

**GENESEE TRANSPORTATION COUNCIL  
QUARTERLY BOARD MEETING  
Radisson Hotel  
Henrietta, NY**

**December 11, 2008**

GTC BOARD MEMBERS PRESENT

Maggie Brooks, Monroe County Executive (GTC Chairperson)  
Linda M. Dobson, Monroe County Supervisors' Association  
Mary Pat Hancock, Genesee County (GTC Vice Chairperson)  
Paul E. Haney, Rochester At-Large  
James Hoffman, Wayne County  
Dan Hogan, Monroe County At-Large  
Wayne Zyra, Monroe County

ALTERNATE REPRESENTATIVES PRESENT

David Cook, Roch. Gen. Regional Trans. Authority (RGRTA), representing John G. Doyle, Jr.  
Angela Ellis, Livingston County, representing James Merrick  
E. Joseph Gozelski, Wyoming County, representing A. Douglas Berwanger  
Dan Hallowell, NYS Department of Transportation (NYSDOT), representing Astrid C. Glynn  
Dorothy Huber, Ontario County, representing Theodore Fafinski  
Paul Johnson, Monroe County Planning Board, representing Linda A. Faubel  
Scott Leathersich, Monroe County At-Large, representing Edward Marianetti  
Edward G. Muszynski, Empire State Development Corporation, representing Marisa Lago  
William Sullivan, Rochester City Council, representing Gladys Santiago  
Thomas E. Pericak, NYS Thruway Authority, representing Michael Fleischer  
David Zorn, Genesee/Finger Lakes Regional Planning Council (G/FLRPC)

GTC BOARD MEMBERS ABSENT AND UNREPRESENTED

Philip Brito, Federal Aviation Administration  
Robert Duffy, City of Rochester Mayor  
Pete Grannis, NYS Department of Environmental Conservation  
Brigid Hynes-Cherin, Federal Transit Administration  
Jeff Kolb, Federal Highway Administration  
Chuck Lafler, Seneca County  
Robert Multer, Yates County  
Henry Smith, Jr., Orleans County  
David L. Watson, Rochester City Planning Commission

OTHERS IN ATTENDANCE

Kristen Mark Hughes, Ontario County  
Marvin Kleinberg, NYSDOT – Region 4  
Richard Perrin, GTC Staff  
Terrence J. Rice, Monroe County  
James Stack, GTC Staff  
John Thomas, City of Rochester  
Douglas J. Tokarczyk, NYS Thruway Authority  
Robert Torzynski, GTC Staff  
Eileen Yates, GTC Staff

## **1. Call to Order and Roll Call**

Chairperson Brooks called the meeting to order at 8:33 a.m.

James Stack, GTC staff, called the roll; a quorum was present.

## **2. Public Forum**

No one from the public spoke during the Public Forum.

## **3. Approval of Minutes**

**Wayne Zyra moved for approval of the minutes from the September 11, 2008 GTC Quarterly Board meeting; Daniel Hogan seconded the motion. The minutes were approved as submitted.**

## **4. Communications and Announcements**

Richard Perrin announced that Ontario County Board of Supervisors' Chairman Ted Fafinski has designated Supervisor Dorothy Huber to serve the remainder of former Supervisor Leslie Bamann's term as the County's alternate to the Genesee Transportation Council.

## **5. Reports and Action on Old Business**

### **a. Planning Committee Report – Kristen Mark Hughes, Chairman**

Kristen Mark Hughes provided the following report:

The Planning Committee met October 16<sup>th</sup> and November 13<sup>th</sup> and recommends that the GTC Board:

- Accept the submission of reports as evidence of completion of nine Unified Planning Work Program (UPWP) tasks.
- Adopt nine amendments to the *2007-2012 Transportation Improvement Program* as requested by the New York State Department of Transportation (NYSDOT) and Ontario County.
- Approve two resolutions to address the likely rescission of FHWA Metropolitan Planning funds available for programming in the *FY 2009-2010 Unified Planning Work Program*.
- Incorporate an unexpended FTA Metropolitan Planning Program fund balance into the current UPWP.

Additionally, the Planning Committee took the following actions:

- Approved a minor amendment to modify the costs of phases of the Jefferson Avenue, Ayrault to Route 31F project in the *2007-2012 Transportation Improvement Program* as requested by Monroe County. This action is consistent with an "Administrative Modification" as defined in federal regulations.

- Approved scopes of work for two UPWP tasks to be conducted by Ontario County and the Rochester Genesee Regional Transportation Authority.
- b. GTC Staff Report – Richard Perrin, Executive Director

Richard Perrin provided the following report:

- GTC staff has spent a significant amount of time on the development of the *2010-2014 Transportation Improvement Program (TIP)* and preparing for the Quadrennial FHWA/FTA Certification Review.
- GTC staff is progressing several Unified Planning Work Program (UPWP) tasks. GTC staff is anticipating a rescission of up to approximately \$500,000 of Federal Highway Administration Planning (FHWA PL) funds. This represents approximately 40 percent of the Federal Fiscal Year 2009 allocation of FHWA PL, which accounts for approximately 80 percent of the new funding anticipated to support the *FY 2009-2010 UPWP*.

GTC received approximately \$930,000 worth of requests for UPWP funds and approximately \$630,000 is available for new projects. The UPWP Development Committee met three times and developed a draft program of projects for Planning Committee consideration at its January 8, 2009 meeting.

c. Old Business

1. *2010-2014 TIP* Development

The TIP Development Committee (TDC) has met five times since the last Board meeting to advance the development of the *2010-2014 TIP*. The emphasis has been on updating costs and schedules of existing projects. The TDC spent a significant amount of time deliberating inflation factors for the TIP. Ultimately, the TDC decided to use inflation factors developed by NYSDOT. The TDC felt these factors were reasonable and using them would keep this region consistent with the rest of the State.

The TDC reviewed every project in the existing TIP that requested additional Federal funds to determine if the request was reasonable. Additionally, all proposed project scope changes had to be justified prior to the allocation of any additional Federal funds.

The TDC used guiding principles to schedule projects in a manner that meets the most stringent definition of fiscal constraint. The TDC has also been reviewing projects in the current Federal Fiscal Year (FFY 2009). GTC staff expects to present an omnibus resolution amending the current TIP to begin "righting the ship" for consideration at the March 12, 2009 meeting.

The TDC will continue to develop the *2010-2014 TIP* for consideration at the June 18, 2009 meeting. The next step will be to conduct a targeted solicitation

for new Bridge and Congestion Mitigation and Air Quality projects since there will be sufficient balances in these funds sources in FFY 2013 and FFY 2014

Dan Hogan asked that, if the federal economic stimulus package being discussed in Congress is adopted, would there be any issue including projects that are not already included in the current TIP. Richard Perrin responded that NYSDOT – Main Office reached out to all MPOs to help identify potential projects that could be ready to go to construction by June 2009 if a stimulus package was enacted in 2009. GTC staff contacted county highway departments and the City of Rochester to identify municipal projects that were not already included in the TIP and compiled the information into a single list. This region identified approximately \$131 million worth of projects with about 60 percent being projects that do not currently have federal transportation funds and are not included in the TIP.

Dan Hogan asked about the potential for a second, larger phase of an economic stimulus package that could accommodate major regional projects. Richard Perrin responded that major regional projects probably would not be ready for the first round of an economic stimulus package since design activities likely have not been conducted. There is a concern that a long-term economic stimulus package needs projects that will change the functionality of the transportation system. There may be an opportunity to do so as part of the next surface transportation authorization legislation.

Chairperson Brooks commented that at a national meeting between County Executives and the President-elect's transition team earlier this week, the County Executives stressed the need to streamline the project approval process and reduce barriers to implementing projects. Additionally, the County Executives expressed the need to utilize the MPO process and eliminate a local match on economic stimulus funds since many communities do not have the resources to match the federal funds even though they have significant infrastructure needs.

Paul E. Haney asked if there is any new information on funding for the Highway Trust Fund (HTF). Richard Perrin responded that the recent transfer of funds from the General Fund is expected to sustain the HTF through March 2009. There is still uncertainty about future revenue to the HTF. Options such as raising the gas tax, adding tolls, and tapping the general fund are less than ideal.

Terry Rice asked if Richard Perrin or Dan Hallowell could clarify project eligibility for the economic stimulus package. He noted that other parts of the State, such as Erie County, are looking to include all of their projects and not just those that are Federal-Aid eligible. Dan responded that his understanding is that the proposed economic stimulus would be for Federal-Aid eligible projects.

Terry Rice also noted that County Highway Superintendents are requesting that economic stimulus funding be allocated to the Consolidated Local Street and Highway Improvement Program (CHIPS).

Dan Hallowell stated that NYSDOT – Region 4 has identified additional state projects for economic stimulus funding. NYSDOT – Region 4 staff is conducting various analyses of the projects they identified and the projects that GTC staff compiled.

Terry Rice noted that there are probably a limited number of projects that can be ready for construction in June and there would probably be a more lasting benefit to extending the economic stimulus package over several years.

Tom Pericak asked what inflation factors the TDC agreed to use in reprogramming the TIP. Richard Perrin responded that project sponsors were asked to provide update project costs in 2008 dollars and the inflation factors are 6.28 percent for FFY 2009 and FFY 2010, 4.9 percent for FFY 2011, and 3.5 percent for FFY 2012, FFY 2013, and FFY 2014.

Mary Pat Hancock asked for clarification on the proposed economic stimulus package. She noted that some municipalities have designed projects but do not have the funding to proceed to construction. She asked if these would count against a project. Richard Perrin responded that these are the types of projects that should be included in an economic stimulus package. Terry Rice added that a project with design already complete is the best kind of project to have.

## 2. Quadrennial FHWA/FTA Certification Review

Richard Perrin discussed the Quadrennial FHWA/FTA Certification Review. The review consists of a desk audit and a site visit. The materials for the desk audit were compiled by GTC staff and submitted to FHWA and FTA in mid-November. The site visit was conducted in the first week of December. Prior to the site visit, Richard met with the Executive Committee to review the process and GTC staff expectations. At the conclusion of the site visit, FHWA and FTA provided the preliminary Corrective Actions which were mostly consistent with GTC staff expectations. Dan Hallowell participated in the majority of the field visit and David Cook participated in the transit portions. FHWA and FTA have indicated that GTC will be re-certified. Richard expects that most of the Corrective Actions will be addressed in the near future.

Dan Hallowell commended Richard Perrin for how he represented the region during the field visit. He noted that FHWA and FTA commented that they had high expectations for GTC and those expectations were exceeded.

David Cook added that FTA was complementary of GTC staff at a subsequent meeting.

## 3. Local Update of Census Addresses

David Zorn provided an overview of the memorandum he prepared regarding the U.S. Census Bureau Local Update of Census Addresses (LUCA) Program. The memo was prepared in response to a request at the September 11, 2008 meeting and included in the meeting package.

## 6. Action Items

- a. Requesting that NYSDOT obligate FFY 2009 FHWA Metropolitan Planning (PL) funds at the earliest possible date – Action on Proposed Resolution 08-72

Richard Perrin described the process by which Federal transportation funds are rescinded on an annual basis. Like all MPOs in New York State, FHWA PL funds are the primary source of funding for federally-required Metropolitan Planning Organization activities programmed in the GTC annual Unified Planning Work Program (UPWP). The requirement to rescind FHWA PL funds in Federal Fiscal Years 2008 and 2009 is an unintended consequence of a provision in the Energy Independence and Security Act of 2007 (EISA).

If funds are obligated to a project prior to the federal notice of rescission to the States, those funds are no longer available to meet the rescission of Federal transportation funds. Federal regulations require that a project be ready to go before funds are obligated. The UPWP is expected to be adopted at the March 12, 2009 meeting, prior to the anticipated date of the federal notice of rescission, and would take effect April 1, 2009.

Dan Hallowell noted that as the fiscal agent for FHWA, NYSDOT's position is to obligate funds only for projects that are ready to proceed; this includes planning activities.

**Dan Hogan moved to approve Resolution 08-72; Paul E. Haney seconded. The motion passed with Dan Hallowell abstaining.**

- b. Accepting FHWA State Planning and Research (SPR) funds from NYSDOT for programming in the *FY 2009-2010 Unified Planning Work Program (UPWP)* – Action on Proposed Resolution 08-73

Richard explained that NYSDOT is offering to share a portion of its FHWA SPR funds with MPOs to provide rescission relief. These funds are comparable to the FHWA PL funds that GTC receives for conducting the metropolitan planning process. NYSDOT has offered to defer some of their work to make up 50 percent of the FHWA PL funding that was rescinded from MPOs in FFY 2008. The only requirements were that MPOs make their intentions known by December 31, 2008 and use the funds in an expeditious manner.

GTC staff recommends accepting the funding to supplement the funding for the *2009-2010 UPWP*. The funding can be programmed to GTC staff activities to ensure that it is spent during the fiscal year. Proposed Resolution 08-73 specifies that any balance remaining after March 31, 2010 will be returned to NYSDOT.

**Paul E. Haney moved to approve Resolution 08-73; Scott Leathersich seconded. The motion passed unopposed.**

- c. Amending the FY 2008-2009 UPWP Budget to incorporate an FTA Section 5303 Metropolitan Planning Program (MPP) grant balance – Action on Proposed Resolution 08-74

Richard Perrin explained that there is a small balance remaining from a project conducted by the Rochester Genesee Regional Transportation Authority (RGRTA). RGRTA hired a consultant to prepare a Safety and Security Plan. The consultant contract was for \$1,642 less than the project budget. The New York State Department of Transportation is in the process of closing out the FTA grant that provided these funds. If the funds are not reprogrammed and spent quickly, they will be lost to the region. These funds can be reprogrammed to GTC staff activities and spent quickly. To maintain the approved staff budget, a corresponding amount of funds must be reprogrammed from GTC staff activities to the Program Reserve task.

**Mary Pat Hancock moved to approve Resolutions 08-74; Linda Dobson seconded. The motion passed unopposed.**

- d. Accepting the submission of reports as evidence of completion of various UPWP Tasks

Chairperson Brooks suggested that Resolutions 08-54 through 08-62 be considered under one motion. The Board concurred.

- (1) Accepting the report, *Erie-Lackawanna Railroad Bridge Rails-to-Trails Conversion Feasibility Study* as evidence of completion of a component of UPWP Task 6510 – Action on Proposed Resolution 08-54
- (2) Accepting the report, *Feasibility Study for the Former Lehigh Valley Railroad Multi-Use Trail*, as evidence of completion of a component of UPWP Task 6510 – Action on Proposed Resolution 08-55
- (3) Accepting the report, *New York Central West Shore Branch Multi-Use Trail Feasibility Study*, as evidence of completion of a component of UPWP Task 6510 – Action on Proposed Resolution 08-56
- (4) Accepting the report, *Village of Perry's Main Street District Circulation, Accessibility, & Parking Study: A Declaration of Transportation Interdependence*, as evidence of completion of a component of UPWP Task 6800 – Action on Proposed Resolution 08-57
- (5) Accepting the report, *Village of Hilton Circulation, Accessibility, & Parking Study: Enhancing an American Village*, as evidence of completion of a component of UPWP Task 6800 – Action of Proposed Resolution 08-58
- (6) Accepting the report, *Operational Process Study*, and associated master plan as evidence of completion of UPWP Task 8422 – Action of Proposed Resolution 08-59
- (7) Accepting the report, *Irondequoit Creek Valley Multi-Use Trail Feasibility Assessment and Design Recommendations*, as evidence of completion of a component of UPWP Task 6510 – Action on Proposed Resolution 08-60

- (8) Accepting the report, *Travel Time Data Collection Program*, as evidence of completion of UPWP Task 7121 – Action on Proposed Resolution 08-61
- (9) Accepting the report, *Route 250 Corridor Study*, as evidence of completion of UPWP Task 7570 – Action on Proposed Resolution 08-62

**Edward Muszynski moved to approve Resolutions 08-54 through 08-62; E. Joseph Gozelski seconded. The motion passed unopposed.**

Paul E. Haney stated that shortly after the Erie-Lackawanna Railroad Bridge was abandoned the University of Rochester was opposed to using the bridge for a multi-use trail due to safety concerns. He asked if the University has changed its position on using the bridge.

John Thomas responded that the University is now supportive of using the bridge for a multi-use trail and participated on the study Steering Committee.

e. Adopting amendments to the *2007-2012 Transportation Improvement Program (TIP)*

Chairperson Brooks suggested that Resolutions 08-63 through 08-71 be considered under one motion. The Board concurred.

- (1) Amending the *2007-2012 TIP* by adding the Rochester Safe Routes to School Program project – Action on Proposed Resolution 08-63
- (2) Amending the *2007-2012 TIP* by adding the Irondequoit Safe Sidewalks Program project – Action on Proposed Resolution 08-64
- (3) Amending the *2007-2012 TIP* by adding the Palmyra Elementary Walking Route to Education and Wellness project – Action on Proposed Resolution 08-65
- (4) Amending the *2007-2012 TIP* by adding the Calkins/Mendon Center Road Corridor Improvements project – Action on Proposed Resolution 08-66
- (5) Amending the *2007-2012 TIP* by adding the Village of Arcade Safety Route: North Street Sidewalks and Cattaraugus Trail project – Action on Proposed Resolution 08-67
- (6) Amending the *2007-2012 TIP* by adding the Monroe County School Zone Traffic Control Upgrades and Education project – Action on Proposed Resolution 08-68
- (7) Amending the *2007-2012 TIP* by increasing the total cost of the I-390 Bridge over Canaseraga Creek Preventive Maintenance project – Action on Proposed Resolution 08-69
- (8) Amending the *2007-2012 TIP* by decreasing the total cost and modifying the notes section of the High Risk Rural Road Improvements for 2009 project – Action on Proposed Resolution 08-70
- (9) Amending the *2007-2012 TIP* by changing the federal fund source and obligation date and modifying the notes section of the County Road 10 & County Road 46 Intersection Improvement project – Action on Proposed Resolution 08-71

Richard Perrin noted that Proposed Resolutions 08-63 through 08-68 amend the TIP by adding the Safe Routes to School Projects based on the Regional Project Priorities List that this Board endorsed at its June 2008 meeting.

Proposed Resolution 08-69 amends an existing project to take advantage of a planned detour to address a structural issue related to a pipe culvert under I-390.

Proposed Resolutions 08-70 and 08-71 shift funds from a block program to a specific project. The funds will cover design activities that will help determine whether Congestion Mitigation and Air Quality (CMAQ) funds can be used to construct the project. CMAQ funds cannot be used until an air quality benefit can be demonstrated.

**William Sullivan moved to approve Resolutions 08-63 through 08-71; Paul E. Haney seconded. The motion passed unopposed.**

## **7. New Business**

Chairperson Brooks announced that Paul Johnson is retiring from Monroe County. She thanked Paul for his service to GTC and the County.

Chairperson Brooks announced that her term expires in March 2009 and the GTC Board will need to conduct an election of officers at the March 12, 2009 meeting. In accordance with GTC By-Laws, she will be establishing a nominating committee at least 45 days before that meeting. A recommended slate of Officers will be presented at the March 12 meeting. Nominations may also be made from the floor. She reminded Board Members that Alternates are not permitted to serve as Officers. She asked that anyone interested in serving as an Officer of GTC to contact Richard Perrin.

Tom Pericak stated that the New York State Thruway Authority recently released a Draft Mobility and Modernization Study and he will be making a presentation to the GTC Planning Committee in January. One recommendation being considered is toll-free zones in urban areas.

## **8. Next Meeting**

The next GTC Board meeting will be held Thursday, March 12, 2009 at 8:30 a.m. at the Radisson Hotel in Henrietta.

## **9. Adjournment**

The meeting adjourned at 9:29 a.m.