



# CAPE COD COMMISSION

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## CAPE COD METROPOLITAN PLANNING ORGANIZATION (MPO)

Minutes, August 9, 2006

### MPO Members and or Representatives / Ex-Officio Members

<u>Name</u>	<u>Representing</u>
Thomas Cahir	Deputy Secretary for Transportation Programs, Executive Office of Transportation (EOT), Representing Secretary John Cogliano
Bernard McCourt	District Highway Director (DHD), Massachusetts Highway Department (MHD) District 5 Office, representing Luisa Paiewonsky, MHD Commissioner
W. Bradford Crowell	Chairman, Cape Cod Commission (CCC)
Brian Currie	Chairman, Cape Cod Regional Transit Authority (CCRTA)
Paul Niedzwiecki	Assistant Town Manager, Barnstable, representing Henry Farnham, Town Council President
John P. Hinckley, Jr.	Orleans Selectman (Sub-region C: Eastham, Orleans, Provincetown, Truro, Wellfleet)
Ronald Bergstrom	Chatham Selectman (Alternate Sub-region B: Brewster, Chatham, Dennis, Harwich, Yarmouth)
Damaris Santiago	Federal Highway Administration (FHWA)
Robert Burgmann, P.E.	Barnstable Member and Chairman, Cape Cod Joint Transportation Committee (CCJTC)

### Other interested parties and staff

<u>Name</u>	<u>Representing</u>
Dr. Edward Gross	MassBike Cape & Islands / CCJTC
George R. Allaire, P.E.	Town of Yarmouth / CCJTC
Paul Lagg	Town of Chatham / CCJTC
Ed Maroney	<i>The Barnstable Patriot</i>
David Schoetz	<i>Cape Cod Times</i>
Stephanie Ostapowich	Assistant, Town of Barnstable
Susan Rohrbach	Legislative Aide of Senator Robert O'Leary
Chris Farrell	Bourne Police Department, Chair Planning Board, School Building Committee
Tom Guerino	Administrator, Town of Bourne
Ed LaFleur	Superintendent of Schools, Town of Bourne
Margo Fenn	Executive Director, Cape Cod Commission (CCC)
Mark Carmichael	Massachusetts Highway Department (MHD) District 5 Office
Timothy Kochan	Massachusetts Highway Department (MHD) District 5 Office
Rachel Bain	Cape Cod Planning Liaison, EOT/OTP
Robert Mumford	CCC Transportation Program Manager
Priscilla Leclerc	CCC Senior Transportation Planner
Tim Boesch	CCC Transportation Engineer
Clay Schofield	CCC Transportation Engineer
David Aron	CCC Transportation Analyst

**Call to Order / Introductions** Tom Cahir, EOT/OTP, called the meeting to order at 11:07 a.m., and began the self-introductions that continued around the room.

**Minutes of June 27, 2006** With a motion by Skip McCourt and a second, the minutes were approved.

**Cape Cod Transportation Improvement Program (TIP) for Federal Fiscal Years 2007-2010** Priscilla Leclerc, CCC Senior Transportation Planner, gave a brief overview of the purpose of the TIP along with the basic requirements. She mentioned that the first TIP year includes the projects within available funding that are programmed to begin—either through advertising for construction, or, implementation—as, for example, to operate a transit service. Priscilla also described the public comment period—posting the Draft TIP on the Web site, the CCJTC meeting, and the public meeting at the Cape Cod National Seashore Visitor Center in Eastham; the comment on the program was for better coordination and communication. Priscilla then reported that EOT and MHD had just sent suggested changes last week that were emailed to members—the changes remove the 2007 Draft TIP projects and insert a Bourne Scenic Highway intersection improvement project—Priscilla passed out a comparison of the Draft TIP with suggested changes and reviewed the list verbally. The main change was in 2007, the state suggested a new project to the Draft TIP—Bourne Scenic Highway intersection improvements with an estimated cost of about \$5 million to be over two TIP years. Route 132 Boulevard Barnstable project would slide to 2008 with the landscaping portion out in year 2009. As a result of this insertion to the first TIP year, other TIP projects were moved back and two projects now beyond the TIP funding were suggested by EOT/MHD to be listed at the end as "Projects in need of funding".

Paul Niedzwiecki, Barnstable, remarked that the last MPO meeting voted to keep Route 132 Boulevard project in the Draft TIP that has been out for public review, and now the Bourne project comes out of nowhere at the last minute and takes precedence?

Tom Cahir, EOT, responded that the Bourne project is a serious public safety issue with time constraints because it is related to the new school project. The state supports the Route 132 project—a notice to proceed is imminent—and there is already sufficient funding for construction to begin, the remaining funds can be pushed off to 2008. Tom turned to Superintendent of Bourne Schools Ed LaFleur who reported on the need for the school in Bourne, and the long process working toward attainment of the school and this access project.

Skip McCourt, DHD, MHD District 5, added that Scenic Highway access issues have long been a safety problem—the CCC expressed concern about putting another curb cut in. This project benefits the region.

Mr. Niedzwiecki responded that he has no comment on the value or usefulness of the Bourne project, but rather a problem with the MPO process and the state's inconsistent answers. The state has commented that landscaping design for Route 132 is not done and that is why it is held up—this is not true—but the Bourne project is at less than 25% design and although it has purportedly been discussed for the last five years between the Town and state, it just showed up in the process last week. What does this say about the MPO's role in the TIP?

Tom Cahir replied that the CCJTC approved the change.

Bob Burgmann, Chairman of the CCJTC, reported that the CCJTC voted to recommend the TIP changes, but with reservations on the process problem. There is a process set up—with forms submitted for review, project evaluation for the TIP, etc., —that seems to be overlooked when the state wants a project. MHD moves quickly on projects that they choose—with no notice MHD gets the project in immediately—yet TIP projects with Town proponents move slowly. Another example is when the TIP funds were suddenly shifted to Route 6 paving.

Skip McCourt replied that Route 132 delays were not the state, but the sewer extension, and only in the last couple of weeks have there been federal approvals for Route 132. As far as design review time—better reviews lead to better turn around.

Paul Niedzwiecki responded that the Town said changes to include the sewer connection to the state college would be dropped if MHD thought that they would lead to delays. It seems that more regular communication is needed. Basically you are saying that we are submitting bad projects—we keep hearing that it is our fault. I will vote NOT to change the TIP.

Brad Crowell, CCC Chairman, agreed with the local member concerns that it is not a win-win situation, but a failure of communication in the process, and local projects that keep getting put further out as the state priorities shift. I have to vote against changing the Final Draft TIP.

John Hinckley, Outer Cape Member, asked how a town moves forward with a new project.

Priscilla Leclerc replied that basically the Town would submit a Project Need Form (PNF) to the MHD District 5 Office with a copy to the CCC, and the PNF is reviewed by the District who may then meet with the town. The District determines whether this is a potential project, and the next form—a Project Initiation Form (PIF)—is developed by the proponent, and that is submitted to the state level Project Review Committee (PRC). The PRC evaluates the project merits, and with PRC approval a project is assigned a number and submitted to the RPA/MPO for the TIP process.

Skip McCourt, MHD D5, stated that the new MHD manual Chapter 2 has the project development process.

Brian Currie, Chairman, CCRTA, remarked that the TIP option with the EOT/MHD proposed changes has left out the Shining Sea third year out—there should be \$696,000 in year 2009.

Priscilla Leclerc said that will be corrected.

Brian Currie continued that if substantial changes were presented last minute at a Selectman's or Town meeting it would not be approved. I share the sentiments of Bob, Paul, and Brad, that this sets up alienation and disenfranchisement with the process. What is the time frame to complete this TIP—is it possible to put off a decision on the TIP today for a short time?

Rachel Bain replied that Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and others need to review the TIP, and it cannot be voted later.

Damaris Santiago, FHWA, said that federal highway needs to have time for review so everything should be approved by September 1.

John Hinckley asked what the downside is of delaying action on the TIP—does it impact the whole TIP? Tom Cahir replied that the TIP needs to be in place for ensuring project funding.

Tom Guerino, Administrator, Town of Bourne, reiterated the need for the project on Scenic Highway and its benefit to other Cape towns from the 'Upper' to 'Outer' Cape. Mr. Guerino apologized for not bringing the project earlier into the process.

Brian Currie, Chairman CCRTA, stated that the project is worthwhile, the TIP needs to be completed by September 1—is there one more week to review the Final Draft TIP?

Ron Bergstrom, Mid-Lower Cape Member, questioned why if this is an important project that was being worked on between the Town and MHD, why is it just here today, and why are we made to feel that there is no choice in the matter.

Brian Currie asked with two years of funding in place for the Route 132 project in Barnstable will this be able to still move forward to construction, and have the remaining funds in TIP year 2008 while landscaping moves to 2009.

Bob Burgmann inquired if the Bourne project will be ready to advertise in 2007 with it not yet at 25% design.

Mark Carmichael, MHD District 5, responded that a public hearing would be held this fall with the project bid by late December.

Paul Niedzwiecki commented that he has concerns that the Route 132 Boulevard project landscaping will be dumped completely as a project, and the timing of it is critical in terms of coordinating construction for saving some of the existing vegetation.

Margo Fenn, Executive Director, CCC, summarized that it is an uncomfortable situation with the safety project in Bourne needed for the school, and the long awaited Route 132 project and its landscaping being pushed off again, and the Draft TIP out for public review the last 30 days or so now changing—it causes people to be frustrated with the MPO and the process. The process issue is not trivial.

Sue Rohrbach, an aide for Senator Robert O'Leary, echoed what others have stated that the process issue is distressing—especially with a new MPO which was supposed to provide more local input and improve things. Projects have been in line for years and then one comes in and moves fast making for an adversarial response. Senator O'Leary echoes the sentiments against the process questions and wants to help. How can the project process be improved—does District 5 need more staff? Does Cape Cod need our own District Office?

Tom Cahir replied that the frustration is understandable, and maybe we should establish a subcommittee to review the process, but we are forced to make a decision on this Final Draft TIP today or very soon. It is in the Cape's interest to have the TIP approved so that funding for the region comes through. With a question on whether to vote separately on the process issue and then on the TIP, Tom Cahir asked the group to please endorse the TIP and have a subcommittee to discuss the process.

Brian Currie, Chairman CCRTA, made a motion to endorse the new TIP dated August 1, 2006 with the 2009 correction adding in \$696,000 from the earmark for the bike path that was seconded by John Hinckley. Mr. Currie added that the MPO should have a discussion about how projects get onto the annual element and develop a set of criteria to prevent projects from parachuting into the TIP.

The revised draft TIP was approved by a vote of 5 for and 2 against.

**Cape Cod Unified Planning Work Program (UPWP) for Federal Fiscal Year 2007** Robert Mumford, CCC Transportation Program Manager, summarized the UPWP and the minor changes to the Final Draft UPWP. Bob reminded the group that the UPWP is not just CCC staff activities, but also includes the state, the CCRTA, the National Park Service transportation related planning activities on Cape Cod.

Brad Crowell, CCC Chairman, asked how the CCRTA route study would be shared. Bob replied that it will be shared with the CCRTA, CCC, JTC, and others.

Brian Currie moved UPWP endorsement, and once seconded, the UPWP was unanimously approved.

**Flex Bus Route Overview** Clay Schofield, P.E., CCC Transportation Engineer, reported on the Flex Route operations briefly. The new Flex Route numbers are at over 2,000 riders per week, and the service is being evaluated—there may be a drop-off in winter in ridership although there are many high school age riders—about 35% of ridership are 12-16 years old—on the system now. Congratulations were offered on the service success.

### **Reports and Other Information**

#### *Project Updates—state and local project updates; 2006 TIP project updates*

Mark Carmichael, MHD District 5, reported that the 2006 TIP project in Dennis—Swan River Road—is scheduled to be advertised this weekend.

#### *Cape Cod Joint Transportation Committee Update*

Bob Burgmann, Chairman of the CCJTC, Barnstable, stated that the CCJTC report should be earlier in the agenda so the advice can be considered.

#### *Cape Cod Regional Transit Authority (CCRTA) Update*

Brian Currie, CCRTA Chairman, reported that all CCRTA ridership is up this year.

**Public Comment** There was none.

**Other business /Next Meeting** The next meeting is yet to be determined.

**Adjourn** The meeting adjourned at approximately 1:30 pm.