

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

December 10, 2009

GTC BOARD MEMBERS PRESENT

Maggie Brooks, Monroe County Executive (GTC Chairperson)
Jerry Davis, Genesee/Finger Lakes Regional Planning Council
James Hoffman, Wayne County
Wayne Zyra, Monroe County

ALTERNATE REPRESENTATIVES PRESENT

Mark Aesch, Roch. Gen. Regional Trans. Authority, representing John G. Doyle, Jr.
Chris Bollin, Monroe County At-Large, representing Dan Hogan
Angela Ellis, Livingston County, representing James Merrick
Tom Goodwin, Monroe County Planning Board, representing Linda A. Faubel
Daniel Hallowell, NYS Department of Transportation (NYSDOT), representing Stanley Gee
Richard Hannon, City of Rochester, representing Robert Duffy
Dorothy Huber, Ontario County, representing Theodore Fafinski
Scott Leathersich, Monroe County At-Large, representing Edward Marianetti
William Sullivan, Rochester City Council, representing Gladys Santiago
John Thomas, Rochester At-Large, representing Paul E. Haney

GTC BOARD MEMBERS ABSENT AND UNREPRESENTED

A. Douglas Berwanger, Wyoming County
Michael Fleischer, NYS Thruway Authority*
Pete Grannis, NYS Department of Environmental Conservation
Mary Pat Hancock, Genesee County (GTC Vice Chairperson)
Brigid Hynes-Cherin, Federal Transit Administration
Jeff Kolb, Federal Highway Administration
Chuck Lafler, Seneca County
Dennis Mullen, Empire State Development Corporation
Robert Multer, Yates County
Henry Smith, Jr., Orleans County
Steve Urlass, Federal Aviation Administration
David L. Watson, Rochester City Planning Commission
George Wiedemer, Monroe County Supervisors' Association

OTHERS IN ATTENDANCE

Kristen Mark Hughes, Ontario County
Rick Papaj, NYSDOT – Region 4
Richard Perrin, GTC staff
Jody Pollot, GTC staff
Terrence J. Rice, Monroe County
James Stack, GTC staff
David Zorn, Genesee/Finger Lakes Regional Planning Council

*Douglas Tokarczyk was delayed due to weather issues and arrived at the meeting location shortly after adjournment.

1. Call to Order and Roll Call

Chairperson Brooks called the meeting to order at 8:52 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

William Sullivan moved for approval of the minutes from the September 10, 2009 GTC Quarterly Board meeting; Mark Aesch seconded the motion. The minutes were approved as submitted.

4. Communications and Announcements

There were no communication or announcements to report.

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 November 12 and recommends that the GTC Board:

- Accept the submissions of reports as evidence of completion of two Unified Planning Work Program Tasks;
- Amend the *FY 2009-2010 Unified Planning Work Program* by adding Task 7115 – Greater Rochester Regional Commuter Choice Program; and
- Adopt eight amendments to the *2007-2012 Transportation Improvement Program* as requested by the New York State Department of Transportation.

Additionally, the Planning Committee took the following actions:

- Approved a modification to the study area for the Route 104 Corridor Trail Feasibility Study as requested by GTC staff; and
- Approved Administrative Modifications to the *2007-2012 Transportation Improvement Program* by modifying the Notes portion of the Project Detail Sheet for one project as requested by Ontario County.

b. GTC Staff Report – Richard Perrin, Executive Director

Richard Perrin provided the following report:

1. *2011-2014 Transportation Improvement Program* Development

The schedule for developing the *2011-2014 TIP* has been revised. The original intent was to present the draft *2011-2014 TIP* for GTC Board consideration at the March 11, 2010 meeting.

Approximately \$205 million in new project proposals have been reviewed and evaluated by GTC and NYSDOT – Region 4 staffs. Associated preliminary rankings were developed in October.

While the project costs have been known since September and project evaluations were completed in October, allocations of federal revenues were not provided until November 19. These allocations include revised revenues for the current Federal Fiscal Year (FFY 2010) and the TIP period covering FFY 2011 through FFY 2014, as well as FFY 2015. As noted at the September meeting, the current FFY will need to be revised in March 2010. Revenues will be approximately \$35 million, or nearly 40 percent, less than expected in September 2008 based on NYSDOT – Main Office estimates.

The *2011-2014 TIP* will be developed for GTC Board consideration at its June 17, 2010 meeting and will take effect October 1, 2010.

2. *FY 2010-2011 Unified Planning Work Program* Development (UPWP)

The Call for Projects was issued to the 192 cities, towns, and villages, nine counties, and other GTC member agencies in the region on September 18. A workshop for prospective applicants was held on September 30. Twenty five proposals requesting \$1,626,000 were received by the October 23 deadline. GTC staff anticipates approximately \$900,000 in federal transportation planning funds being available for new projects after providing for GTC staff activities in the core budget.

The core budget for GTC staff activities will increase approximately \$30,000 compared to the current year. More than 85 percent of this increase is due to anticipated increases in New York State Retirement System expenses as estimated by the New York State Comptroller's Office. GTC staff have identified reductions in half of the overhead budget line items. Were it not for the projected increase in retirement expenses, the increase in the GTC staff budget would be approximately one-half of one percent.

The UPWP Development Committee (UDC) met on November 12 and December 2 and deliberated via e-mail to develop a draft *FY 2010-2011 UPWP* Project List for Planning Committee consideration at its January 7, 2010 meeting. The draft *FY 2010-2011 UPWP* Project List is expected to be available for public review from January 8, 2010 through February 8, 2010.

A recommendation by the Planning Committee to the GTC Board is anticipated in February for consideration at the March 11, 2010 GTC Board meeting. The *FY 2010-2011 UPWP* will take effect April 1, 2010.

c. Old Business

1. Economic Stimulus Update

Dan Hallowell discussed the current status of projects funded through The American Recovery Reinvestment Act of 2009 (ARRA). He reported that various audits continue on several ARRA-funded projects. There are conflicts between local and State specifications for construction projects. The conflicts are being resolved so ARRA funds are not jeopardized. Governor Patterson is expected to announce in January that all funding for ARRA projects has been obligated.

Dan noted that there is talk of the potential for another round of stimulus legislation. He encouraged agencies to begin identifying shovel-ready projects in the event there is another stimulus package.

2. Federal and State Transportation Funding Update

Richard Perrin reported that FFY 2009 and the current surface transportation authorization legislation (the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users or SAFETEA-LU) ended on September 30. Neither a new surface transportation authorization legislation nor extension of SAFETEA-LU has been enacted. As a result, federal transportation funding is being apportioned through Continuing Resolutions. The first Continuing Resolution was from October 1 through October 31. The second Continuing Resolution took effect November 1 and expires December 18.

Continuing Resolutions require that funding be equal to the prior year's level including rescissions. FFY 2009 was particularly bad due to the nearly \$12 billion rescinded nationally for the highway program. SAFETEA-LU had an end of life rescission of \$8.7 billion that was not resolved prior to its expiration. New York State's share of the rescission was \$550 million or approximately 30 percent of the funds expected to be received.

On December 8, the Joint Conference Committee of the House and Senate passed the FFY 2010 Transportation-Housing and Urban Development (T-HUD) Appropriations Bill. This is one of seven Appropriations Bills that have not passed but are expected to be packaged as a "minibus" Bill. Funding levels are expected to be similar to the amounts authorized for FFY 2009.

There has been no progress on a multi-year extension to SAFETEA-LU or a new authorization to succeed it. Work on a new surface transportation authorization legislation is stalled as healthcare reform and climate change continue to be legislative priorities, and until priorities change or those issues are addressed the issue of restoring solvency to the Highway Trust Fund won't be considered.

There are discussions occurring in Congress and with the Administration about enacting a second stimulus package. The American Association of State Highway and Transportation Officials (AASHTO) estimates that there is \$70 billion of additional shovel-ready projects that would benefit from a second stimulus. An Administration official has indicated the package could include \$50 billion above current infrastructure levels. However, it has been reported that President Obama is skeptical about the long-term benefits of shovel-ready projects.

NYSDOT – Main Office has asked the regions to begin identifying shovel-ready projects in light of the potential for another round of stimulus funds. GTC staff will work with NYSDOT – Region 4 staff and the TIP Development Committee to solicit project proposals.

Chairperson Brooks noted she was at a meeting in Washington, D.C. recently where it was mentioned that funding for high-speed rail projects would be taken off the top of federal aid transportation funding. She asked if Richard Perrin knew anything about this.

Richard responded that, in addition to the \$8 billion for high-speed rail that was included in ARRA, the Administration anticipates making \$1 billion available annually as part of the T-HUD Appropriations for the next five years. The revenue source(s) for this funding is not clear at this time.

Richard Perrin discussed the formulas for allocating surface transportation funds to regions throughout New York State. Given the status of federal funds, the decision by NYSDOT – Main Office to not adhere to the agreed-upon formulas for allocating the funds exacerbates the issue in this region.

As noted earlier, new federal aid highway allocations by program source were provided on November 19. These allocations utilized lower overall estimates of federal highway aid resulting in a \$35.1 million decrease in FFY 2010 and a \$12.9 million increase for the period to be covered by the next TIP, FFYs 2011 through 2014.

NYSDOT – Main Office has confirmed that the only adjustment made to the new allocations, outside of using more recent and corrected data, is the modification to the Highway Bridge Program formula in this region by removing Broad Street from the formula inputs. NYSDOT – Main Office feels that it “skews” the results and that the Tunnel should be filled in and not qualify for bridge funding in the future.

GTC staff have informed NYSDOT – Main Office that we feel removing Broad Street from the formula inputs “skews” it since the Tunnel is considered a bridge by the Federal Highway Administration and qualifies for federal Highway Bridge Program funds. Further, removing Broad Street from the formula inputs because NYSDOT thinks the tunnel should be filled in is inappropriate since this amounts to the State telling a local government how it should manage its infrastructure.

As a compromise, NYSDOT – Main Office is willing to pay for the Broad Street Tunnel project. It is unclear if they are offering to provide funds to offset those already obligated for the planned repairs or the overall re-configuration of the roadway including streetscape enhancements and re-watering the aqueduct component.

Richard Perrin noted that this issue is potentially a discussion item for the Executive Committee. Chairperson Brooks agreed that this issue should be discussed by the Executive Committee.

6. Action Items

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

Chairperson Brooks suggested that Resolutions 09-60 and 09-61 be considered under one motion; no Member or Alternate objected.

- (1) Accepting the report, *Neighborhood Traffic Calming Manual*, as evidence of completion of UPWP Task 5380 / Proposed Resolution 09-60
- (2) Accepting the report, *Village of Spencerport Eastern Village Corridor Concept Study*, as evidence of completion of UPWP Task 6805 / Proposed Resolution 09-61

Wayne Zyra moved to approve Resolutions 09-60 and 09-61; William Sullivan seconded the motion. The motion passed unopposed.

- b. Amending the *FY 2009-2010 Unified Planning Work Program* by adding Task 7115 – Greater Rochester Regional Commuter Choice Program / Proposed Resolution 09-62

Richard Perrin discussed the proposal to add the Greater Rochester Regional Commuter Choice Program to the UPWP. The Program would establish a website that provides commuters with the maximum opportunity to save money and reduce pollution by accessing travel options other than the single-occupant vehicle.

The website would allow commuters to enter their beginning and ending points and identify potential carpool matches, the optimal public transportation route(s) and schedule(s), and the preferred bicycling route. In addition, the website would calculate the out-of-pocket cost savings and the amount of air pollutants and greenhouse gas emission reductions from replacing the same trip by a single-occupant vehicle with an alternative mode.

GTC staff are proposing to amend the current UPWP to include this project using funds from Task 3105 – SAFETEA-LU Succession Program since its objective is wholly consistent with new requirements that are included in the draft of the next surface transportation authorization legislation, as well as proposed federal climate change legislation that is being moved in both the Senate and the House of Representatives.

This proposal was reviewed and recommended for approval by the Planning Committee.

Mark Aesch moved to approve Resolution 09-62; Richard Hannon seconded the motion. The motion passed unopposed.

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

Chairperson Brooks suggested that Resolutions 09-63 through and 09-70 be considered under one motion; no Member or Alternate objected.

- (1) Amending the *2007-2012 TIP* by decreasing the total cost of, adding several phases to, and modifying the Notes portion of the Project Detail Sheet of the Route 390 @ I-490 Interchange Improvements project / Proposed Resolution 09-63
- (2) Amending the *2007-2012 TIP* by decreasing the total cost of, adding a phase to, and modifying the schedule of the I-390 Rest Areas project / Proposed Resolution 09-64
- (3) Amending the *2007-2012 TIP* by decreasing the total cost of, adding a phase to, modifying the schedule of, and modifying the Notes portion of the Project Detail Sheet of the I-390 Interchange Improvements @ Rt. 15 (Exit 16 Part 2) project / Proposed Resolution 09-65
- (4) Amending the *2007-2012 TIP* by adding the I-490 from Bushnell's Basin to Rt. 31F MbC project / Proposed Resolution 09-66
- (5) Amending the *2007-2012 TIP* by adding the I-490 from I-590 to the Genesee River MbC project / Proposed Resolution 09-67
- (6) Amending the *2007-2012 TIP* by adding the I-390 Rest Areas in Groveland MbC project / Proposed Resolution 09-68
- (7) Amending the *2007-2012 TIP* by adding the Interstate Overhead Sign Structure Improvement (2010) MbC project / Proposed Resolution 09-69
- (8) Amending the *2007-2012 TIP* by adding the Interstate Overhead Sign Structure Improvement (2011) MbC project / Proposed Resolution 09-70

Wayne Zyra moved to approve Resolutions 09-63 through 09-70; Dan Hollowell seconded the motion. The motion passed unopposed.

7. New Business

Chairperson Brooks noted that this will be the last GTC Board meeting for Wayne Zyra, Jim Fabino, and Bill Sullivan. She recognized their contributions to GTC and wished them all well in their future endeavors.

Chairperson Brooks stated that a Nominating Committee will be formed for new GTC Officers to be elected in March 2010 to serve a two-year term. If anyone is interested in being a GTC Officer, they should contact Richard Perrin.

Chairperson Brooks informed the GTC Board that the September 2010 meeting is tentatively scheduled for Wednesday, September 8 to avoid a conflict with the Rosh Hashanah holiday. She asked if anyone had concerns with this. Hearing none, she directed GTC staff to confirm the meeting date and make the necessary arrangements.

8. Next Meeting

The next GTC Board meeting will be held Thursday, March 11, 2010 at 8:30 a.m. at the Radisson Hotel in Henrietta.

9. Adjournment

The meeting adjourned at 9:22 a.m.