



NEW YORK STATE SENATOR

Timothy M. Kennedy

## Questions Remain Unanswered, New Questions Arise: Senator Kennedy Pushes DOT to Fix Mistake that Cost WNY \$167M

TIMOTHY M. KENNEDY January 26, 2012

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### *DOT Commissioner Leaves Questions Unanswered at Public Hearing*

ALBANY, N.Y. – Senator Timothy M. Kennedy, D-58th District, has been fighting to get the Department of Transportation to fix a mathematical error they made when calculating regional aid allocations for the 2008-09 fiscal year. Their mistake caused a funding shortfall of \$167 million to Western New York.

At the joint legislative budget hearing on transportation Thursday, Senator Kennedy continued his push to get the DOT to fix their mistake and rectify the subsequent \$167 million shortfall. He questioned DOT Commissioner Joan McDonald to uncover what went wrong in fiscal year 2008-09 and to learn more about steps the DOT plans to take to fix the funding disparity.

While responding to Senator Kennedy's questions, Commissioner McDonald attempted to claim that to her, no mistake had been made. Her claim comes in direct contrast to what Stanley Gee, former commissioner of the DOT, said last year at the joint legislative budget hearing on February 28, 2011.

"When we did the allocation in 2007, it resulted in what many felt were less of a percentage of funds than were historically received in Western New York," Gee said. "We went back and recalculated... Basically, they're based on bridge and pavement conditions, and what we found was that there was a mathematical error based on the weighing of certain bridges in our formula."

Commissioner McDonald's comments Thursday also directly contradict a letter she sent to Senator Kennedy on March 22, 2011. In the letter, she writes, "The allocations that are being utilized currently by our eleven regional offices were distributed in December 2009 to correct several data errors that were discovered in the 2008 allocations."

Senator Kennedy said the Commissioner's comments were "inconsistent and seemed less than forthright."

"The Department of Transportation may try to make claims about the mistake they made, but the bottom line is that Western New York has suffered a significant shortfall in infrastructure funding to the tune of \$167 million," said Senator Kennedy. "The effects on our

infrastructure and economy are real and have been devastating. The roads we drive on have been left in disrepair for longer as projects are pushed back and delayed. There have been fewer jobs for construction workers, and Western New York has missed out on economic opportunities since each dollar in infrastructure investment creates additional economic spin-off effects.

“The testimony we heard at the public hearing leaves questions unanswered and causes new questions to arise,” Senator Kennedy added. “The DOT has previously admitted that a mistake was made, and they agreed that such a significant funding shortfall would impact our infrastructure. I fear this is a bureaucratic attempt to cover up a mistake that cost Western New York \$167 million in infrastructure investment. We’re going to keep up the fight and uncover the truth because the DOT needs to fix their mistake.”

Senator Kennedy noted Western New York has endured a \$426 million loss in economic activity as a result of the funding shortfall, according to conservative economic multipliers. This aid disparity also forced Western New York to miss out on the creation of approximately 2,672 jobs.

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*Senator Timothy M. Kennedy represents the New York State Senate’s 58th District, which is comprised of the towns of Cheektowaga, Eden, Hamburg and West Seneca, the city of Lackawanna and parts of the city of Buffalo. More information is available at [kennedy.nysenate.gov](http://kennedy.nysenate.gov).*