



The \$181,000 Bus Stop

Why did a plain-looking
DART bus stop on Route
13 cost taxpayers more
than \$181,000?

by Shaun Gallagher

illustration by Tom Deja

When it stormed, the bleary-eyed morning riders huddled under the trees near the homes in Llangollen Estates as they waited to catch the bus.

When the weather cleared up, they flicked their cigarette butts and dropped their litter around the bus stop sign.

The people of Llangollen Estates wanted that bus stop gone. It was an “eyesore,” they said, and it had been for years.

So the members of the Llangollen Estates civic association appealed to their state senator. She initiated funding for a new bus stop — only 50 yards away — to appease them.

That bus stop would end up costing taxpayers more than \$181,000, with more expenses still not finalized.

A typical bus stop shelter costs \$5,000 to \$7,000, according to DelDOT officials, but because of the requirements of the new location, it took more than 25 times that amount to complete the new bus stop down the street from the entrance to Llangollen Estates.

To jump-start the project, two state legislators contributed \$32,400 from the controversial Community Transportation Fund, an \$18 million-per-year purse under the sole authority of state legislators, with no public oversight. Yet ultimately that money comes from taxpayers, who can decide only during election years whether it’s money well spent.



The \$181,000 DART bus stop along Route 13 northbound near the intersection of Llangollen Boulevard is one of the most expensive bus stops ever built in the state. A wheelchair ramp, required to comply with the Americans with Disabilities Act, sent construction costs soaring.

As president of the Llangollen Estates civic association, Joanne Rozell had for years heard complaints from her neighbors about the bus stop on the corner of Route 13 and Llangollen Boulevard. The official stop stood outside the entrance to her development, but over time, riders drifted toward private property in the neighborhood, creating wear and tear.

What's more, Rozell says, when the bus pulled to the side of the road to pick up or drop off passengers, it obscured the view of traffic turning into the neighborhood from Route 13. That

annoyed the residents: Why should they have to deal with the bus stop when most of its ridership came not from their neighborhood but from an adjacent apartment complex?

Llangollen Estates' civic association is one of the most active in the 12th senatorial district. With more than 430 homes in the community, it's also one of the largest. "Politically, we do carry a bit of weight," Rozell says. "There's power in numbers."

The civic association first approached the Delaware Authority for Regional

Transportation (DART) with its grievances in October 1998. "The bus stop has become an eyesore to our entrance, with grass worn away and debris scattered on some of our residents' front yards," Rozell wrote in a letter to DART Director Nancy Schevack. "We are presently working to change the look of our entrance and this bus stop is one of the areas that needs improving."

Rozell carbon-copied Republican Sen. Dori Connor, whose district runs from New Castle to Lums Pond, mostly west of Route 40. In the past, Connor had served as a valuable go-between for the civic association.

A few years ago, for instance, some homeless people living in a van started to park in Llangollen Estates overnight. "Dori Connor was very instrumental in helping us clear all that up," Rozell says. Connor also helped the community establish a neighborhood park, negotiating through years of red tape.

When Connor read Rozell's complaint, she immediately lent her support to the civic association. She asked Del-

DOT to draw plans to construct a new bus stop on Route 13. Connor and Rep. Mike Mulrooney, whose district is partly contained within Connor's, each contributed \$16,200 to the project, money that came from their respective \$300,000-a-year street fund budgets.

At the new stop, 50 yards away, a simple metal sign post wasn't enough. Building a stop along the hillside of the Gallaway Court apartment complex meant having to comply with the Americans with Disabilities Act. To meet ADA requirements, a large wheelchair ramp had to be constructed behind the bus stop shelter to form a pathway from the apartments to the sidewalk abutting the stop.

That requirement led to the construction of one of the most expensive bus stops ever built in the state, even though the number of riders may not have necessitated a shelter, says Earl Timpson, capital programs administrator for the Delaware Transit Corporation, a division of DeIDOT. The project, he says, was undoubtedly driven more by safety concerns and "legislator intent" than by rid-

COMMUNITY TRANSPORTATION FUND

Each Delaware state legislator receives \$300,000 annually from the Community Transportation Fund, to be spent on road improvements and repairs. That money and who should control it has been hotly contested since the fund was enacted, with increased scrutiny in recent years after a history of abuses.

Three years ago, the state found that legislators and Wilmington officials improperly distributed money from the fund, then known as the Suburban Street Fund. Nearly \$1.8 million from nine legislators' Suburban Street Fund accounts went toward ineligible projects.

In September 2003, State Auditor Tom Wagner released a report about the town of Felton's misuse of Community Transportation Funds, and as of press time, Wagner was expected to release another major report about substantial abuses of the fund in the town of Laurel.

John Flaherty, a lobbyist for Common Cause of Delaware, a watchdog organization that opposes "special-interest politics," says the Community Transportation Fund is riddled with problems. "There's very little in the lines of guidelines," he says. For instance, whereas the regular DeIDOT budget is presented to the public through public hearings, there is no public hearing for Community Transportation Fund projects, he says. "There was no accountability three years ago, and there's probably no accountability now," he says.

Sen. Karen Peterson, a Democrat who represents the Stanton area, doesn't want her \$300,000 a year. She has seen the abuses of the current system, she says, and she's also felt frustration that there have been few accountability measures instituted to prevent abuse.

Three days after Peterson won the primary for the Ninth District senatorial seat in September 2002, Sen. Tom Sharp, the outgoing senator and former president pro tempore, drained his Community Transportation Fund account to a zero balance, spending more than \$100,000 for projects in Sussex County, where his beach house is located, Peterson says. She says she tried to de-authorize these projects because Sharp's allotted Community Transportation Fund moneys should not support projects outside his own district. She also tried to de-authorize \$202,606 Sharp used to replace all the sidewalks in his neighborhood, Pinecrest.

Peterson plans to introduce a bill in January 2004 that will prohibit legislators from spending their \$300,000 on projects outside their own districts and require all requests for funding to be submitted to the bond bill committee. This requirement would open a new avenue of accountability, she says. Currently, she says, there are no public hearings on projects funded with Community Transportation Fund moneys. "If it does go to the bond bill committee, then it's a public hearing," she says.

ership. “The DTC got a shelter there a year or two before the volume [of ridership] would’ve suggested it,” he says.

Project coordinators spent close to \$10,000 to design the stop; \$7,600 to purchase the right-of-way; \$27,000 to advertise and inspect the construction; and almost \$137,000 in actual construction costs, Timpson says. Roughly \$10,000 more is expected to be spent on retainers and third-party construction expenses, he says.

The Galloway Courts apartment complex has no designated handicapped parking spaces in its lot. They’d be installed if requested, says manager Dawn Carpenter, but barring that, they aren’t much of a priority, since Galloway Courts isn’t an ideal place for wheelchairs, anyway. Set on a hillside, the complex’s only level paths are its primary sidewalks, worn and crumbling. Foot-long gaps interrupt the concrete at points, making the sidewalks practically inaccessible to wheelchairs.

If DelDOT had not installed a ramp connecting the bus stop to the apartments, few if any of Galloway Court’s bus riders would have been inconvenienced. They’d simply skip a few yards down the hill, or else take a detour down the complex’s entrance road and along the slim sidewalk flanking the highway. For years, they’d done just that.

Other reasons for the new stop were more compelling. The Colonial School District, for example, saw the new stop as an answer to a long-standing problem. Before the \$181,000 bus stop was constructed, children from Galloway Courts waited for their school bus at the sloped entrance to the apartment complex.

Because there was no sidewalk, the stop at Galloway Courts was never ideal, says Karen Foster, executive director of administration for the Colonial School District. One incident in particular motivated the district to relocate the stop. A car, skidding on an ice patch as it turned into the Galloway Courts complex, jumped the curb and nearly hit a group of children waiting for the bus, she says. The district explored its options.

“[We] tried to take the buses up into the apartment development, but they

won't fit," Foster says. The school district also tried to place the children at other bus stops in nearby developments, but the paths to all the nearest stops ran through private property.

A window of opportunity opened when Connor and Mulrooney authorized Community Transportation Funds for the construction of the new DART bus stop at the other end of the complex. The school district approached DelDOT and Connor to arrange sharing of the bus stop between DART riders and Colonial School District students, a move typically unheard of, since the school district prefers to keep its stops separate from DART bus stops. Thus, the \$181,000 stop pulls double-duty, serving as both a DART stop and a stop for 34 Colonial School District students.

Yes, Connor knows the bus stop in front of Galloway Courts looks over-the-top. "I call it the Delaware Visitors Center," she says, but she adds that it had to be constructed that way to conform to the standards of the ADA.

The ADA, a federal law that went into effect about a decade ago, requires accessibility in public places for persons with disabilities. The ADA applies to private businesses like restaurants and shopping malls and on government projects like sidewalks and bus stops.

All DelDOT projects must meet ADA requirements, says Mike Williams, a DelDOT community relations officer. (One of the department's latest achievements in ADA compliance was equipping the entire DART fleet with wheelchair-accessible lifts, only to find resistance from handicapped riders who preferred door-to-door paratransit service.)

The number of disabled riders using the stop is, according to ADA guidelines, irrelevant. Linda Heller, coordinator of the Statewide Coalition on the Americans with Disabilities Act in Delaware, defends the expense of the wheelchair ramp because ADA compliance is both a legal requirement and a civil rights issue. "The justification lies in the fact that we as a people have decided that people with disabilities should be treated as equal citizens."

But the ramp may actually be inacces-

sible to people in wheelchairs, since the grade of the apartment's parking lot where it meets the ramp appears about as steep, if not steeper, than the maximum grade allowed under the ADA.

The two legislators' contributions to the project came from Community Transportation Fund money, which in recent years has been criticized as a much-abused way for legislators to hand out favors to constituent groups (see "Community Transportation Fund," page 77). Having devoted so much of her time to public service, Connor is offended when the Community Transportation Fund is labeled a "slush fund."

"Part of the thing that hurts us, those who try to be ethical in our use of the money — they call this a 'slush fund' and all sorts of terrible words. If they put [the fund] in the hands of the bureaucracy, it would never get done." But the negative publicity the fund has received in the past has made it almost more trouble than it's worth for the legislators.

"All you need is one incident and it's tainted," Connor says, referring to the abuses of Community Trust Fund moneys in the city of Wilmington four years ago. But she sees no better alternative than the current system and denies that legislators use it to grant special favors. "If \$18 million's taken away [from the legislators], where's it going? To DelDOT. It'll fund major highway projects," she says. "DelDOT doesn't have the staff to know what's going on in suburban developments."

Still, with so many communities vying for the funds, Connor says she sometimes walks into civic association meetings wondering whether she should have worn a Kevlar vest. "There are parts of us who say, 'You can take your \$300,000 back,'" she adds. "But we know the priorities of our constituents.

"If you were to ask people where they want their money to go, it's 'Fix my schools' and 'Fix my roads.'" Hence, she says, "I know when I go to sleep at night, I feel justified about this. These are justified transportation-related issues." ■

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