

**GENESEE TRANSPORTATION COUNCIL  
SPECIAL PLANNING COMMITTEE MEETING  
Radisson Hotel  
Henrietta, NY**

**February 18, 2009**

PLANNING COMMITTEE MEMBERS PRESENT

Angela Ellis, Livingston County  
James Fletcher, Monroe County – At Large  
Todd Gadd, Wyoming County  
Tom Goodwin, Monroe County Planning Board  
Daniel Hallowell, New York State Department of Transportation (NYSDOT) – Region 4  
Paul Holahan, City of Rochester  
Scott Leathersich, Monroe County – At Large (Vice Chairman)  
Edward G. Muszynski, Empire State Development Corporation  
Terrence J. Rice, Monroe County  
Kevin Rooney, Wayne County  
William Sullivan, Rochester City Council  
Chuck Thomas, Rochester City Planning Commission  
David Zorn, Genesee/Finger Lakes Regional Planning Council (G/FLRPC)

ALTERNATE REPRESENTATIVES PRESENT

Richard Beers, Jr., Federal Highway Administration, representing Robert Griffith  
David Cook, Rochester Genesee Regional Transportation Authority (RGRTA), representing Mark Aesch

PLANNING COMMITTEE MEMBERS ABSENT AND UNREPRESENTED

Robert Colby, Monroe County  
Timothy Hens, Genesee County  
Kristen Mark Hughes (Chairman), Ontario County  
Gary Kent, Orleans County  
Douglas J. Tokarczyk, New York State Thruway Authority  
Steve Urlass, Federal Aviation Administration (FAA)  
(Vacant), Monroe County Supervisors' Association  
(Vacant), City of Rochester – At Large  
(Vacant), FTA  
(Vacant), NYS Department of Environmental Conservation (NYSDEC)  
(Vacant), Seneca County  
(Vacant), Yates County

OTHERS IN ATTENDANCE

Daniel Ciszek, Congresswoman Slaughter's Office  
Ed Houseknecht, Orleans County  
Richard Perrin, GTC Staff  
Rich Quodomine, NYSDOT – Main Office  
Rob Slaver, NYSDOT – Region 4  
Jill Terreri, Democrat & Chronicle  
John Thomas, City of Rochester  
Robert Torzynski, GTC Staff  
Christopher Zeltmann, Congresswoman Slaughter's Office

## 1. Call to Order & Introductions

The meeting was called to order at 9:00 a.m. Scott Leathersich welcomed everyone and Members, Alternates, and others present introduced themselves.

## 2. Public Forum

No one from the public spoke during the Public Forum.

## 3. Action Item

- a. Recommendation to the GTC Board concerning **amending the 2007-2012 Transportation Improvement Program (TIP) to include projects that will benefit from funding provided via The American Recovery and Reinvestment Act of 2009** / Proposed Council Resolution 09-10.

Richard Perrin discussed The American Recovery and Reinvestment Act of 2009 (ARRA) and outlined the process for identifying the candidate projects that were considered as part of the process for selecting projects to benefit from funding provided via ARRA. Richard stated that GTC staff, the New York State Department of Transportation (NYSDOT) – Region 4, counties in the GTC TIP area, the City of Rochester, and the Rochester Genesee Regional Transportation Authority began working to identify candidate projects in November 2008.

The GTC process for selecting projects included a 30-day public review from January 9, 2009 to February 9, 2009 that allowed for the provision of comments on projects included on the list compiled for the public review document and the submission of additional projects for consideration. All projects submitted, regardless of type or by what agency, had to be federal-aid eligible and able to be advanced to construction by Summer 2009 (without the waiver of any federal-aid requirements).

Each of the proposed highway and bridge projects were evaluated using criteria that assessed the readiness of the project (i.e., could it be ready for obligation by June 2009), the physical condition of the road or bridge, the current use of the road or bridge (based on the most recent traffic counts), and the cost-effectiveness of the project as measured by the cost relative to how long before additional repairs would be needed. Consistent with ARRA, a criterion was included to give priority to those projects located either wholly or partially within an economically-distressed area.

Each of the proposed public transportation projects were evaluated based on the degree to which they would improve the convenience and attractiveness of the transit system and what level of operating cost efficiencies would be gained.

Each of the proposed bicycle and pedestrian projects were evaluated based on the degree to which they would improve the convenience and attractiveness of the network and what level of improved accessibility would be gained

Richard discussed the TIP Development Committee's use of these preliminary

rankings based on the previously mentioned criteria and other considerations, including geographic balance, in developing the proposed list of projects for Planning Committee consideration and recommendation to the GTC Board.

NYS DOT – Main Office provided “planning targets” of funds to be provided to the GTC TIP Area as part of ARRA. The “planning targets” for the GTC TIP Area are \$72.9 million for highway, bridge, bicycle, and pedestrian-eligible projects and \$11.2 million for public transportation-eligible projects. These “planning targets” represent the maximum amounts that GTC can use to program projects with ARRA funds and maintain federally-required fiscal constraint. Projects programmed with these funds are contained on the Selected list.

Richard discussed the inclusion of a prioritized list of Illustrative projects that can be programmed in the TIP for if and when additional ARRA funds become available to the region. These projects would be added to the TIP in the order provided without further action and total approximately 50 percent of the “planning targets” used to develop the Selected list. Inclusion of a project on the Illustrative list does not represent a commitment of future federal funds from either ARRA or federal formula programs.

Richard stressed that during the solicitation for prospective projects, GTC made clear that every involved agency must commit to advancing its projects in order to ensure that regionally agreed-upon timelines can be met and to maximize the benefit to the region from the use of the funds. Richard also discussed the provisions of Resolution 09-10 that would allow for the flexibility to program ARRA funds to existing TIP projects under specific conditions, including that projects selected to benefit from funds provided via ARRA be funded fully with federal funds.

Richard summarized the GTC process as being optimal for meeting the intent of ARRA (to create jobs quickly), selecting projects that will have a lasting benefit to the transportation system and are cost-effective, and using federal funds in a manner that fully recognizes that the transportation system connects all of our local communities and serves as the backbone of our regional economy.

Paul Holahan asked what constitutes obligation in the ARRA. Richard responded that obligation involves the allocation of money to an account for a specific project based on the completion of contract plans, specifications, and estimates (i.e., a bid package). Rob Slaver provided information on the process used by NYS DOT to obligate funds to projects.

James Fletcher commented that in recent conversations with a local supplier of highway materials the possibility was raised that competition for resources could potentially lead to materials shortages and increased costs. Richard responded that he had raised the same issue, including the availability of labor, at a joint meeting of the Association of New York State Metropolitan Planning Organizations and NYS DOT on February 6, 2009. NYS DOT – Main Office staff responded that they had received assurances from industry representatives that there would be adequate materials and labor.

Dan Hallowell stated that the provision in the resolution allowing existing TIP projects programmed with formula funds to be reprogrammed with stimulus funds provides flexibility from both project and fiscal management perspectives.

Terry Rice asked what the policy would be if the winning bid for a project was lower than the amount programmed, resulting in cost savings, and if a project sponsor's savings on one project could be used for if a winning bid was higher than the amount programmed on another project.

Richard responded that this issue would need to be discussed and would likely depend on how the projects were put out for bid but that overruns on projects should be the responsibility of the sponsor. Otherwise, there would be no guarantee that all of the projects selected to benefit from ARRA funding would be delivered. In addition, the ARRA funds are being programmed for the full (100 percent) cost of construction and inspection. Even if a project sponsor had to cover an overrun resulting from a higher bid, it would likely be minimal provided that the sponsor had a reasonable estimate in the first place.

Dan Hallowell added that it would make sense to allow for transfer of ARRA funds among various projects that were bid under a single contract since all of the projects would be delivered for the amount programmed.

Todd Gadd asked if GTC was the only MPO that has an Illustrative projects list. Richard Perrin responded that, to his knowledge, most (if not all) of the other MPOs in New York State were going to be developing Illustrative lists.

Kevin Rooney asked if each project will have an individual NYSDOT Project Identification Number (PIN). Rob Slaver indicated that each project should have its own PIN, but projects could be combined so that multiple PINs would be awarded under a single contract if it would simplify project management.

Dan Hallowell commented that NYSDOT – Region 4 will be holding workshops for project sponsors on February 24 and February 26. Rob Slaver said that he will send out an email to sponsors of projects on both the Selected and Illustrative lists.

Scott Leathersich asked if Illustrative projects will serve as backups if Selected projects don't advance. Richard Perrin answered in the affirmative stating that project sponsors will need to meet guidelines and schedules developed by NYSDOT to ensure that their project(s) is progressing in a manner that will allow for obligation within the 120-day limit that GTC member agencies have agreed to for all projects.

Terry Rice asked that, if money from other regions becomes available, would GTC advance projects on the Illustrative list "in part" or only in their entirety. Richard responded that it would be best to advance projects on the Illustrative list only when the full amount of funding requested is available so as to ensure that ARRA funds are not lost to the region because they were programmed to a project on the

Illustrative list that awaited additional funds that never materialized to proceed in full, and the partial funding for the project was lost as part of ARRA "use it or lose it" provisions. Ultimately, NYSDOT would be responsible for the process for interregional transfers and that might have some bearing on the manner for doing so.

Richard Perrin commented that sponsors of projects on the Illustrative list should advance their design and permitting activities so that they are ready to advance in the event that projects on the Selected list do not advance or, more preferably, additional funds become available to this region.

Jim Fletcher asked if the Town of Brighton's Monroe Avenue Sidewalk Replacement and Monroe Avenue Hazardous Sidewalk Replacement projects were overlapping. Richard responded that he believed the latter was a scaled down version of the former meant to address those most in need of replacement, and that he would contact the Town of Brighton for clarification.

**Terry Rice moved to recommend approval of Proposed Council Resolution 09-10; Dan Hallowell seconded the motion. The motion passed unopposed.**

**4. Public Forum**

No one from the public spoke during the Public Forum.

**5. Next Meeting**

April 16, 2009 at Ontario County Municipal Building in Canandaigua.

**6. Adjournment**

The meeting adjourned at 9:44 a.m.