

Cape Cod Metropolitan Planning Organization (MPO)



**Cape Cod Commission Conference Room
3225 Main Street Barnstable, MA 02630**

CAPE COD
COMMISSION

Minutes: Monday, May 20, 2013

| <u>Name</u> | <u>Representing</u> |
|--------------------|---|
| Clinton Bench | Deputy Executive Director, Massachusetts Department of Transportation, (MassDOT) Office of Transportation Planning (OTP)/ Chairman, representing Richard A. Davey, Secretary/Chief Executive Officer (CEO), MassDOT |
| Austin Knight | Provincetown Selectman, Sub-Region D Rep., (D= Eastham, Wellfleet, Truro, and Provincetown) |
| Dennis Walsh | Cape Cod Regional Transit Authority (CCRTA) |
| Florence Seldin | Town of Chatham, Chair Board of Selectmen; Sub-Region C Alternate Representative (C= Brewster, Harwich, Chatham, and Orleans) |
| J.D. Harris | Cape Cod Commission Chair |
| Pam Hazner | MassDOT Highway, Representing Administrator Frank DePalola |
| Curtis Sears | Yarmouth and Dennis |
| Mark Ells | Town of Barnstable |
| Sims McGrath | Sub-Region C/ Orleans Selectman |
| William Doherty | MPO Representative, Barnstable County Commissioners |
| Richard Leavitt | West Chatham Village & Business Associates |
| Timothy Kochan | MassDOT Highway Division District 5 |
| Sue Rohrbach | Senator Wolf's District Director |
| Paul F. Maloney | Federal Highway Administration, MA Division |
| Lance Lambros | Senator Murray |
| Sallie K. Riggs | Bourne Transportation Advisory Committee |
| Wayne Lamson | Steamship Authority |
| Paul Niedzwiecki | Cape Cod Commission, Executive Director |
| Glenn Cannon, P.E. | Cape Cod Commission Technical Services Director |
| Terry Whalen | Town of Chatham |
| Priscilla Leclerc | Cape Cod Commission Senior Transportation Planner |
| Lev Malakhoff | Cape Cod Commission Senior Transportation Engineer |
| Steven Tupper | Cape Cod Commission Technical Services Planner |
| Martha Hevenor | Cape Cod Commission Planner II |
| Lisa Dillon | Cape Cod Commission Administrative Assistant |

Call to order: Chairman Clinton Bench called the meeting to order at 1:00 pm and asked all present for self-introductions. For the record, this meeting is being recorded.

Minutes of April 22, 2013 MPO meeting: Bill Doherty motioned to approve the MPO minutes from the April 22, 2013 meeting. Mark Ells seconded the motion and the minutes were approved with the following revisions: – PG 4 – Comment from Bill Doherty, change Senator Keaton to Representative Bill Keating, PG 3 and 4 - change Ron Bergman to Ron Bergstrom and PG 4 – John Harris change “drop a line” comment to “consider adopting a new policy” after which a discussion ensued to clarify what was meant by this and Mr. Harris explained that he had referred to public outreach. Sims McGrath, Curtis Sears and Pam Haznar abstained from the vote.

Public Comment: There were none.

Paul Niedzwiecki announced to the MPO that the Commission has been designated to do an area wide Water Quality Management Plan, under Section 208 of the Clean Water Act. The Commission is also working on all ongoing transportation projects as well as updating the Regional Policy Plan (RPP). This has forced the Cape Cod Commission to do some restructuring of the staff. The changes to the transportation staff will not impact the work that is listed in the UPWP.

Proposed Amendment to Unified Planning Work Program (UPWP) for Federal Fiscal Year 2013

Glenn Cannon reviewed the attached Unified Planning Work Program for Transportation Planning Activities (Oct 1, 2012 – Sept 30, 2013) **DRAFT AMENDMENT**. He reviewed the Cape Cod Transportation Sustainability Assessment – FHWA INVEST Implementation Project explaining that the Cape Cod Commission will be receiving federal funding which will be matched by the CCC, this information can be found on page 63, Appendix A3. He proceeded by reviewing the documents that display the allocation of the additional funding.

Pam Haznar asked what would be included in the INVEST project for the Hyannis Access Study Implementation. Mr. Cannon explained that all aspects including sustainability and the ability to walk within the project limits will be evaluated.

Mr. Bench asked for clarification relative to the amount of the grant to be allocated FFY2013 and the amount to be allocated in FFY 2014.

Mr. Bench expressed concerns regarding the staffing due to the recent reorganization. He asked for clarification relative to the amount of the grant to be allocated in FFY 2013 and FFY 2014. Mr. Cannon explained that the \$40k will be carried into FFY 2014, and \$20k will be matched by the Commission. Mr. Bench is concerned that there is not enough staff capacity to do another \$40,000 worth of work. Mr. Niedzwiecki explained that we have used triple bottom line models on non-transportation projects before with other staff – planners and other GIS support. There is no concern that we won't be able to complete the UPWP tasks within the time period. Mr. Bench's concerns are not about the staff's ability to complete the projects; his concern is there is adequate number of staff to handle this task that was added.

Mr. Cannon addressed concerns regarding staff reorganization and explained that additional staff from the Planning Department and GIS department at the Cape Cod Commission will be assigned to all projects.

Mark Ells moved to approve and release the UPWP Amendment for Public Comment for 30 days and Austin Knight made a second to the motion. The motion carried.

Unified Planning Work Program (UPWP) for Federal Fiscal Year 2014

Mr. Cannon reviewed the attached Unified Planning Work Program for Transportation Planning Activities (Oct 1, 2013 – Sept 30, 2014), **DRAFT** May 10, 2013. He gave a PowerPoint presentation summarizing the UPWP which covers the projects that the CCC will be completing within Federal Fiscal Year 2014. He explained the importance of public participation and the need for technology to generate and provide the proper information to the public and FHWA. He briefly reviewed each of the tasks listed in the UPWP. He explained that Task 1.5 (5316/5317) funding is no longer available in MAP21 and should be removed from the UPWP. Mr. Cannon informed the MPO that the Cape Cod Commission is waiting on final figures and public comment before revisions are made for final vote.

Mr. Doherty asked who is the current liaison for the National Park Service and Mr. Cannon stated that it has not been worked out yet.

Mark Ells asked about budget numbers that were in conflict and Mr. Cannon explained that in the initial UPWP draft numbers were used on the slides and the paperwork included have the correct numbers.

Timothy Kochan asked if it had been determined who the members of the team the INVEST project. Mr. Cannon stated that we are not that far along yet, however there will be a MassDOT representative, as well as inviting Federal partners.

Mr. Bench comments included that there is a difference in the proposed amendment tables in the 2013 vs. 2014 UPWP stating that he was confused about the percentages in each column. Mr. Cannon explained that a member of the CCJTC requested that information be available column A is the specific task we are doing under the MassDOT contract and column B is the total of PL funding. He suggested calculating the totals for each task. Mr. Cannon will make the necessary corrections after public comment which will reflect the correct amounts in each year and will make the change very clear. Mr. Clinton commented that we voted on a \$40k in FY13 and now we have \$40k listed in FY14. We need to clarify that this is not an \$80k project. This was agreed upon unanimously and is part of the original motion that the staff provides more clarification.

Mr. Bench asked for clarification on A1 and asked where the funding would be coming from. Mr. Cannon explained that it was a grant that the National Park Service has secured and CCC has been in negotiation to provide the service for them and their ongoing to discussions regarding such. Therefore, we are carrying this in the UPWP.

Mr. Bench also asked about task 1.5, and what exactly happens in the task. Mr. Cannon stated that this task is being eliminated in Map21. These funds are distributed by MassDOT and the funds are for Cape Cod Commission staff for collaboration and coordination. Mr. Cannon understands that the funds are used with the RTA and GATRA on specific projects. Mr. Bench would like to go on record stating that his concern is that the MassDOT rail division is not aware that these funds are being programmed into the UPWP. Mr. Cannon stated that if there are no residual funds, we can remove the task for JARC/New Freedom which we can revisit at the next meeting.

Upon a motion by Pam Haznar to remove task 1.5 from the UPWP, seconded by Curtis Sears the vote was passed unanimously. Bill Doherty abstained from vote,

Mr. Ells asked about the counts of data collection on page 28. He asked that the High School/Middle School/Senior Center be added as it is a significant location.

After several motions and discussions, Curtis Sears moved to release UPWP for Public Comment for 30 days with an amendment to taking out sustainability assessment A-2, change the title of Task 3.1 from "Route 28 Barnstable" to "Route 28 Hyannis/Centerville" so it's recognizable, and eliminate task 1.5 from the UPWP and adding the High School/Middle School/Senior Center intersection evaluation motion, seconded by Mark Ells the motion carries.

Mr. Cannon explained that a technical question to the amount of the Mitchell River Bridge (MRB) Project was increased from \$10,555,222 to \$14,400,000 the change in the cost was not anticipated at the beginning of the project. Paul Maloney also commented that the change be noted as the FHWA has certain criteria to call out specific projects that go over \$10 million which require federal signature. Mr. Bench added that to do a technical correction it is not required to go out for public comment, voting for it at MPO is sufficient. Mr. Doherty asked if due to the increased cost these funds would be taken away from other projects. Mr. Bench stated that it would impact other bridge projects in the state.

Upon a motion to make the adjustment to the UPWP to approve the technical correction by Sims McGrath and seconded by Austin Knight the motion carried unanimously.

Transportation Improvement Program (TIP)

Mr. Cannon outlined the attached Cape Cod Transportation Improvement Program (TIP) as shown in the attached document and available on the Cape Cod Commission website.

Mr. Walsh explained that this is the first year in which the transit TIP is now entered and reviewed by MassDOT which allows the FTA federal operating funds in subsidies and capital projects. There is money listed in urban areas and a small amount in the rural areas left for operating on Cape Cod.

Upon looking at the TAP funds, Mr. Bench commented on FY's 15, 16 & 17. Particularly he mentioned that all projects need to go through the competitive process and are then voted on by the MPO on an annual basis. The advice is that in 2014 it is reasonable to place a project in the TAP category.. TAP funding was not put towards the Orleans project and needs to be fixed. Mr. Maloney noted that no TAP programming should be allowed until the competitive process has been done. If in the first year some of the process had been done, it may be OK.

Currently leave it in 2014 until it has been confirmed. Ms. Haznar added that all project in 2016 and 2017 are pre 25%, therefore the estimates are extremely rough at this time. For most of the projects in FY 15, 16 & 17 MassDOT cannot be part of the competitive process, as they are on state highway or the individual towns. Mr. Cannon asked for clarification on the Chatham project and Mr. Bench clarified that it "could be" part of MassDOT. Mr. Bench asked if the scope of the Orleans project can be reduced by \$80k until we have further clarification about the project. Ms. Haznar stated that it was too early to know.

Mr. Bench stated that he cannot support the Cape Cod Rail Trail project in FFY 2014 due to the Bass River Bridge permitting issue. Pam Haznar stated that MassDOT does support the project however; they do not feel confident it will be ready to advertise in 2014 due to the permitting issue. MassDOT is doing everything they can to help the process along. MassDOT is not opposed to segmenting the funding of this project. Ms. Haznar recommended that the bridge portion of the project be moved to 2015 Mr. Cannon stated that we are not ready today with an alternative. He then explained that he would approach the design consultant for specific information. Mr. Bench requested that Mr. Cannon obtain information from the Design consultant that would help determine what a reasonable breakdown of cost would be to have the bridge done in a different year. MassDOT will require this information to endorse the TIP at next month's meeting. Mr. Cannon added that the CCJTC recommended that we keep the Cape Cod Rail Trail in FFY 2014 and put the Bass River Bridge in FFY 2015.

Mr. Cannon explained that within the next month we will have more information to make the determination and a detailed outline of the timing of TAP projects. We need to have all of this information together by June to be able to take a vote. It is important not to delay these decisions any further.

Dennis Walsh discussed the FFY14 Capitol Budget and commented that the TIP reflects what the advisory board approved in May. Mr. Bench suggested that Mr. Cannon make changes to the first page of transit element, 1st line, which states "bus replacement" to "replacement vehicles". Also commenting that projects may need to be renamed as funds are carrying over from the previous year and we want to utilize all federal funds available. He suggested that further discussion take place at the next meeting

Bill Doherty motioned to release the TIP for public comment and to moving TAP funds to the appropriate years Austin Knight seconded the motion and the vote was passed unanimously.

Mr. Ells asked how we could find out where we are in the process of these projects. Mr. Cannon stated that we have to consult with the designers. Mr. Bench stated that we will need to know the cost to Cape Cod Rail Trail/Bass River Brige project done in a different year. MassDOT will require this information in order to support the project. We will need to have a schedule from the Coast Guard – a real timeline of events in writing, before we decide how they will be broken up into the appropriate years. Also need to see at what point \of the project can be used by the public and at what time.

Mr. Bench asked if there were plans to purchase new busses. Mr. Walsh replied that there are no plans other than in the Map program FY 14 Capital budget, which includes replacement of road service and will include 4 vehicles. The TIP is a reflection of what the advisory board approved in May.

Map 21 Federal Transit Funds – Governor's Designees – Letter from Governor Patrick

Bill Doherty would like to see Barnstable designated as a County not a Town.

Mr. Doherty made a motion to approve letter, Austin Knight seconded the motion, and the vote was passed unanimously.

Technical Correction to the 2012-2035 Cape Cod Regional Transportation Plan (RTP)

Mr. Cannon presented a technical correction to acknowledge funding for Mitchell River Bridge in Chatham, MA.

Sims McGrath motioned to approve Technical Correction to acknowledge funding for Mitchell River Bridge and Austin Knight seconded the motion, the vote was passed unanimously.

Reports and other Information

Ms. Haznar announced that the Upper County Road Bridge is open. She also gave an update on other summer projects that are on track.

It was requested that Ms. Haznar look into the status of Route 28/Bearses Way and Rt 6A in Yarmouth as they are both dangerous intersections/areas.

Other Business

Mr. Doherty announced that the Cape Cod Flyer started over the weekend.

Next Meeting: June 24, 2013 @ 1:00 P.M.

Adjourn : Clinton Bench moved to adjourn, Sims McGrath seconded the motion @ 3:29 pm

Attachments:

Minutes from Monday, April 22, 2013

Unified Planning Work Program for Transportation Planning Activities (Oct 1, 2012 – Sept 30, 2013) **DRAFT AMENDMENT**

Unified Planning Work Program for Transportation Planning Activities (Oct 1, 2013 – Sept 30, 2014)
DRAFT May 10, 2013

Technical Correction to the 2012 – 2035 Cape Cod Regional Transportation Plan (Revised) May 20, 2013

Cape Cod “Highway” TIP Project Programming Summary – **Draft** May 13, 2013

Cape Cod Transportation Improvement Program (TIP) Federal Fiscal Years 2014-2017, **DRAFT** – May 2013

Letter from Governor Patrick Duvall, Regarding Federal Transit Funds