

**GENESEE TRANSPORTATION COUNCIL
QUARTERLY BOARD MEETING**

**Radisson Hotel
Henrietta, NY**

March 11, 2010

GTC BOARD MEMBERS PRESENT

Jeffrey Adair, Monroe County
Maggie Brooks, Monroe County Executive
Jerry Davis, Genesee/Finger Lakes Regional Planning Council
Linda A. Faubel, Monroe County Planning Board
Mary Pat Hancock, Genesee County (GTC Chairperson)
Paul E. Haney, Rochester At-Large
James Hoffman, Wayne County (GTC Vice Chairperson)
Dan Hogan, Monroe County At-Large

ALTERNATE REPRESENTATIVES PRESENT

Mark Aesch, Roch. Gen. Regional Trans. Authority, representing John G. Doyle, Jr.
Angela Ellis, Livingston County, representing James Merrick
E. Joseph Gozelski, Wyoming County, representing A. Douglas Berwanger
Andrea Guzzetta, Rochester City Council, representing Lovely Warren
Richard Hannon, City of Rochester, representing Robert Duffy
Kristen Mark Hughes, Ontario County, representing Theodore Fafinski
Scott Leathersich, Monroe County At-Large, representing Edward Marianetti
Tom Pericak, NYS Thruway Authority, representing Michael Fleischer
Mitch Rowe, Seneca County, representing Chuck Lafler
Robert Traver, NYS Department of Transportation (NYSDOT), representing Stanley Gee

GTC BOARD MEMBERS ABSENT AND UNREPRESENTED

David B. Callard, Orleans County
David Dunning, Monroe County Supervisors' Association
Pete Grannis, NYS Department of Environmental Conservation
Brigid Hynes-Cherin, Federal Transit Administration
Jeff Kolb, Federal Highway Administration
Dennis Mullen, Empire State Development Corporation
Robert Multer, Yates County
Steve Urlass, Federal Aviation Administration
David L. Watson, Rochester City Planning Commission

OTHERS IN ATTENDANCE

Pat DiLucia, Dolomite Group
Daniel Hallowell, NYSDOT – Region 4
Marvin Kleinberg, NYSDOT – Region 4
Ken Lauderdale, Town of Savannah
Richard Perrin, GTC staff
Terrence J. Rice, Monroe County
Suzanne Sinclair, Seneca County
James Stack, GTC staff
John Thomas, City of Rochester (retired)
Douglas Tokarczyk, NYS Thruway Authority
Robert Torzynski, GTC staff
David Zorn, Genesee/Finger Lakes Regional Planning Council

1. Call to Order and Roll Call

Chairperson Brooks called the meeting to order at 8:34 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. Election of Officers

Chairperson Brooks stated that it was her pleasure to have served as Chairperson for the past four years, allowing her to work with such a talented group of people on behalf of the region. Chairperson Brooks turned the meeting over to Kristen Mark Hughes, Chairman of the Planning Committee and Nominating Committee member. Kristen Mark Hughes presented the Nominating Committee's slate of officers of Mary Pat Hancock, Genesee County Legislature Chairperson, for the office of Chairperson and James Hoffman, Wayne County Board of Supervisors Chairperson, for the office of Vice Chairperson. Additional nominations were solicited from the floor. No additional nominations were made.

Mark Aesch moved to approve the nomination of officers for the GTC Board; Richard Hannon seconded the motion. The motion passed unopposed.

Mary Pat Hancock thanked Maggie Brooks for her years of service as Chairperson and the Board for the opportunity to serve as the next Chairperson.

4. Approval of Minutes

Maggie Brooks moved for approval of the minutes from the December 10, 2009 GTC Quarterly Board meeting; Dan Hogan seconded the motion. The minutes were approved as submitted.

5. Communications and Announcements

Richard Perrin announced the following appointments to the GTC Board:

By his election as President of the Monroe County Legislature, Jeffrey Adair is now a voting member of the GTC Board.

By her election as President of the Rochester City Council, Lovely Warren is now a voting member of the GTC Board. Ms. Warren has designated Andrea Guzzetta as her alternate.

By his election as President of the Monroe County Supervisors' Association, David Dunning is now a voting member of the GTC Board.

By his election as Chairman of the Orleans County Legislature, David Callard is now a voting member of the GTC Board. Mr. Callard has designated Edward Houseknecht to serve as his alternate.

By his election as Chairman of the Yates County Legislature, H. Taylor Fitch is now a voting member of the GTC Board.

Monroe County Executive Maggie Brooks has reappointed Edward Marianetti and Daniel Hogan as Monroe County At-Large Members on the GTC Board. Ms. Brooks has re-designated Scott Leathersich Mr. Marianetti's alternate and Chris Bollin as Mr. Hogan's alternate.

Mayor Robert Duffy has reappointed Paul Haney as the City of Rochester At-Large Member on the GTC Board. Mr. Duffy has re-designated John Thomas as Mr. Haney's alternate.

Livingston County Board of Supervisors' Chairman and GTC Board Member James Merrick has reappointed Angela Ellis as his alternate.

6. 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 January 7th, February 11th, and February 23rd and recommends that the GTC Board:

- Adopt the *Fiscal Year 2010-2011 Unified Planning Work Program*;
- Accept the submissions of reports as evidence of completion of eight Unified Planning Work Program Tasks;
- Amend the *2007-2012 TIP* by changing the Federal Fiscal Year 2010 phase costs and schedules of select TIP Projects; and
- Adopt fifteen amendments to the *2007-2012 Transportation Improvement Program* as requested by the New York State Department of Transportation, the City of Rochester, and the Rochester Genesee Regional Transportation Authority.

Additionally, the Planning Committee took the following actions:

- Approved the Draft *FY 2010-2011 Unified Planning Work Program* Project List for 30-day public review prior to recommending adoption of the full program by the GTC Board;
- Approved Administrative Modifications to the *2007-2012 TIP* by modifying the cost of the Highland Park / Canalway Connector Trail project as requested by the Town of Brighton and by modifying the cost of the Midtown Redevelopment Transportation Infrastructure Improvements project as requested by the City of Rochester.
- Approved the Draft *2011-2014 Transportation Improvement Program* Project List for 30-day Public Review.

b. GTC Staff Report – Richard Perrin, Executive Director

Richard Perrin provided the following report:

1. *2011-2014 Transportation Improvement Program* Development

Richard Perrin reported that NYSDOT-Main Office provided revised allocations of federal highway aid by funding program on December 22, 2009. These allocations resulted in a slight decrease to the amount of federal highway aid compared to the allocations provided on November 19, 2009, which were significantly less than those provided on September 12, 2008.

Using the most recent allocations, the TIP Development Committee met several times in December 2009 and January and February 2010 to develop a draft TIP project list for public review for the Planning Committee to consider. The Planning Committee met on February 23rd, made minor modifications, and approved the draft TIP project list for public review. The public review period began February 25 and will end on March 26 with the document available at the GTC, NYSDOT, and county planning offices in the seven-county TIP area, the central repository libraries in the Rochester Transportation Management Area, and on the GTC website.

In conjunction with this review period, four public meetings are being held to present the draft TIP project list. The first was held Tuesday night in Rochester City Council Chambers, the second will be held tonight at the Perinton Community Center, and the third and fourth will be held next Wednesday: one in the morning at the Henrietta Town Hall and the other in the evening at the Ogden Town Hall. Comments may be submitted via mail, fax, e-mail, or at the public meetings.

The nearly 215 projects included in the draft TIP project list total approximately \$510 million in federal funds and include 53 new projects totaling approximately \$155 million in federal funds. Of the 53 new projects, 46 are bridge projects, three are public transportation, three are highway, and the remaining project is an Intelligent Transportation Systems initiative. The remaining 160 projects are existing projects with updated costs to meet the original intent and scope of the projects as proposed along with revised schedules that are within the fiscal constraints of the new federal highway aid allocations.

2. 2035 Long Range Transportation Plan (LRTP) Development

Richard reported that GTC staff have been working over the past two years on the development of the next LRTP, with the bulk of the efforts related to scope and work plan development, data collection, review of corridor and neighborhood plans and studies completed since the last Long Range Plan was adopted in June 2007. Materials are being prepared for distribution to and discussion by the LRTP Development Committee and sub-committees. GTC staff intend to convene the LRTP Development Committee later this month or in early-April and the sub-committees in April to develop the materials for the first round of public review, which will be held this Fall.

c. Old Business

1. Economic Stimulus Update

Dan Hallowell discussed the current status of projects funded through The American Recovery and Reinvestment Act of 2009 (ARRA). He reported that it was highly unlikely that the Governor Paterson would be making another certification to allow funds to be programmed to additional projects included on the Illustrative List. As such, the savings from existing ARRA projects will be applied to other existing ARRA projects that had cost overruns prior to the Federal Highway Administration deadline for obligating the funds. Dan emphasized that, while additional projects from the Illustrative list will not be able to be funded, all of the ARRA funds originally allocated to this region will stay within the region.

Terry Rice stated that he was extremely disappointed that the Governor would not be making another certification. The sponsors of projects on the Illustrative List that would likely have been funded if another certification is made appealed directly to the Governor to do so and never received a response. In addition, their staffs worked under a tight timeline to prepare the necessary materials during the holiday season. This is a missed opportunity to conduct needed improvements and very frustrating for the sponsors of these projects that won't be advancing.

2. Federal and State Transportation Funding Update

Richard Perrin reported that three continuing resolutions were passed since the federal surface transportation authorization legislation, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), expired on September 30, 2009. The last ended on February 28. Congress was unable to agree on an extension and on Monday, March 1 the federal highway aid program was shut down and 2,000 US Department of Transportation workers were furloughed until a 30-day extension was passed on March 2. Each of the three resolutions and the current extension continue the federal highway aid program at the Federal Fiscal Year (FFY) 2009 post-rescission level of \$30 billion which is \$12 billion or 30 percent less than the authorized level of \$42 billion.

On December 16, 2009 the House of Representatives passed the Jobs for Main Street Act – a second economic stimulus bill – that included both an extension of SAFETEA-LU through FFY 2010 at the FFY 2010 Appropriations funding level of \$42 billion for highways and \$10.7 billion for public transportation (which is the FFY 2009 pre-rescission level) and provided additional highway and transit funding similar to the levels included in ARRA (the first stimulus bill). In response, GTC prepared a list of shovel-ready projects for public review in the event that the bill was passed and additional funds with short use-it-or-lose-it provisions were made available. The public review was conducted from January 20 through February 18 and resulted in over 200 candidate projects totaling more than \$200 million dollars.

Since that time, the Senate passed its own version of the second stimulus bill, the Hiring Incentives to Restore Employment Act (or HIRE Act) on February 24. The Senate Bill did not include any additional highway and transit funding but did repeal the end of SAFETEA-LU rescission of \$8.75 billion and would have made this available in this FFY (2010).

The House passed its version of this bill with minor change a week ago today and returned it to the Senate, where it is being debated. In addition to payroll tax breaks, the bill includes a \$19.5 billion transfer from the General Fund to the Highway Trust Fund to accommodate a 10-month extension of SAFETEA-LU at the FFY 2010, pre-FFY 2009 rescission level of \$42 billion but no additional revenues for shovel-ready projects or the \$8.75 billion repealed at the end of SAFETEA-LU.

At the February 11 Planning Committee meeting, the Planning Committee requested that NYSDOT provide an update on the status of the state funding and issues related to federal highway aid funds for local agencies not being provided in the full amounts programmed in the TIP. NYSDOT is prepared to discuss this.

Dan Hallowell reported that the NYS Division of Budget (NYSDOB) has not been allowing full "phase authorizations" and limiting the amount of federal funds available to phases of local projects to less than \$100,000 regardless of the amount programmed in the TIP. NYSDOB was uncomfortable using advance construction provisions for federal funding given the expiration of SAFETEA-LU and the associated risk assumed by allocating state dollars to local projects with no guarantee that federal funds would be made available for reimbursement. All NYSDOT regional offices have been asked to prepare two-year programs and our TIP development has made this workable for NYSDOT-Region 4. Because NYSDOT-Region 4 was able to provide a two-year program that adheres to the latest allocations from December 2009, the phase authorization limits have been lifted.

Terry Rice asked if that meant that the full amounts of federal funds programmed to locally-sponsored federally-funded projects in the TIP will be made available. Dan responded in the affirmative and stated that new State-Local Agreements are forthcoming to local project sponsors.

7. Action Items

- a. Adopting the *FY 2010-2011 Unified Planning Work Program* / Proposed Resolution 10-3

Richard Perrin stated that the Unified Planning Work Program (UPWP) is one of the three major federally-required products that GTC develops; the other two being the LRTP and TIP. It includes funding for GTC staff activities and existing and new projects being undertaken by member agencies and communities throughout the region. A public review of the new projects to be included in this UPWP was held from January 8 to February 9. Two public comments were received during the public review and are included at the end of the separately bound package. GTC staff

responded to both comments and met with the Center for Disability Rights at their offices on February 17 to discuss their comments.

The Planning Committee recommended the *FY 2010-2011 UPWP* for your approval at its February 11 meeting. Since that time GTC staff received reconciled Federal Transit Administration Metropolitan Planning Program fund balances from NYSDOT-Main Office on February 23rd. As a result, there is an additional \$33,687 of these funds available to GTC. This represents a seven-tenths of one percent increase in federal transportation planning funds for the entire program. At this time, GTC staff is proposing that these be added to the SAFETEA-LU Succession work task.

In addition, NYSDOT-Main Office has also provided descriptions of FHWA-funded planning studies that NYSDOT will be advancing. Descriptions of these tasks were provided to GTC staff on February 25. They would have no effect on the UPWP budget. GTC staff is proposing that descriptions of these studies be added under the NYSDOT Statewide Studies task.

This proposed resolution was reviewed and recommended for approval by the Planning Committee at its February 11 meeting.

Paul Haney asked if the funds programmed in the UPWP can only be used for planning and not for implementation. Richard responded that UPWP funds can only be used for planning and cannot be used for engineering, design, or construction activities.

Paul Haney asked for more information on UPWP Task 8610 – Regional Goods Movement Strategy. Richard responded that ensuring the safe, efficient, and reliable movement of freight is critical to economic development and that this task will develop a strategy for our transportation system to be a distinguishing factor in doing so. Richard noted that approximately 75 percent of the funds for this task are from funds allocated to NYSDOT (federal and state monies) that procured from a competitive solicitation. Paul asked if this will include railroads. Richard responded in the affirmative noting that shipping by rail is more cost-effective on a per ton basis than trucking for those industries that use bulk commodities. Paul asked if local land use plans would be considered. Richard responded that land use plans would be considered noting that, while these plans are developed and adopted at the local level, recommendations would be included in the study.

Kristen Mark Hughes asked if short-line railroads and regional airports would be included in the study. Richard responded that short-line railroads would be included as well as regional airports to the extent that they serve freight movements.

Richard Hannon moved to approve Resolution 10-3; Paul Haney seconded the motion. The motion passed unopposed.

- b. Accepting the submission of reports and executive summaries as evidence of completion of various UPWP Tasks

Chairperson Hancock suggested that proposed Resolutions 10-1, 10-2, 10-4 through 10-8, and 10-10 be considered as a single action; no Member or Alternate objected.

Richard Perrin provided a brief description of the projects being considered. These proposed resolutions were reviewed and recommended for approval by the Planning Committee at its January 7 and February 11 meetings.

- (1) Accepting the report, *Alternatives to Improve Circulation, Parking, Safety and Aesthetics: Route 39/North Street/Court Street Corridor*, as evidence of completion of UPWP Task 6803 / Proposed Resolution 10-1
- (2) Accepting the report, *Wyoming County No Passing Zone Study*, as evidence of completion of UPWP Task 6222 / Proposed Resolution 10-2
- (3) Accepting the executive summary, *Local Update of Census Addresses (LUCA) Appeals*, as evidence of completion of UPWP Task 4102 / Proposed Resolution 10-4
- (4) Accepting the executive summary, *Regional Traffic Count Collection*, as evidence of completion of UPWP Task 4370 / Proposed Resolution 10-5
- (5) Accepting the report, *Port of Rochester Transportation Evaluation and Support Study*, as evidence of completion of UPWP Task 4800 / Proposed Resolution 10-6
- (6) Accepting the executive summary, *Overhead Traffic Sign Visibility Upgrade Project*, as evidence of completion of UPWP Task 6201 / Proposed Resolution 10-7
- (7) Accepting the reports, *Erie Canal - Glenwood Lake Connector Trail Feasibility Study*, *I-590 Bicycle/Pedestrian Bypass Feasibility Study*, and *Lehigh Valley Corridor Acquisition and Rail-to-Trail Conversion Feasibility Study*, as evidence of completion of UPWP Task 6510 / Proposed Resolution 10-8
- (8) Accepting the report, *Ontario CATS Fixed Route Evaluation*, as evidence of completion of UPWP Task 8536 / Proposed Resolution 10-10

Paul Haney asked for clarification on the table included in the executive summary for proposed Resolution 10-4 regarding the Local Update of Census Addresses (LUCA) Appeals project. David Zorn explained the table. Paul Haney asked if the number of address appeals that were accepted is known at this time. David responded that we do not know if they will be accepted, only that their original denials have a basis for appeal and the appeals have been made. Chairperson Hancock added that we know if we didn't appeal them they would have no chance of being accepted.

E. Joseph Gozelski moved to approve Resolutions 10-1, 10-2, 10-4 through 10-8, and 10-10; James Hoffman seconded the motion. The motion passed unopposed.

- c. Amending the *2007-2012 TIP* by changing the FFY 2010 phase costs and schedules of select TIP Projects / Proposed Resolution 10-11

Richard Perrin stated that, as discussed earlier, the amount of reasonably expected federal highway aid to the TIP area in FFY 2010 decreased significantly – approximately \$37 million or 40 percent compared to the level anticipated in

September 2008. This "omnibus" amendment updates the action taken by the Board via Resolution 09-46 in September 2009 based on the previous allocations of federal highway aid. GTC staff informed the Board of the likely need for this action at the December 10, 2009 meeting.

In addition to updating the costs of existing projects with revenues to meet the revised allocations of federal-aid, an additional \$1,945,000 of FFY 2010 Appropriations earmarks for high-speed rail funding to upgrade four highway railroad crossings already included in the TIP at Quaker Road in Macedon, Dublin Road in Bergen, Meadow Road in Bergen, and Main Street in Fairport is included in this proposed resolution. The Planning Committee considered each of these proposed projects separately and recommends each for your approval as part of this FFY 2010 TIP omnibus amendment.

This proposed resolution was reviewed and recommended for approval by the Planning Committee at its February 11 meeting.

Paul Haney asked for clarification on Exhibit 1 of the proposed Resolution; specifically, if the amounts included in the exhibit are the total costs for these phases of the projects. Richard responded that the amounts presented in Exhibit 1 are the federal funds proposed to be programmed to these phases in FFY 2010.

Dan Hallowell moved to approve Resolution 10-11; E. Joseph Gozelski seconded the motion. The motion passed unopposed.

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

- (1) Amending the *2007-2012 TIP* by increasing the funding to the FTA Section 5310 Blocked Program project / Proposed Resolution 10-14

Richard Perrin discussed proposed Resolution 10-14 stating that NYSDOT administers the FTA Section 5310 program to provide funding for the purchase of vehicles to transport the elderly and disabled, and that GTC has been informed that two projects in the region that are on the statewide "wait" list will also be funded. This proposed resolution was reviewed and recommended for approval by the Planning Committee at its February 11 meeting.

Paul Haney moved to approve Resolution 10-14; Jerry Davis seconded the motion. The motion passed unopposed.

Chairperson Hancock suggested that proposed Resolutions 10-19 through 10-23, 10-36, and 10-37 be considered as a single action; no Member or Alternate objected. Richard stated that these amendments are requested by NYSDOT to program \$1,050,000 of FFY 2010 Appropriations earmarks for high-speed rail funding to upgrade four additional highway railroad crossings not currently in the TIP and program \$60,660,000 of ARRA high-speed rail funding to add 11 miles of third track between Riga and Byron with associated highway railroad crossings at 14 locations, make improvements to the Rochester Amtrak station, and conduct planning for the corridor. These proposed resolutions were reviewed and recommended for approval by the Planning Committee at its February 11 meeting.

- (2) Amending the *2007-2012 TIP* by adding the Ivson Road Railroad Crossing project / Proposed Resolution 10-19
- (3) Amending the *2007-2012 TIP* by adding the Caswell Road Railroad Crossing project / Proposed Resolution 10-20
- (4) Amending the *2007-2012 TIP* by adding the O'Connor Road Railroad Crossing project / Proposed Resolution 10-21
- (5) Amending the *2007-2012 TIP* by adding the Canandaigua Road Railroad Crossing project / Proposed Resolution 10-22
- (6) Amending the *2007-2012 TIP* by adding the Empire Corridor Planning project / Proposed Resolution 10-23
- (14) Amending the *2007-2012 TIP* by adding the Rochester Amtrak Station Improvements project / Proposed Resolution 10-36
- (15) Amending the *2007-2012 TIP* by adding the Empire Corridor West – Phase 1 Third Track Initiative project / Proposed Resolution 10-37

Richard Hannon moved to approve Resolutions 10-19 through 10-23, 10-36, and 10-37; Paul Haney seconded the motion. The motion passed with Maggie Brooks abstaining.

Dan Hallowell asked if Maggie Brooks would provide an explanation for her abstention. Maggie Brooks responded that the resolutions being considered include a significant amount of public funds but that the necessary planning has not been advanced as it is included as one of the resolutions being acted on. She stated that she would prefer that an appropriate amount of planning be completed before making a decision on such a large investment of public monies.

- (7) Amending the *2007-2012 TIP* by increasing the scope and cost of the East Henrietta Road (Mt. Hope Avenue to South Avenue) Reconstruction project / Proposed Resolution 10-26

Richard Perrin discussed proposed Resolution 10-26 stated that this amendment is requested by the City of Rochester and would transfer a portion of the Mt. Hope Avenue and East Henrietta Road Reconstruction project to this project. The funds would come from an equal reduction in the Mt. Hope Avenue and East Henrietta Road Reconstruction project as part of the FFY 2010 omnibus amendment to allow this component of the two interrelated projects to progress under this project. This proposed resolution was reviewed and recommended for approval by the Planning Committee at its February 11 meeting.

Paul Haney moved to approve Resolution 10-26; Dan Hogan seconded the motion. The motion passed unopposed.

Chairperson Hancock suggested that proposed Resolutions 10-29, 10-30, and 10-32 through 10-35 be considered as a single action; no Member or Alternate objected. Richard stated that these amendments are requested by RGRTA to decrease the cost of the Renaissance Square project and the replacement of RTS transit buses and transit enhancements included in the FFY 2010 omnibus amendment to make FTA

Section 5307 funds (which are apportioned directly to RGRTA) available for increases to the RGRTA Site and Facility Improvements project and add the Articulated Bus Maintenance Lifts and RTS Runcutting Software projects. In addition, FFY 2010 Appropriations Act funds would be programmed to add the Mt. Hope Station and Livingston Area Transportation Service Automated Vehicle Locator project.

- (8) Amending the *2007-2012 TIP* by reducing the cost of the Renaissance Square project / Proposed Resolution 10-29
- (9) Amending the *2007-2012 TIP* by increasing the cost of the RGRTA Site and Facility Improvements project / Proposed Resolution 10-30
- (10) Amending the *2007-2012 TIP* by adding the Articulated Bus Maintenance Lifts project / Proposed Resolution 10-32
- (11) Amending the *2007-2012 TIP* by adding the RTS Runcutting Software project / Proposed Resolution 10-33
- (12) Amending the *2007-2012 TIP* by adding the Mt. Hope Station project / Proposed Resolution 10-34
- (13) Amending the *2007-2012 TIP* by adding the CAD/AVL Bus Communications System for LATS project / Proposed Resolution 10-35

Richard Hannon moved to approve Resolutions 10-29, 10-30, and 10-32 through 10-35; Mark Aesch seconded the motion. The motion passed unopposed.

8. New Business

There was no new business.

9. Next Meeting

The next GTC Board meeting will be held Thursday, June 17, 2010 at 8:30 a.m. at the Radisson Hotel in Henrietta.

10. Adjournment

The meeting adjourned at 9:37 a.m.