budget-making is also delaying the provision **reducing property taxes for freight railroads** (*MTR #312*). There is apparent agreement on this policy by Governor Pataki and both legislative houses. But because it is a budget provision, it will wait. Railroads argue that very high taxes on rail property in NY State **retard investment in rail freight infrastructure**, and say the budget delay is already affecting capital programs planned for this year in anticipation of tax relief.

Another Toll Holiday Bid, Careful Language from DiFrancesco

In a surprise move last week, Acting New Jersey Governor Donald DiFrancesco issued an executive order directing NJ DOT to prepare a proposal by June 30th for **removing the toll barrier plazas from the Garden State Parkway** within ten years. Simultaneously, the order asked DOT Commissioner James Weinstein, also a New Jersey Highway Authority commissioner, to request that the Authority declare a **24-hour toll holiday for Labor Day**, September 3rd, and to institute unspecified permanent discounts for E-ZPass users.

The executive order was carefully worded to commit the DOT to creating a “Parkway Congestion Relief Plan” that would “phase out toll barrier plazas on the Parkway.” The language left unclear whether the final proposal would be transformation of the Parkway into a freeway, leaving on- and off-ramp toll booths in place while eliminating the highway barrier plazas, or replacement of barrier toll plazas with **high-speed E-Z Pass tolls**. The *New York Times* reported

that administration officials have said that all three outcomes are being considered.

According to the *Star-Ledger*, DiFrancesco suggested it would require at least four years and \$130 million to tear down the barrier tolls. Parkway offi-

Dutchess Guide a Must-Read for Region

The Dutchess County planning department, with the **Hudson River Valley Greenway**, has produced an extremely attractive, very user-friendly guidebook to smart growth, community-friendly project design and smart transportation planning.

The term “greenway” is often used to describe linear parks developed around trails or bike and pedestrian paths. But the Hudson River Greenway Compact, a voluntary association of governments established around specific planning and preservation principles, has enlarged the rubric. The principles it espouses encompass a variety of transportation connections and regional planning and economic initiatives that promote conservation and quality of life. Municipal participation in the compact permits access to special state planning and environmental conservation grants.

The “Greenway Connections” guidebook is refreshing on a number of levels. It does not beat around the bush about the impacts of strip-type development on community quality, labeling standard **commercial strip highways** “ugly” and showing a variety of planning and development methods for transforming them. It is very clear on the need to preserve open space, farmland and waterfront access, and to **develop alternatives to driving**. The guide states that “There is no better indicator of investment potential than the local quality of life,” and goes on to examine the economics of sprawl, including its high transportation costs.

The guide will be **valuable to communities outside the Hudson Valley**. Its chapters on open space preservation, strengthening centers, site plans and circulation have broad application in suburbs and formerly rural areas throughout the metropolitan region. Its planning guidelines for “zipping up the strip” — developing attractive, **pedestrian-friendly commercial boulevards** out of bad strip development — are immediately applicable to debates over traffic congestion on Routes 110 and 347 in Suffolk County, for instance.

Suburban smart growth advocates and transportation reformers should use the guidebook to promote their ideas to local officials and the public. **Dutchess County planning:** www.dutchessny.gov, 845-486-3600. **Hudson River Valley Greenway**, 518-473-3835, www.hudsongreenway.state.ny.us/

cial have released a similar figure as an estimate for **installing high-speed toll readers** (MTR #277). High speed tolls are the preferred fall-back solution to Parkway congestion for gubernatorial candidates Bob Franks and Jim McGreevey.

There was also widespread uncertainty about how a toll free day would be brought about. Newspapers cited the Acting Governor, the DOT Commissioner, and others stating that an act of legislature, an emergency order from the Acting Governor, public hearings, or simply approval by Parkway commissioners would be required. Parkway officials report that a toll-free Labor Day **would cost the toll road** \$450,000 in lost revenues and an additional \$200,000 to pay for signs, state troopers, and for toll collectors to answer questions and wave drivers through the plaza.

Given the confusion a toll-free day could engender, the order could very well lead to even greater Parkway congestion. Representatives for the International Federation of Professional and Technical Engineers said they feared for safety of the workers they represent.

Reformers welcomed the directive for **E-ZPass discounts**. Discounts are needed to increase the Parkway’s 45% E-ZPass market share to a percentage more on par with the Turnpike’s 60%. The Highway Authority could encourage E-ZPass further by phasing out tokens and their associated discount.

New Urbanists Coming to Old Gotham

Next week, June 7-10, more than 1,000 leading smart growth professionals from across the country and world will gather in NYC, at the **ninth annual Congress for the New Urbanism**. New Urbanism is an interdisciplinary movement promoting walkable neighborhoods, open space preservation and developing affordable housing.

The first day will feature a course aimed at local planners and planning boards — New Urbanism 101. The founders and leaders of the Congress — Andres Duany, Elizabeth Plater-Zyberk, Peter Calthorpe and others — will explain principles of Smart Growth and New Urbanism and how to use them in local planning. This is the first time this cast of speakers has assembled in the northeast. A special rate for the course only is available.

For more information or to register, call 800-788-7077 or visit www.cnu.org.

Traffic Calming Grants Poised to Hit the Street in Nassau, Suffolk

NY State DOT has awarded the first round of grants from its new “Local Safe Streets and Traffic Calming” program. The DOT and consultants will work

with municipalities receiving the awards to move project designs to final stages. Overall, the DOT will grant **\$2.7 million to eight local governments**: the City of Glen Cove, Suffolk County, the Towns of Brookhaven, Smithtown and Huntington, and the Villages of Port Jefferson, Lake Grove and Roslyn Harbor.

Nassau and Suffolk Counties have the worst pedestrian safety records among suburban counties in NY State (MTR #313). A proposed project to slow traffic and boost pedestrian and bicyclist safety near the LIRR station in **Roslyn Harbor**, on Nassau County's north shore, shows the need and the potential for the traffic calming grant program.

Roslyn Harbor's preliminary design idea calls for traffic calming on a one-mile stretch of Bryant Avenue between the train station and a Long Island Bus stop. According to residents, the strip, whose speed limit is nominally 30 mph, is used as a **raceway at night and a cut-through route during the day**.

The Village proposes to reduce confusion and conflict at a curve near the train station entrance, and to accommodate walkers and cyclists with village-style brick sidewalks and crosswalks, and bike lanes. **Speeding and through traffic will be curtailed** with a raised intersection, rumble strips, neckdowns, chicanes, and landscaped turn islands at the train station. The Village views the project as a precursor to more village-wide efforts to calm traffic and promote pedestrian and bicyclists safety.

The project is budgeted at \$273,853, with 90% provided by NYSDOT via the federal "Hazard Elimination" program. According to DOT's Long Island office, the traffic calming program is expected to continue for the next few years at \$2.7 million. We expect that **interest and demand for the funding will grow** (DOT funded fewer than half of the proposals it received in the first round), and urge Commissioner Boardman to consider **increasing resources available** through the program.

CALENDAR

June 2-9 Trenton Bike Week: cycling tours and races, bicycle riding, ownership + maintenance classes, cycle to work day, etc., trentoncycling@aol.com, www.pagespider.com/tcr

June 2, 11:00am Dedication of first NY link of the East Coast Greenway. Pelham Parkway and Holland Ave., Bronx. 212-352-9330

June 6, 4:30pm MTA public hearing on 2001-2002 federal funding request. 347 Madison Ave., Manhattan, 5th floor. Registration to speak closes at 6pm. To register, call 212-878-7483.

June 7, 1pm "Ca\$h for Tra\$h", Women's City Club lecture w/ NYC Dept. of Sanitation deputy for long-term solid waste export Marsha Hirst. 105 E 22nd Street, Manhattan, \$, 212-353-8070 or info@wccny.org

June 7, noon Permanent Citizens Advisory Committee meeting, East Side Access Project to be discussed, MTA building, 347 Madison Avenue, Manhattan, ?'s 212-878-7087

June 9 Mid Atlantic Regional East Coast Greenway Association Meeting, Delaware Transit Corp.,

North Office, 400 South Madison Street, Wilmington, Delaware, RSVP dave.lutz@treebranch.com

June 7-10 9th Annual Congress for New Urbanism. New York City. Registration info, 800-788-7077, www.cnu.org

June 10, 10am-3pm NY Harbor railroad cruise. Waterfront rail facilities past and present. Narrated by Tom Flagg, author, "NY Harbor RR's in Color." Starts at 42nd St., Manhattan. \$ epcp@worldnet.att.net

June 12, 6-8pm LaGuardia subway access citizens advisory committee meeting. Crystal Palace, 31-09 Broadway, Astoria. Queens, 212-490-9090.

June 13, 7-9pm New York City Conservation Challenge panel discussion, "Deadly Urban Air: How do we turn back the growing asthma epidemic," Columbia University Alfred E Lerner Student Center, 2920 Broadway, Roone Arledge Cinema, www.nycef.org 212-361-6350, x 202

June 19, 2pm NYC Department of City Planning Review of NYC Draft Transportation Improvement Plan (TIP), 22 Reade St., Spector Hall, 212.720.3300

June 20, 4pm Mid-Hudson South TCC Public Meeting on Draft Transportation Improvement Plan listings, 148 Martine Avenue, Rm 527, White Plains, ?'s 845-431-7930

Additional calendar entries at www.tstc.org

TRI-STATE TRANSPORTATION CAMPAIGN



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