

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

September 11, 2008

GTC BOARD MEMBERS PRESENT

Maggie Brooks, Monroe County Executive (GTC Chairperson)
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

Mark Aesch, Roch. Gen. Regional Trans. Authority (RGRTA), representing John G. Doyle, Jr.
Leslie Bamann, Ontario County, representing Theodore Fafinski
Angela Ellis, Livingston County, representing James Merrick
E. Joseph Gozelski, Wyoming County, representing A. Douglas Berwanger
Kevin O'Buckley, NYS Department of Transportation (NYSDOT), representing Astrid C. Glynn
Scott Leathersich, Monroe County At-Large, representing Edward Marianetti
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
Linda M. Dobson, Monroe County Supervisors' Association
Robert Duffy, City of Rochester Mayor
Linda A. Faubel, Monroe County Planning Board
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
Kenneth Schoetz, Empire State Development Corporation
Henry Smith, Jr., Orleans County
David L. Watson, Rochester City Planning Commission

OTHERS IN ATTENDANCE

Dan Hallowell, NYSDOT – Region 4
Dorothy Huber, Town of East Bloomfield
Kristen Mark Hughes, Ontario County
Marvin Kleinberg, NYSDOT – Region 4
Charles Lattuca, citizen
Richard Perrin, GTC Staff
Terrence J. Rice, Monroe County
Mitch Rowe, Seneca County
James Stack, GTC Staff
John Thomas, City of Rochester
Douglas J. Tokarczyk, NYS Thruway Authority
Chris Tortora, GTC Staff
Robert Torzynski, GTC Staff
Ed Welsh, NYSDOT – Region 4

1. Call to Order and Roll Call

Chairperson Brooks called the meeting to order at 8:38 a.m.

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

Chairperson Brooks asked for a moment of silence to commemorate the victims of the September 11, 2001 terrorist attacks.

2. Public Forum

No one from the public spoke during the Public Forum.

3. Approval of Minutes

Daniel Hogan moved for approval of the minutes from the June 19, 2008 GTC Quarterly Board meeting; E. Joseph Gozelski seconded the motion. The minutes were approved as submitted.

4. Communications and Announcements

Richard Perrin announced that, consistent with Federal regulations (23 CFR 450.334), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) will be conducting the quadrennial Joint Certification Review of the metropolitan planning process conducted by GTC during this Fall and Winter.

Richard noted that the Joint Certification Review consists of a desk audit of major products like the Long Range Transportation Plan (LRTP), the Unified Planning Work Program (UPWP), the Transportation Improvement Program (TIP), and the Congestion Management Process (CMP) as well as other relevant materials like the Public Participation Plan, the Annual Obligations Lists, and various plans and studies. The Joint Certification Review also includes a field visit, which is tentatively scheduled for December 2 through December 4, 2008.

Richard noted that during the last site visit, FHWA and FTA sponsored a public meeting and met with the GTC Executive Committee. He indicated that he will provide a brief report on the field visit portion of the Joint Certification Review to the GTC Board at the December 11, 2008 meeting, and highlight any significant findings that are made known to him.

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 July 10 and August 14 and recommends that the GTC Board:

- Amend the *FY 2008-2009 UPWP* Budget to reflect the rescission of FFY 2008 FHWA PL funds
- Accept the submission of Master Address Files and reports as evidence of completion of five Unified Planning Work Program Tasks
- Adopt four amendments to the *2007-2012 Transportation Improvement Program* as requested by the Town of Brighton, the City of Rochester, and RGRTA
- Endorse the Regional Project Priorities List for the 2008 Round of the Transportation Enhancements Program

Additionally, the Planning Committee took the following actions:

- Approved five sites to be included in the UPWP Safe Routes to School Site Assessments Task
- Approved one project to be funded through the UPWP Circulation, Accessibility, and Parking Program
- Approved a minor amendment to modify the notes for the At-grade Railroad Crossing Improvements Block Program project in the *2007-2012 Transportation Improvement Program* as requested by NYSDOT. This minor amendment is consistent with an "Administrative Modification" as defined in federal regulations
- Approved scopes of work for six Unified Planning Work Program tasks to be conducted by the Village of Arcade, the Village of Spencerport, the Town of Batavia, the Town of Victor, and Monroe County
- Reviewed the *Draft 2008 Self-Certification Document* and concurred that GTC meets federal planning requirements. Subsequent to the meeting mailing, GTC staff was informed that GTC does not need to submit a Self-Certification Document this year. Therefore, no action by the GTC Board is necessary. However, the Planning Committee felt it worthwhile to inform the GTC Board that, based on its review of GTC activities, the Council is meeting the federal requirements for a Metropolitan Planning Organization (MPO)

b. GTC Staff Report – Richard Perrin, Executive Director

Richard Perrin provided the following report:

- The GTC region is attaining the 2006 National Ambient Air Quality Standards (NAAQS) for fine particulate matter (less than 2.5 microns or PM 2.5). This is more commonly referred to as soot and is a known carcinogen. He added that, in addition to being positive from a public health perspective, meeting the standard means that GTC will not be subject to conformity requirements for PM 2.5 as is the case for ground-level ozone.

The New York State Department of Environmental Conservation (NYSDEC) recommended that this region be designated in attainment of the PM 2.5 NAAQS on December 14, 2007. The United States Environmental Protection Agency (EPA) issued its concurrence with the NYSDEC recommendation to designate the

region as attainment on August 18, 2008. Final designations for the new Fine Particulate Matter standards are due December 14, 2008.

- GTC staff is beginning the development of the *FY 2009-2010 UPWP*. The *FY 2009-2010 UPWP* will cover the period from April 1, 2009 through March 31, 2010. An Advance Notice of Funding Availability was sent to all 192 municipalities in the region and GTC member agencies. The Call for Projects and application will be mailed to the same individuals on September 19. Applications will be due October 24.

GTC staff anticipates having a minimum of \$300,000 available to member agencies and communities throughout the region as well as consultant services to GTC staff. This is about one-third of what was available during the last three UPWP cycles. The reasons for this will be discussed along with the status of the Highway Trust Fund.

GTC does not have final estimates of the new funding for the *FY 2009-2010 UPWP*. GTC starts the solicitation process earlier than other MPOs in the state because a significant portion of the funds are made available to member agencies and communities throughout the region. This creates a process whereby those agencies and communities take ownership of the planning process and the responsibility for implementing the results.

The draft *FY 2009-2010 UPWP* will be presented for GTC Board consideration at its March 12, 2009 meeting.

- GTC staff, in partnership with member agencies and others, is beginning three major initiatives.

The first is the Greater Rochester Intelligent Transportation Systems (ITS) Strategic Plan Update to examine the current deployment of technology that allows for improved operation and management of the transportation system, identify gaps in coverage, incorporate current and future technologies, and prioritize future deployments. The current ITS Strategic Plan was completed in December 1995. Since then, there has been an expansion of ITS components deployed in the region and significant advances in technologies. This will allow the region to determine how to improve the safety and efficiency of the transportation system in the most cost-effective manner.

The second is the Diversion Route Planning Initiative to identify the most suitable routes for the travelling public to minimize disruptions and improve safety when isolated events necessitate temporary road and bridge closures.

The third initiative is the Regional Goods Movement Strategy to position the regional transportation system to be a distinguishing factor in retaining and attracting both traditional and high technology manufacturing firms as well as enhancing the viability of agriculture and related agri-business.

- The Highway Trust Fund (HTF), which is the primary source of revenue for federally-funded highway and bridge projects (i.e., those that are included in the TIP), is insolvent. The HTF no longer has enough funds to meet committed obligations.

Federal funding for transportation projects is provided to project sponsors from the HTF on a reimbursement basis. Revenue for the HTF is primarily comprised of the excise tax on gasoline and to a lesser degree diesel fuel, alternative fuels, and truck-related taxes. With increased gasoline prices, revenue to the HTF is less than expected because Americans are driving significantly less than in the past.

Just last night, the U.S. Senate passed legislation to transfer approximately \$8 billion from the General Fund to the HTF. The legislation is consistent with what was already passed by the House of Representatives. This is the same amount of funding that was transferred from the HTF to the General Fund in 1998 and is only a temporary fix.

Another option that has been raised is to make repayable advances from the Mass Transit Fund, which funds public transportation projects in the TIP, to the HTF. This would only transfer the problem when the region's residents are turning to public transportation at a rate exceeding the national average.

This issue also affects the GTC planning program since the funding for the UPWP is tied to highway, bridge, and public transportation funding. GTC could see a \$500,000 reduction in the allocation of planning funds for the *FY 2009-2010 UPWP*, or approximately 30 percent less than the current year.

The \$0.184 per gallon federal tax on gasoline has not increased in over 10 years and the amount of driving is decreasing. The nation needs to find an alternative mechanism to fund the HTF.

Paul Haney noted that \$8 billion sounds like a lot of money but he suspects that won't last very long. He asked Richard how long this transfer is expected to sustain solvency of the HTF. Richard responded that the HTF was expected to be approximately \$4.3 billion short in March 2009 but this deficit has been accelerated given the reduction in revenues. He noted that he could not give a timeline as to how long the HTF would remain solvent.

Paul then asked if the GTC Planning Committee should have a discussion about how the region invests the funds that are programmed via the TIP to stretch our dollars. Richard responded that in this region, approximately 90 percent of the funding in the TIP is programmed for maintaining our existing system and improving our ability to manage and operate it. Expansions are generally limited to providing better public transportation, bicycle, and pedestrian facilities. He added that transportation infrastructure is integral to community vitality and eliminating improvements for bicyclists and pedestrians from road projects would not be consistent with GTC investment priorities.

Richard added that he expects the TIP Development Committee will be taking a close look at existing and proposed projects to ensure we are programming those that address the greatest needs given the fiscal issues we face.

Mary Pat Hancock recalled a recent workshop on alternatives to the gas tax. Richard highlighted some of the proposals that have been discussed nationally, such as an emissions tax, a vehicle miles traveled tax, or an immediate increase in the gas tax which could be indexed to inflation. He also noted that tolling systems are becoming easier to use.

Tom Pericak asked if there is any impact to the regional allocation of Congestion Mitigation and Air Quality funds given the earlier discussion on Fine Particulate Matter. Richard responded that the Fine Particulate Matter attainment designation will not impact the regional allocation since it is currently based on nonattainment for ground-level ozone, which has not had any change in status.

c. Old Business

1. TIP Project Delivery Review / *2010-2014 TIP* Update

Richard Perrin reported that GTC is still the only MPO in New York State to undertake an effort like the TIP Project Delivery Review. He has been contacted by other MPOs interested in conducting a similar analysis and is assisting as appropriate.

Richard noted that the first recommendation of the TIP Project Delivery Review was to obtain updated cost and schedule information for projects currently programmed in the *2007-2012 TIP*. GTC staff worked with the TIP Development Committee (TDC) to develop a Call Letter and a brief project application form to solicit this information. Project sponsors were informed that this was likely their last opportunity to request additional federal funds for existing projects. The Call Letter and project update forms were mailed to project sponsors on August 8, 2008 with responses due September 5, 2008.

Richard noted that a quick calculation of the responses indicates that approximately \$75 million in additional funding is needed for existing projects. This is about 12.4 percent of the current Program. Richard cautioned that the additional cost is in 2008 dollars and does not include inflation.

Richard added that the next step is to obtain updated revenue estimates and projections from NYSDOT – Main Office to determine if the updated costs of existing projects can be met. He indicated that he was unsure when GTC would receive the updated revenue estimates and projections. The TDC will help determine consistent inflation factors to be applied to all projects.

Richard stated GTC staff will work with NYSDOT – Region 4 staff and the TDC to review the requests to ensure that they are reasonable. Also, we need to change the mindset so projects come in on-budget and on-time.

E. Joseph Gozelski asked if increasing the gas tax is just an idea or if it has been proposed. Richard responded that it is only an idea at this time and there is no formal proposal via a sponsored bill in Congress. He added that, if nothing is done to address the revenue shortfall in the HTF, the country will have serious infrastructure issues.

Mary Pat Hancock expressed appreciation of the efforts of various Council members to assist Genesee County in getting legislation allowing tandem trailer to exit the New York State Thruway at Exit 48A out of committee and passed in the State Assembly. This issue was raised at the June 19, 2008 meeting and the legislation has already been signed by the Governor. She added that the MPO provides an excellent forum for raising awareness of and addressing transportation issues.

6. Action Items

- a. Amending the *FY 2008-2009 UPWP* budget to reflect the rescission of FFY 2008 FHWA PL funds – Action on Proposed Resolution 08-48

Richard Perrin discussed the need to amend the *FY 2008-2009 UPWP* budget due to a rescission of federal funds in the current Federal Fiscal Year (FFY). He noted that FHWA issued a Rescission of Federal-Aid Apportionments Notice to states for FFY 2008 funds on March 4, 2008. As in previous years, states were required to “identify” unobligated FHWA program funds to meet the rescission. Unlike previous years, the flexibility afforded to states to identify amounts from the various programs to meet the rescission was greatly reduced by the Energy Independence and Security Act of 2007 (EISA).

Richard noted that EISA requires that the FFY 2008 and FFY 2009 rescissions be distributed across programs selected by FHWA, including the Metropolitan Planning (PL) Program. On April 2, 2008, New York State identified the maximum amount of PL funds to be rescinded. PL funds available for programming in the *FY 2008-2009 UPWP* were reduced by \$168,334 or 12.4 percent. There is the potential for the FFY 2009 rescission to be three times as much as FFY 2008 rescission.

Richard stated that GTC staff worked with the UPWP Development Committee to develop a way to cover the rescission of funds while minimizing the impact to existing UPWP tasks. Richard presented the specific recommendations detailed in Exhibit 1.

Richard discussed the level of funding expected to be available in FFY 2009. He noted that some large MPOs across the country are claiming hardship in an attempt to avoid the full impact of the rescission in the current year and some MPOs are anticipating staff layoffs.

Richard added that Proposed Resolution 08-48 was reviewed and recommended for GTC Board approval by the Planning Committee at its August 14, 2008 meeting.

Wayne Zyra moved to approve Resolution 08-48; Paul E. Haney seconded. The motion passed unopposed.

Chairperson Brooks commented on the efficiency of the staff and the ability to absorb the loss in funding without negatively impacting the existing UPWP.

Paul E. Haney agreed with Ms. Brooks and added that he is glad to see the Planning Committee taking a proactive approach to dealing with the rescission.

- b. Endorsing the Regional Project Priorities List for the 2008 Round of the Transportation Enhancements Program – Action on Proposed Resolution 08-49

Richard Perrin described the Transportation Enhancements Program (TEP). He noted that these types of projects do not necessarily compete well for typical transportation funding sources. He added that the TEP is a funding set-aside and cannot be used for traditional highway or bridge projects. However, this region has taken a “complete streets” approach to highway and bridge projects and is encouraging projects that better accommodate bicyclists and pedestrians.

Richard noted that the action being considered is to adopt a prioritized list of projects for the region. Final project selection is made by the Transportation Enhancements Advisory Committee (TEAC), which has historically followed the regional priority list.

Richard described the project application and evaluation processes. He noted that project sponsors were given the opportunity to make a presentation on their projects prior to the technical evaluation being completed.

Richard noted that although the region has not been given a specific allocation, we can expect about \$4 million based on past distributions. This would be enough to fund the top three projects on the list. He added that the TEP is a highly competitive program. Both the TDC and the GTC Planning Committee recommended approval of the priority list.

Richard added that Proposed Resolution 08-49 was reviewed and recommended for GTC Board approval by the Planning Committee at its August 14, 2008 meeting.

Dan Hogan moved to approve Resolutions 08-49; Leslie Bamann seconded. The motion passed unopposed.

- c. Accepting the submission of Master Address Files and reports as evidence of completion of various UPWP Tasks

Chairperson Brooks suggested that Resolutions 08-43, 08-44, 08-45, 08-46, and 08-47 be considered under one motion. The Board concurred.

- (1) Accepting the report, Accepting the submission of Master Address Files as evidence of completion of UPWP Tasks 4100 and 4101 – Action on Proposed Resolution 08-43
- (2) Accepting the report, *Land Use Report for Monroe County, New York (2007)*, as evidence of completion of UPWP Task 4210 – Action on Proposed Resolution 08-44
- (3) Accepting the report, *Regional Land Use Monitoring Report (2007)*, as evidence of completion of UPWP Task 4220 – Action on Proposed Resolution 08-45
- (4) Accepting the report, *Preparing Village “Main Streets” for Planning*, and case study reports for the Villages of Newark and Scottsville as evidence of completion of UPWP Task 5360 – Action on Proposed Resolution 08-46
- (5) Accepting the report, *Optimizing Transportation Infrastructure Through Effective Land Use*, as evidence of completion of UPWP Task 5370 – Action on Proposed Resolution 08-47

Richard Perrin discussed the Master Address Files (MAF). He noted that although this is not an activity traditionally conducted by transportation agencies, it is critical in obtaining a more accurate Census count. He added that this effort identified over 100,000 addresses that were submitted to the Census Bureau. The Census Bureau will review the submitted addresses and accept or reject individual addresses. Richard expressed appreciation for the effort of G/FLRPC staff to complete this project in spite of a condensed timeline resulting from delays by the Census Bureau.

Richard Perrin discussed the methodology and use of both the *Land Use Report for Monroe County, New York (2007)* and the *Regional Land Use Monitoring Report (2007)*.

Richard Perrin discussed the *Preparing Village “Main Streets” for Planning* study. He noted that the project resulted in a Guidebook and two Case Study reports. He added that the Guidebook documents a step-by-step approach to conduct these types of studies and how to implement the recommendations.

Richard Perrin discussed the *Optimizing Transportation Infrastructure Through Effective Land Use* study. He described the study purpose and the approach. He noted the differences between Transit Supportive Development and Transit Oriented Development. He discussed effective ways to integrate land use planning and transportation planning.

Richard added that Proposed Resolutions 08-43 through 08-47 were reviewed and recommended for GTC Board approval by the Planning Committee at its July 10, 2008 meeting.

E. Joseph Gozelski moved to approve Resolutions 08-43, 08-44, 08-45, 08-46, and 08-47; Paul E. Haney seconded. The motion passed unopposed.

Paul E. Haney noted that the number of new addresses by County seems disproportionate in urban areas versus rural areas given that, historically, urban areas tend to be more undercounted. Richard Perrin responded that this may be due to the fact that Monroe County undertook a similar effort prior to the 2000 Census (while other counties did not) which identified addresses that had not been identified prior to previous censuses. Also, the more urban and suburban areas may have more staff to conduct some of this work themselves prior to the Census Bureau-required process.

Paul E. Haney then asked if there were specific coordination efforts with the City of Rochester to update addresses within the City. Richard Perrin responded that G/FLRPC staff worked with the G/FLRPC Planning Coordination Committee, which includes the City of Rochester. David Zorn added that G/FLRPC worked on the list with a dedicated staff person from City Hall.

Paul E. Haney noted that there is general concern that the Census Bureau is facing significant budget issues.

Mary Pat Hancock asked about the Census Bureau's process for challenging the addresses that are submitted. David Zorn responded that the Census Bureau does field check and cross references the information with their own databases.

Leslie Bamann asked if there is a business process that local communities can undertake on an annual basis to lessen the effort needed to respond to the opportunity to update the MAF in the future. Richard Perrin suggested the region can look to conduct a similar effort on a more frequent basis. David Zorn agreed that G/FLRPC can develop follow-up recommendations and work with communities to minimize the level of effort preceding the 2020 Census.

Paul E. Haney asked for clarification on a comment that David Zorn made about challenging Census population figures. David responded that starting with the 2000 Census, communities can challenge the address list prior to conducting the Census but not the published population figures.

Chairperson Brooks suggested that the MAF be a topic for Old Business on the next GTC Board agenda.

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

Chairperson Brooks suggested that Resolutions 08-50, 08-51, 08-52 and 08-53 be considered under one motion. The Board concurred.

- (1) Amending the *2007-2012 TIP* by changing the schedule of and increasing the total cost of the Highland Avenue Reconstruction project – Action on Proposed Resolution 08-50
- (2) Amending the *2007-2012 TIP* by modifying the costs of phases and changing the limits of the Ridgeway Avenue Improvements project – Action on Proposed Resolution 08-51
- (3) Amending the *2007-2012 TIP* by adding the FFY 2008 & FFY 2009 Jobs Access/Reverse Commute (JARC) project – Action on Proposed Resolution 08-52
- (4) Amending the *2007-2012 TIP* by adding the FFY 2007 New Freedom Program project – Action on Proposed Resolution 08-53

Richard Perrin discussed the proposed TIP amendments. He noted that the Highland Avenue Reconstruction project has progressed more quickly than originally expected and, even though there is a slight increase in the project cost, inflation will drive the cost even higher if the project followed the original schedule.

Richard Perrin discussed the efforts used to solicit project proposals for JARC and New Freedom funding as well as the evaluation process.

Richard added that Proposed Resolutions 08-50 through 08-53 were reviewed and recommended for GTC Board approval by the Planning Committee at its August 14, 2008 meeting.

Mary Pat Hancock moved to approve Resolutions 08-50 through 08-53; E. Joseph Gozelski seconded. The motion passed unopposed.

7. New Business

Chairperson Brooks noted that the 2009 GTC Board meeting schedule was included in the meeting package.

Kevin O'Buckley highlighted the Safe Routes to School (SRTS) funding awards that were announced on September 10, 2008. He also discussed the purpose of the SRTS program. Richard Perrin noted that GTC staff looked at the awards statewide and determined that the prorated share of the funding awards for this region was 6.5 percent and compared favorably to its prorated share of student population, which was 6.1 percent.

Leslie Bamann expressed appreciation to NYSDOT and Crane Hogan Structural System on behalf of the Town of Victor for completing the Route 96 bridge reconstruction project ahead of schedule.

8. Next Meeting

The next GTC Board meeting will be held Thursday, December 11, 2008 at 8:30 a.m. at the Radisson Hotel in Henrietta.

9. Adjournment

The meeting adjourned at 9:38 a.m.