

# Cape Cod Metropolitan Planning Organization (MPO)



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

CAPE COD  
COMMISSION

**Draft Meeting Minutes: Monday, May 19, 2014**

**MPO Members in Attendance**

**Representing**

Clinton Bench	Deputy Executive Director, Massachusetts Department of Transportation, (MassDOT) Office of Transportation Planning (OTP)/ Chairman, representing
Pam Haznar	Richard A. Davey, Secretary/Chief Executive Officer (CEO), MassDOT District 5 Projects Engineer, representing Frank DePaola, MassDOT Highway Division Administrator
Austin Knight	Provincetown Selectman, Sub-Region D Representative (D= Eastham, Wellfleet, Truro, and Provincetown), Vice Chair
John Harris	Cape Cod Commission, Representative
William Doherty	MPO Representative, Barnstable County Commissioners
Sims McGrath, Jr	Sub Region C: Representative (C = Brewster, Chatham, Harwich and Orleans)
Wayne Taylor	Sub Region A: Representative (A = Towns of Bourne, Falmouth, Mashpee and Sandwich)
Dan Santos	Town of Barnstable
Tom Guerino	Cape Cod Regional Transit Authority (CCRTA)

**Others in Attendance**

**Representing**

Bryan Pounds	MassDOT, OTP Liaison
Timothy Kochan	MassDOT Highway Division District 5
Dennis Walsh	Cape Cod Regional Transit Authority (CCRTA)
Florence Seldin	Sub Region C, Alternate
Terry Whalen	Town of Chatham
Leah Sirmin	Federal Highway Administration
Susan H. Rohrbach	Senator Dan Wolf
Clay Schofield	Resident of Barnstable
Anne Stewart	Resident of Harwich
Steven Buckley	openchatham.com
Jacqueline Etsten	Harwich Resident
Patty Daley	Cape Cod Commission Deputy Director
Jessica Wielgus	Cape Cod Commission Counsel
Glenn Cannon, P.E.	Cape Cod Commission Technical Services Director
Lev Malakhoff	Cape Cod Commission Senior Transportation Engineer
Steven Tupper	Cape Cod Commission Technical Services Planner
Martha Hevenor	Cape Cod Commission Planner II
Cally Harper	Cape Cod Commission Planner II
Lisa Dillon	Cape Cod Commission Administrative Assistant

**Call to order:**

Chairman Clinton Bench called the meeting to order at 1:05 p.m. Mr. Bench stated that the meeting is being recorded and that there are sound amplifiers/speakers in the room which is in compliance with ADA guidelines. Mr. Cannon explained that there are assisted listening devices available, two puck type microphones in the center of the table, and a stand up microphone for the public. Mr. Bench stated that if anyone has trouble participating in the meeting for any reason and wishes to do so, please let us know and a member of the staff will accommodate your needs.

**Summary of Actions Taken/Votes**

The MPO reviewed and approved the Title VI program for purposes of submission to MassDOT to meet their June 1, 2014 requirement.

**Minutes of April 14, 2014:**

Upon a motion by Mr. Bench to approve the minutes of the April 14, 2014 meeting, seconded by Sims McGrath, the motion carries unanimously.

**Public Comment:**

Steve Buckley, Town of Chatham, has a website called [openchatham.com](http://openchatham.com). Mr. Buckley wanted to share the information he learned at the White House Conference Center as he thought it would be helpful to the Public Participation Plan.

He stated that the White House has had an open government plan since the President was inaugurated when he signed a memorandum for federal agencies to be more transparent, participatory and collaborative. He said that while there have been a number of plans created, they are still trying to come up with "Best Practices for Public Participation". He stated that this summer a task force will draft something with hopes to publish by end of year. He said he will be involved as a representative to the International Association for Public Participation (IAP2.org). He said at Town Meeting, he got the town to adopt IAP core values. He stated the summer is an opportunity to apply examples locally. He stated that at Route 124 in Harwich and Route 28 in West Chatham he sees a lot of citizen frustration. He would like to see what lessons there are to be learned.

Bill Doherty asked whether this association has a way of motivating people to come to the meetings earlier in the process where it would better influence policy rather than at the last minute with the comment that they do not like the project.

Mr. Buckley agreed, commenting that no one likes to have anyone show up at the 11<sup>th</sup> hour on any project. He stated he conducted interviews with the public in Chatham. He said the public said that they felt as though their opinions didn't matter, and therefore did not see the purpose of attending the meetings. He said there is a level of distrust amongst the public.

Jaqueline Etsten commented on the public participation process in Harwich. She said there should be concrete public outreach such as contacting the abutters through the newspapers before any substantial planning is done. She said when plans are presented to the public, they need to be conceptual, clear and highly colored with visible lot lines. She said if the road is going to be elevated there need to be cross sections.

Ms. Etsten commented on the proposal for the bridge over the Muddy River between Chatham/Harwich. She stated that it is a beautiful area of the Cape on Pleasant Bay and the views are gorgeous. She hopes that MassDOT will design something that will keep the beauty in the area.

Ms. Etsten stated that she hopes there is a review of priorities for planning for road improvements on Cape Cod. She expressed her concern for Willow Street/Yarmouth Road as a major access road to the Cape Cod Hospital. She also stated she thought that on Route 6 going from Orleans north that the outside lane has a stop and turn left lane that is dangerous. She feels that if MassDOT came up with a conceptual plan, small sections could be done one at a time.

Bill Doherty asked Ms. Etsten what she thought of bringing road improvements to Town Meeting. Ms. Etsten said she was not sure about that route. She said the outreach process for the Route 124 project began after the road monies had already been contracted. She said the only avenue left for the abutters was Town Meeting.

Mr. Doherty stated that people want to see what the projects look like; in order to do that investments in engineering and site design have to be made. He stated that the item that was passed at Town Meeting related to Route 124 was to come up with an engineering plan, which was clear. Mr. Doherty stated at the first meeting, they did speak about the elevations and made adjustments at every point in order to respond to what people had said that they wanted to see. He stated that there is a process and it involves the Community and it did in Harwich from his point of view.

Mr. Bench stated that this was a Town project and at some point the Town would have made the decision to use the funds, move forward with the conceptual design then hire a contractor. Ms. Etsten stated that she was not aware of this until much later. Mr. Bench asked how this went through town appropriation. Mr. Doherty stated that there was a specific item on the warrant that looked at the approval for this particular project.

Mr. Bench stated his concern over Ms. Etsten's suggestion that this was a public engagement and public involvement problem; he said there were people who made substantial efforts over years to engage members of the public on the design process as well as respond to their concerns. He stated there was no flaw with this; the issue is some people who are concerned about the final result and don't want the project to be funded, which is totally fine. He stated it was frustrating that those people could have expressed those opinions at the beginning but didn't, but that is fine too. He would rather have the public stand up and say "I wasn't engaged" but that they don't like the project. Ms. Etsten responded that as a planner she has been on both sides she stated that projects that worked out the best were those in which the public was engaged. She described the success of a past project she worked on in the City of

Boston, in which they knocked on doors to engage the public by informing them of the proposal. She stated Ann Stewart had the history on the Route 124 project.

Ann Stewart said she has done research on this project since July 2013, when she first heard about it. She stated that what passed at Town Meeting was a line item for a 5 year program for repairs/repaving to Route 124 with Chapter 90 funds. In the first year that it was passed in 2012, it passed with \$313,000.00, the following year it passed with a \$400,000.00 budget and that was it. At last Town Meeting it stated repairs/repaving; it did not state "reconstruction". Right now the project is \$4,600,000.00 projected; she said there was nothing that projected that scope at Town Meeting. She stated that at Town Meeting on May 5, 2014 the article that was presented to ask the Selectmen not to accept the TIP funding was overwhelmingly accepted by the Town; there were about 600 people at the meeting. She referenced MassDOT guidelines for Chapter 90 specifically mentions various methods of outreach prior to the project initiation. The idea was presented by VHB and the Town Highway Director to the Selectman on April 12, 2010. The selectman said yes, go ahead and submit your PIF form. She said the public outreach consisted of a presentation to the Board of Selectman. If the newspaper stated that the meeting was going to be about reconstructing Route 124 it would be different. She said there was only one article in the newspaper and no conversation with the public.

Glenn Cannon asked Ms. Stewart if there was a vote tonight at the Town to withdraw the project. Ms. Stewart said she does not know, but it is on the agenda. Mr. Cannon stated that the town is still contemplating whether they want to keep this project on the TIP.

Mr. Buckley stated that the first PIF was done in 2010 and on the PIF it stated that the public highly supports the project. He said the project stayed under the radar for 3 years and all of the sudden the public wants to know what's going on. He said he thought this project is an example of how the process can break down.

Pam Haznar commented that in the MassDOT guidelines there are different methods that can be used. For municipal projects, Mass DOT defers to the Towns because it is not as familiar with how the proposals would affect the community. MassDOT has to rely on what the municipalities think. She said MassDOT does ask on every project to perform public outreach. Ms. Haznar said she attended the November meeting and stated that there were plans as well as aerial views which showed the proposed roads; that there was an effort by the Town to make it understandable beyond the engineering plans, and that MassDOT has not received the 25% design plans.

Ms. Haznar stated that MassDOT is not a proponent for the the Chatham/Harwich Muddy Creek project even though it is a State Highway project. The municipalities are working on this through the Division of Ecological Restoration.

Austin Knight stated that it seems that the process broke down more locally rather than at the MPO level. Public participation is the challenge when projects come to the municipalities. When something is in preliminary design the part of participation really comes in and those affected by it really get to see what is happening. He recalls the bike lanes on Moors Road by the National Seashore project as a successful public participation. The discussion went to the people before the design plan was put together. Discussions must also be had with Selectman

and Town Planners as they make the decision. Getting the public involved locally at the beginning of a project is important, as it is very costly to make changes later.

**Title VI Program:** - MPO review and vote for purposes of submission of Title VI Program to MassDOT.

**Presentation of Title VI program:**

- Jessica Wielgus, Cape Cod Commission Counsel
- Martha Hevenor, Cape Cod Commission Planner II/Title VI Coordinator

Jessica Wielgus began the presentation by introducing herself then introducing Martha Hevenor as the designated Title VI Project Coordinator. Ms. Wielgus explained that she would be walking the committee through Title VI background as well as the program requirements. She explained that the purpose of today's review of the Title VI plan is to comply with MassDOT's filing requirement of June 1, 2014.

Ms. Wielgus explained that Title VI of the Civil Rights Act prohibits discrimination by recipients of federal financial assistance on the basis of race, color and national origin, including matters related to language access for Limited English Proficient persons, or "LEP." She explained one of the reasons for Title VI compliance review is that in order to receive federal funds, recipients must have a Title VI program. She explained that MassDOT is the primary recipient of federal funds and that we at the Cape Cod MPO are sub recipients. She explained that every MPO across the state is required to do the same. She stated that we will be looking for a motion today for the MPO to approve the draft Title VI program to forward to Mass DOT which will then be submitted to the Federal Government. She stated that one of the core elements of the plan is Public Participation Plan and a draft copy of that plan is included in the program binder. It is well understood that there will be a full public comment period for the Public Participation Plan once it is released, which will occur after this package is sent over to MassDOT. This is the first time that the PPP is being sent in a draft format for the MPO to review. Once it is approved, the draft will be sent to MassDOT.

Ms. Wielgus stated she will walk them through each component of the MPO Title VI program which will be explained by her and Ms. Hevenor. She pointed to a list of the Title VI program components on her power point presentation and listed the sections in the program. She told them each section of the program is tabbed within their binder.

She started by telling them that the program must include a Title VI notice to public, complaint procedures and forms. This is an ongoing reporting requirement. Ms. Wielgus explained that every three years we will have to submit a list of any investigations, procedures, complaints and lawsuits that have been filed. We have been fully compliant at this time, but that this is an element that needs to be included in the plan. The program requires a Public Participation Plan (PPP) that needs to go out for public comment. It includes a language access plan which deals with the limited English proficiency population and how we reach out to them so that they can become participants in the process and how they access translation services. The program filing provides a table that depicts the membership of the non-elected committees. It

includes a Title VI Equity Analysis, for recipients who have a storage or maintenance facility. And she said we are also required to give a copy of the minutes for today's meeting to show that the Cape Cod Commission staff did review the Title VI program with the MPO, that the MPO discussed the program, and approved release of the program documents to MassDOT. She said the Title VI program documents include a demographic profile and a description of how the mobility needs of minority populations are considered. She told them as part of their review today, demographic maps will be shown that identify the distribution of State/Federal transportation funds and their relationship to areas within Title VI populations and areas outside these areas. Finally, she said the Title VI program documents include an analysis of the Cape Cod MPO's transportation system investments and whether they have created disparate impacts on Title VI populations.

Ms. Wielgus began her presentation with the Title VI Notice to the Public. She said this document informs the public about protection against discrimination. It lists the locations where the notification is posted. She explained that anyone that comes through the main entrance of the MPO's meeting space must pass the posted notification to enter the meeting rooms. This is considered a vital document and needs to be printed in as many languages that we may have as LEP. For purposes of the Cape Cod MPO, the packet presented has a translation for Spanish. We are working with MassDOT to get the Portuguese translation. Once we have that translation, it will be included in the final packet for submission.

Mr. Doherty stated that he believes that the official place for the Barnstable County postings is on the internet. Ms. Wielgus agreed that the County Commissioners used the internet and also stated that for purposes of open meeting law there is a designated posting place which is on the bulletin board outside the Barnstable County Superior Courthouse.

Dennis Walsh offered a suggestion for translation of Title VI. He stated that the program that the RTA uses is google translate which is a website with multi language capabilities.

Ms. Wielgus next explained that the section entitled Title VI complaint procedure gives the public instructions on how to file a Title VI complaint. The Title VI Complaint Form used is a standard federal form which has been tailored to the Cape Cod MPO. It directs that the form be filed with the CC MPO's Title VI coordinator.

Also included in the program documents is the Title VI complaint procedure, which provides a dual track for the Cape Cod MPO and MassDOT to review the complaint, and conduct investigations as necessary.

Tom Guerino stated that although this complaint procedure is part of the Federal requirement, he asked why not comply with Massachusetts anti-discrimination which broadens out the different classification of persons as opposed to the 3 listed, and consider having one uniform complaint for all of them. Ms. Wielgus said it was a great point to bring up; explaining that as an MPO we need to comply with Title VI and it is very specific that it relates to race, color, and national origin. She further explained that there are also state non-discrimination laws which provide additional requirements with which the MPO must comply. The notice of non-discrimination references both. She explained that we used MassDOT's model notice which also incorporates many of the requirements for both laws. However, there are different filing requirements for each venue which necessitate having separate complaint forms.

Mr. Bench stated that Title VI Federal Civil rights act of 1964 addresses three specific protected classes. Even the FHWA and the FTA have different opinions on whether the complaint procedure could be applied to other protected classes.

Ms. Wielgus stated that the next component in which we need to comply with is a list of Transit Related Title VI Investigations, complaints and lawsuits. She stated that there is nothing to report, in that the Cape Cod MPO did not have any investigations, complaints or lawsuits to report, but we do need to include it as a component of the plan. The complaint form needs to include a summary of what the allegations are, the status of the investigations, and any actions that have been taken and the dates in which they occurred. She showed them the forms within the plan and explained that we would use this chart to report any information in the future.

The next section she explained was the Public Participation Plan. Ms. Wielgus explained that technically, the outreach plan is required to engage the minority and Limited English Proficiency populations. The plan may extend to include other traditionally underserved, such as people with disabilities and low income populations. The Plan explains proactive strategies, procedures and desired outcomes. She said that it incorporates the model plan created by MassDOT. The Cape Cod MPO PPP is based on that plan but is tailored to our local information. She said the plan includes not just the LEP but also extends to other protected classes as provided in MassDOT's model. She said that the PPP is a living document and we can always come up with alternative ways to achieve the goals, and that the plan will always be an evolving process. She said once public input is received during the public comment period, there may be other suggestions. She stated that we are required to file this draft Plan with MassDOT for purposes of starting this process. MassDOT is of the understanding that after they receive the plan, it will then be put out for public comment. The plan is a draft and Cape Cod MPO will welcome input. She suggested coming back to the next meeting after the MPO has had a further opportunity to review the draft Plan. She said any additional comments they may have should be included in the plan prior to releasing it for public comment.

Florence Seldin asked if there is a difference between a public meeting and a public hearing and who will be holding the public hearing on this? Ms. Wielgus stated that there will be a public comment period and there could be a public hearing which would be held by the Cape Cod Commission staff with the MPO. Ms. Seldin explained that there was a public hearing on the DPU for the Cape Light Compact and when each person spoke they had to take an oath. Ms. Wielgus stated that an oath is not required at Cape Cod Commission administered public hearings, which was removed due to the fact that people were intimidated to speak. Mr. Bench commented that he thought public hearings added a level of formality to the type of engagement that we wish to accomplish. Ms. Wielgus stated that the document will have an extended comment period to encourage participation and incorporate suggestions.

Austin Knight asked if there a difference in time frame for public hearings and public meetings posting because in municipalities there is a difference. Ms. Wielgus explained that because it is administered through the Cape Cod Commission there is a 17 day notice period for public hearings, and a 48 hour posting period for public meetings. Mr. Knight feels that this is very important as it relates to Open Meeting Law as this is an area where challenges can arise.

Ms. Hevenor explained the language access plan LEP. She stated that the plan has been designed to help the MPO provide programs and services for persons with limited English

proficiency and how to engage them in the MPO. This plan is based on a 4 factor Analysis: the number of LEP persons in Barnstable County, the frequency of their contact with MPO programs & services, the importance of programs/services to LEP persons, and the resources available to the agency to provide services. Ms. Hevenor put together a table of the top 10 languages spoken at home in Barnstable County, which is based on US Census Data. She stated that the top 2 languages for people with limited English proficiency in Barnstable County are Portuguese and Spanish, pointing out that the numbers are small. She used the tables in the powerpoint slides to show the percentages that arise.

Mr. Doherty stated that there is more than one dialect for the Portuguese language and asked if this data breaks that out. Ms. Hevenor stated she was not aware that the Census breaks that out, however further public outreach could determine what the LEP needs are. Mr. Bench commented that the data is not broken down to that level and stated that General Portuguese is accepted when doing translation and holding public meetings. Ms. Hevenor explained that the MPO will make any reasonable accommodations to assist people to access these programs. She brought attention to the Safe Harbor Provision which requires the MPO to provide translations to populations that are greater than 1000 or 5%. Technically the MPO is required to provide translations in Portuguese.

Ms. Wielgus continued the presentation with the Membership Table which shows the breakdown of the MPO. The Title VI program is more concerned with boards where the MPO actually appoint the members. The MPO is comprised of certain specified designees who include the MassDOT secretary, sub-region Representatives, Selectman, and the Chair of the Cape Cod Commission. None of these membership positions are selected by the Cape Cod MPO, but rather, they are designated based on their official positions.

Ms. Wielgus stated that the Equity Analysis for Facility Construction states that if there has been a facility construction i.e.: vehicle storage facility, maintenance facility an operation center, a Title VI Equity analysis needs to be completed. She explained that under Tab 7 we have done that. She stated that Mr. Cannon reviewed the TIP for the past 10 years to see if any of these facilities were constructed. She stated there is one facility that was identified and that was the RTA Bus Maintenance Facility. She stated the RTA did conduct an Equity Analysis and found that for purposes of this equity analysis, it does fulfill the Title VI requirements which are included in the packet and which meets MPO requirements.

Ms. Wielgus stated that the next item in the packet is a placeholder for the MPO Minutes. She stated once the draft minutes of the May 19th meeting are assembled and approved, they will become part of this submission. This will show MassDOT and the Federal Government that the MPO did review and approve the submission of the Title VI program before it came to them.

Ms. Hevenor explained the Demographic Profile of the Metropolitan Area and the Mobility Needs section of the packet. She explained that demographic tables and maps are based on 2010 US Census. She explained how the MPO meets the mobility needs of the minority populations considered. The first step is to conduct your data collection to identify areas of higher minority populations. With the data and the mapping done, we are able to identify areas to target your outreach. These procedures are being enhanced and published in the new Public Participation Plan. She said we are working on an expanded contact database including community groups and leaders which will expand and enhance our public participation efforts.

She explained that the maps contained in the packet display the percentages of the minority population throughout the county. Using enclosed maps, she explained that the greatest percentage is around the Hyannis census block. Ms. Hevenor also mentioned that the GIS department has been working on developing a web application that will allow anyone to look at the demographic data on a particular census block, and get information about any MPO/Transportation project in the area. She said it is a great tool to aid in public outreach efforts and enhances public participation. She also said this is also a useful tool for the public to get data and information about what is going on in the communities.

Mr. Harris asked about the strategy for the mobility needs of minorities. He asked is there a plan or are we following the requirements of Title VI. Ms. Hevenor stated that the Federal Highway looks at the planning/highway projects and the Federal Transit Administration (FTA) requirements look at the Transit aspect to understand the mobility needs of the minority population and they have their own plan. The MPO looks at how to expand our public participation efforts to understand what the needs are. Mr. Walsh stated the Federal Transit Authority is required to provide Title VI analysis to receive funds. The latest example of this is the Upper Cape service which goes through Bourne and Sandwich. Public outreach to the communities was done as well as GIS Analysis to locate minority populations and all board meetings are open to the public for input. The equity analysis must be approved before FTA approves the release of funds. Information must be provided that shows that the minority population is being served.

Mr. Knight commented that this region is not the same as the rest of the country and that is the challenge of projects. When we do these projects are we allowing for seasonal changes of population not just on census data? Ms. Wielgus said she understands Mr. Knight's concerns and explained that the plan does look at more than just census data and addresses these concerns. She explained that the staff does look at the data to determine who should be engaged in the process and how they can be contacted. Mr. Walsh stated that summer traffic is evaluated by the CCRTA and has been analyzed extensively. He gave examples of projects where this was done. Mr. Bench noticed that there is a desire to expand on transit information and perhaps a separate meeting to the MPO would be interesting and informative.

Mr. Guerino appreciates the comments made. He said the information contained in this Title VI plan is not perfunctory and wishes to thank the efforts of Jessica, Martha and other Commission staff in putting the information together.

Ms. Wielgus stated that the last two components in the plan are the distribution of transportation projects in the past 10 years and look into the future to see how they align with Title VI populations. She said when we looked back, the analysis showed that more than fifty percent (50%) of the TIP funds were actually spent in proximity to Title VI or underserved populations. The distribution of the projects and how the costs were allocated were in compliance with Title VI which was shown in the analysis.

Ms. Wielgus stated that the MPO should consider a motion to approve the draft Title VI Program for submission to MassDOT.

Sue Rohrbach asked if further outreach has been done regarding the Barnstable, Route 28/Bearses Way project. Mr. Cannon stated that this is a great example of the process and upon further review and information obtained in public information meetings; the project has been expanded by MassDOT. Ms. Haznar expanded on Mr. Cannon's comment and stated that MassDOT completed a roadway safety audit, they met with individual abutters, and there have been public informational meetings.

Upon a motion by Tom Guerino to approve the draft Title VI Program for submission to MassDOT, seconded by Bill Doherty, the motion was passed unanimously.

### **Cape Cod Transportation Improvement Program (TIP) for FFY 2014-2017**

**Adjustment:** Vote to approve

— Glenn Cannon, CCC Director of Technical Services

Mr. Bench stated that all changes to the TIP need to come to the MPO for consideration.

Mr. Cannon stated that the adjustment to the EXISTING TIP is less than 10% of the overall project cost, which came out of the Dennis-Yarmouth Cape Cod Rail Trail Extension in 2014. This money had to be removed and applied to the Outer Cape bike shuttle. The \$16K was inappropriately outlined as National Park Service money which matches federal dollars with federal dollars and is not allowed. The Cape Cod Regional Transit Authority brought this to the attention of the MPO.

Upon a motion by Austin Knight to approve the adjustment to the TIP for FFY 2014-2017, seconded by John Harris, the vote was passed unanimously.

Mr. Bench stated that the comments about CCNS funding are incorrect. He said that if no one expecting to be paid more than \$84,240, all that needs to be changed is the comment.

Mr. Knight withdrew his original motion to approve the adjustment to the TIP FFY 2014-2017.

Upon a motion by Sims McGrath to amend the motion to reflect the chairman's search for unanimous consent to approve the adjusted TIP FFY 2014-2017 to include changes presented, seconded by Wayne Taylor, the vote was passed unanimously.

Mr. Doherty asked if the MPO would be willing to dedicate the Cape Cod Rail Trail Bridge over Bass River in honor of George Allaire. Mr. Bench asked the staff to include this item in the Agenda for the next meeting on June 23, 2014 we can then vote to bring the suggestion to MassDOT's attention.

### **Cape Cod Transportation Improvement Program (TIP) for FFY 2014-2017**

**Amendment:** Vote to Release FFY 2014 – 2017 TIP Amendment.

— Dennis Walsh, CCRTA Grant Manager

Mr. Walsh stated that during the course of the year it became evident that they needed to redistribute some of the federal funds and CCRTA's Capital Improvement Plan (RTACAP) which 80% is FTA, 20% MassDOT share to any Capital project. The bottom line is

that the amount of federal money that is in the original approved TIP will remain the same. The amount of RTACAP, 20% share by MassDOT remains the same. Mr. Walsh shifted some of the money around to allow the RTA to do some projects in FY14. In particular the cost of renovation at the bus terminal was increased therefore the project that involved rehabbing the buses was decreased. The rehabbing project was planned for 2014 however, they did not feel confident this could be done. This will need to be outsourced to outside companies that specialize in rehabbing vehicles therefore, will be deferring that to FY 15.

Mr. Bench asked that before the TIP is release to the public; please make sure the "BUY REPLACEMENT" states what we are buying.

Mr. Walsh explained to the MPO that for the first time all the RTA's in the state are receiving forward funding. He needs to submit grant application for FFY 14 by June 30, 2014 to receive funding.

Bill Doherty made a motion to release the TIP Amendment FFY 2014-2017 for public comment which includes the 2014 RTA adjustment. The motion was seconded by Sims McGrath and the vote was passed unanimously.

Mr. Walsh stated that he submitted grant applications in previous FFY for the upcoming FFY so that the applications will cover the projects. To clarify Mr. Walsh will be applying for FFY14 funds by June 30, 2014. Mr. Bench asked Mr. Walsh to go over those projects before the document is released for Public Comment and explained that when the Capital budget is put together a year ahead of time to ensure the best estimate is given.

Mr. Bench asked Mr. Walsh why FFY 2014 projects are listed in the FFY 2015. Mr. Walsh explained that he will apply for these operating subsidies by June 2014 for the FFY 14 TIP. Mr. Bench clarified that everything except mobility management will be applied for by June 30, 2014, except the operating subsidies.

Mr. Bench asked that the following items: The Buy Replacement, Rehab/Renovate – Bus terminal, Acquisition of Bus Support, Equipment/Facilities, Acquire-ADP Hardware, Construction – Bus Shelters, Non Fixed Route ADA Para Service, Operating Assistance and Buy Replacement projects listed FFY 2014 TIP, which were approved by the Advisory Board to apply by June 30, 2014 for FFY 2015 funding, be added to the 2014 element of the TIP to be applied for by June 30.

Upon a motion by Sims McGrath to approve the release of the TIP FFY 2014-2017 amendment, seconded by Wayne Taylor

Upon a motion by Wayne Taylor to reconsider the release of the TIP FFY 2014-2017 amendment to include the RTA's 2014 adjustments, seconded by Sims McGrath the vote was passed unanimously. Dan Santos abstained from the vote.

**Unified Planning Work Program (UPWP) for FFY 2015:**

Vote to Release FFY 2015 UPWP.

– Glenn Cannon, CCC Director of Technical Services

Mr. Cannon reviewed the FFY 2015 Funding Summary. The Tasks are as follows:

- Task 1 Management & Support of the Planning Process & Certification Activities
- Task 2 Data Collection & Analysis Activities
- Task 3 Short and long range planning
- Task 4 Other Technical Activities
- Task 5 CCC Planning Regulatory activities
- Additional Planning Efforts

Upon a motion by Austin Knight to release the FFY 2015 UPWP for public comment, seconded by Wayne Taylor, the vote was passed unanimously.

**Cape Cod Transportation Improvement Program (TIP) for FFY 2015-2018:**

Vote to Release FFY 2015 – 2018 TIP.

- Steven Tupper, CCC Technical Services Planner
- Dennis Walsh, CCRTA Grant Manager

Mr. Tupper presented the summary of the FFY 2015-2018 TIP. He walked through each year of the TIP and pointed out the changes listed from the FFY 2014-2017 TIP. Mr. Tupper mentioned the two projects that were removed in 2017 noting that this does not mean that they are not priorities for the region, but simply do not currently fit within the available funding. If any projects drop off the TIP they can be added back onto the TIP.

Tom Guerino asked if the Harwich Route 124 project is removed, why can't we move the funds and apply them to another project. Mr. Bench stated that this is a release for public comment document for 30 days. There will be room for other projects to move up but we need to have confidence that those projects would be ready in time for 2016.

Upon a motion by Austin Knight to approve the proposed adjustment of funds by the staff, seconded by Sims McGrath

Mr. Doherty stated the Harwich Board of Selectman is reviewing the Harwich Route 124 project. It is not clear on whether or not they are voting on it. He stated that it is premature to make any decisions about removing the project at this time. Mr. Knight commented that all we are doing is releasing the document for public comment.

Ms. Etsten stated the status of the Harwich Route 124 project is that they are at 25% design but the plans have not been submitted to MassDOT. Ms. Haznar confirmed.

Ms. Rohrbach stated that she doesn't see the Barnstable/Yarmouth Rail Trail project in later years in the summary sheet. Mr. Tupper explained that the Dennis-Yarmouth CCRT Extension – Bass River Bridge Projects are included within the TIP for FY 2017, but were not shown on the summary sheet because the project is outside of the regional TIP target. Mr. Bench stated that it is in page 20 of the document and stated he had a note that this amount should be for \$8.1 million using CMAQ funds in 2017.

Ms. Haznar stated that with regard to the Barnstable Yarmouth Rail Trail, the Towns are responsible for the design, permitting and right-of-way for the project and should move fast so that the funds can be secured.

Ms. Haznar asked if we know what rotaries will be looked at as part of the FY2015 UPWP safety task and Mr. Tupper stated that there are ongoing discussions about the rotaries which go through CCJTC to make the determination and prioritize.

Upon a motion to release the FFY 2015-2018 Draft TIP to include the changes in the project for public comment by Sims McGrath, seconded by Tom Guerino, the motion was passed unanimously.

### **Reports and Other Information:**

Project Updates and Other regional reports from MassDOT Highway Division District 5 Office, Cape Cod Regional Transit Authority (CCRTA), and the Cape Cod Commission.

### **Other Business:**

Mr. Knights asked if the temporary light in Wellfleet on Route 6 will be permanent soon. Ms. Haznar is not aware of the status but will follow up.

Dan Santos, Director of Public Works, Town of Barnstable has been appointed by the Town Council President as the Alternate to participate in the MPO.

### **Next Meeting: Monday, June 23, 2015**

**Adjourn:** Upon a motion by Austin Knight to adjourn the meeting, seconded by Sims McGrath, the meeting was adjourned at 3:44 with a unanimous vote.

### **Documents and Exhibits:**

- Draft minutes of the April 14 meeting
- DRAFT Title VI Program documents
  - Title VI Notice to the Public
  - Title VI Complaint Form
  - List of transit-related Title VI Investigations, complaints and lawsuits
  - Public Participation Plan Draft
  - Limited English Proficiency Plan
  - Membership Table and Description
  - Equity Analysis for Facility Construction
  - MPO minutes placeholder
  - Mobility Needs of Minority Populations Analysis
  - Metropolitan Area Demographic Profile
  - Demographic Maps that show the distribution of State/Federal funds
- Power Point presentation of Title VI program
- Cape Cod Transportation Improvement Program (TIP) for FFY 2014-2017 – ADJUSTMENT
- Cape Cod Transportation Improvement Program (TIP) for FFY 2017-2017 - AMENDMENT
- Unified Planning Work Program (UPWP) for FFY 2015

- Cape Cod Transportation Improvement Program (TIP) for FFY2015-2018