

**GENESEE TRANSPORTATION COUNCIL
QUARTERLY BOARD MEETING
Penfield Town Hall
3100 Atlantic Avenue
Penfield, NY**

September 7, 2017

GTC BOARD MEMBERS PRESENT

Anthony Daniele, Monroe County
Dr. Timothy Dennis, Yates County
John DeFilipps, Orleans County
Eric Gott, Livingston County (Vice Chairperson)
Daniel Hogan, Monroe County At-Large
John F. Marren, Ontario County (Chairperson)
James McIntosh, City of Rochester At-Large
William Napier, Monroe County At-Large

ALTERNATE REPRESENTATIVES PRESENT

Robert Bausch, Genesee County, representing Raymond Cianfrini
Bill Carpenter, Rochester Genesee Regional Transportation Authority (RGRTA), representing Geoffrey Astles
Maria Chau, Federal Highway Administration (FHWA), representing Peter Osborn
Jerry Davis, Wyoming County, representing A. Douglas Berwanger
Stephen Golding, Empire State Development Corporation, representing Howard Zemsky
Thomas Goodwin, Monroe County Planning Board
Andrea Guzzetta, Rochester City Council, representing Loretta Scott
Dorraine Kirkmire, Rochester City Planning Commission, representing David L. Watson
Ken Miller, Wayne County, representing Steve LeRoy
Terrence Rice, Monroe County, representing Cheryl Dinolfo
James Willer, New York State Department of Transportation (NYSDOT), representing Cathy Calhoun
David Zorn, Genesee/Finger Lakes Regional Planning Council (G/FLRPC), representing John F. Marren

GTC BOARD MEMBERS ABSENT AND UNREPRESENTED

Matthew Driscoll, NYS Thruway Authority (NYSTA)
Stephen Goodman, Federal Transit Administration (FTA)
John Moffitt, Monroe County Supervisor's Association
Basil Seggos, New York State Department of Environmental Conservation
Robert Shipley, Seneca County
Steven Urlass, Federal Aviation Administration
Lovely Warren, City of Rochester – Mayor
Vacant, Monroe County Planning Board

OTHERS IN ATTENDANCE

Joseph Bovenzi, GTC staff	Scott Leathersich, Monroe County
Todd Campbell, Ontario County	Sharon Lilla, Barton & Loguidice
Angela Ellis, Livingston County	James Stack, GTC staff
Joel Kleinberg, NYSDOT	John Thomas, City of Rochester
Alex Kone, GTC staff	Thomas Van Strydonck, Monroe County

Call to Order and Roll Call

Chairperson Marren called the meeting to order at 8:34 a.m.

Alex Kone, GTC staff, called the roll; a quorum was present.

Chairperson Marren stated that this will be the last Board meeting that Terrence Rice attends in his capacity as the alternate representative for Monroe County Executive Cheryl Dinolfo. Mr. Rice will be retiring from his position as the county's Director of Transportation prior to the next Board meeting. Chairperson Marren thanked Mr. Rice for his service to the Board and its work. Mr. Rice stated that he was appreciative of the time he spent working with the Board and encouraged the Board members to continue their advocacy for transportation infrastructure project funding.

1. Public Forum

No one from the public spoke during the Public Forum.

2. Approval of Minutes

Bill Carpenter moved to approve the minutes from the June 8, 2017 Quarterly Meeting as presented; Terrence Rice seconded the motion. The motion passed unopposed.

3. Communications and Announcements

James Stack made the following announcements:

- City of Rochester Mayor Lovely Warren has designated James McIntosh as the City's At-Large Member of the GTC Board.
- Governor Cuomo has nominated Matthew Driscoll for executive director of the Thruway Authority. He formerly was a member of GTC as Commissioner of NYSDOT.
- Governor Cuomo has named Cathy Calhoun as Acting Commissioner of NYSDOT. She is now a member of GTC.

4. Reports and Action on Old Business

a. Planning Committee Report – Scott Leathersich, Chairman

Scott Leathersich provided the following report:

The Planning Committee met August 10th and recommends that the GTC Board:

- Accept reports as evidence of completion of two Unified Planning Work Program tasks:
 - *Geneva Active Transportation Plan* (UPWP Task 8765)

- *Regional Land Use Monitoring Report (2016)* (UPWP Task 4220)
- Amend the *2017-2020 Transportation Improvement Program* as requested by the City of Rochester, the Village of Fairport, Monroe County, and NYSDOT.
 - The Planning Committee reviewed and recommended proposed Resolutions 17-76 through 17-85. The TIP Development Committee reviewed Resolution 17-86 and concurred with favorable action. Resolutions 17-87 and 17-88 were submitted to GTC staff subsequent to the August 10th Planning Committee meeting.

Additionally, the Planning Committee took the following action:

- Approved ten administrative modifications to the *2017-2020 Transportation Improvement Program* as requested by the Counties of Monroe and Wyoming and NYSDOT as well as GTC staff:
 - Increasing the cost of the CR 59-Bixby Hill Rd - Mill and Fill project
 - Increasing the cost of the Elmwood Ave. @ Lac de Ville Blvd Intersection Improvement project
 - Increasing the cost of the Clarkson Parma Townline Road/Otis Creek project
 - Modifying phases of the Preventative Bridge Maintenance – 4 Bridges project
 - Modifying a phase of the Lift Bridge Rehabilitation of RT 250 & RT 259 over the Erie Canal project
 - Reducing the cost of the Rt 63 Pavement Preservation from Rt 20 to Batavia City Line project
 - Changing the Federal fund source of the Operation of the Roch./Monroe Co. Traffic Control Center (2018) project
 - Changing the PIN of the Preventive Maintenance – RTS & RTS Access for FFY 2017 project
 - Changing the PIN of the Replace 18 Transit Buses FFY 2017 project
 - Changing the PIN of the Replace 10 Paratransit Buses FFY 2017 project
- b. GTC Staff Report – James Stack, Executive Director

James Stack provided the following report:

Infrastructure Vulnerability

Jim informed the Board that on May 1, the Federal Highway Administration added the Genesee-Finger Lakes Regional Critical Transportation Infrastructure Vulnerability Assessment as a case study on their resource page related to resiliency planning. He noted that Joe Bovenzi presented the study at the New York State Association of MPOs conference in June and that it would also be presented at the national MPO conference in October. He will be on a panel with representatives from the MPOs in Atlanta and Huntington, WV, which covers the

area where Kentucky, Ohio, and West Virginia meet, as well as representatives from national caliber consultants and data providers.

Complete Streets

GTC and NYSDOT are co-hosting a Complete Streets Open House and Policy Development Workshop, featuring experts from the National Complete Streets Coalition, a division of Smart Growth America. Attendees will hear how the New York State Complete Streets Act and local ordinances have shaped urban and rural roadway projects in recent years. They will learn how adopting a Complete Streets policy is a proactive step towards the design and operation of roadways to enable safe access for all users, regardless of age, ability, or mode of transportation.

The Open House will be held on Monday from 6:00 p.m. to 7:00 p.m. in the Kate Gleason Auditorium of the downtown library. The Policy Workshop will be held on Tuesday from 8:30 a.m. to 5:00 p.m. at the Fairport Fire Department.

UPWP

The next round of proposal solicitation for the Unified Planning Work Program, or UPWP, will kick off on September 15. Once again, staff are emphasizing that the UPWP supports planning partnerships between GTC and local communities. As noted in the proposal solicitation, the UPWP provides federal funds for transportation planning activities undertaken by GTC, its member agencies, and on behalf of other municipalities throughout the nine-county Genesee-Finger Lakes Region. It conveys the annual work program conducted by and on behalf of GTC

GTC staff will work with the UPWP Development Committee, consisting of representatives of the member agencies in the Metropolitan Planning Area, to prioritize project proposals for the Planning Committee's consideration and approval for public review. After a 30-day public review, the Planning Committee will make a final recommendation for your consideration at the March 2018 meeting. The UPWP will go into effect on April 1, 2018.

c. Old Business

1. Joint FHWA & FTA Certification Review

Jim Stack introduced Maria Chau from the Federal Highway Administration to discuss the certification review. Maria explained that she is presenting the findings of the quadrennial certification review that the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) conducted earlier in the year. She explained that this review is done once every four years and considers not only the MPO's internal operations, but the effectiveness of the broader regional transportation planning process as well. She complimented the Board on the work it sponsors throughout the region, and noted its successes in bringing funding to the region beyond standard federal-aid allocations, including funds from the Transportation Investments Generating Economic Recovery

(TIGER) and Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) programs. In addition, GTC staff does a good job bringing national best practices to local efforts as evidenced by projects such as the *Regional Transportation Infrastructure Vulnerability Assessment*, which shows that the region is taking a proactive approach to preparing for the impacts of natural hazards and has a strategy in place to adapt the transportation system to future instances of severe weather.

Maria noted that three concerns were identified as Corrective Actions. First, there needs to be more information about how many transportation planning funds have been expended per approved project as noted in the Unified Planning Work Program (UPWP). She noted this is a state-wide issue and guidance is forthcoming. Second, the Transportation Improvement Program (TIP) is not fiscally constrained within each individual year and funding program. Third, the TIP did not include an adequate financial plan that clearly indicates resources from public and private sources that are reasonably available to implement the TIP projects. She noted that ten other recommendations were also included in the certification review report, such as addressing the high carry-over balance in the UPWP.

Jim explained that the second corrective action has been partially addressed by specifically presenting FTA carry-over funds by year.

Maria explained that six commendations were also identified, including the regional planning work being done with Intelligent Transportation Systems and the important role that GTC plays in helping to coordinate planning activities among the agencies responsible for maintaining and operating the transportation system.

Bill Carpenter observed that member agencies emphasize the maintenance of existing transportation infrastructure over new construction, and noted the importance of managing community expectations as to what can be realistically accomplished with the limited federal-aid resources available.

Jim explained that, in previous years, funds were held back in the UPWP as a reserve until the performance measurement monitoring and reporting requirements established by MAP-21 were clarified. Now that final rules and guidance are available through the FAST Act, staff can begin drawing down this reserve by working on performance measure implementation tasks. Maria noted that performance measure reporting will become increasingly important and applauded the New York Statement Association of MPOs and NYSDOT's collaboration on capacity-building on these topics.

Terrence Rice observed that the board member's focus should be on implementing construction projects by including them in the TIP. Expenditures on planning activities account for only about \$1 million per year compared to tens of millions expended on infrastructure projects.

Maria stated that GTC fell short of the 75% obligation rate goal set by FHWA for the un-amended TIP for Federal Fiscal Years 2014 and 2015. James Willer noted the importance of understanding the difference between the un-amended versus the amended obligation rate. Maria noted that GTC does better on the amended rate.

Chairperson Marren noted that the flexibility of the Planning Committee's project review process is one of the reasons behind GTC's success at obligating funding.

Jim stated that GTC staff takes the Certification process seriously. He stated that is an opportunity to identify areas for improvement. He thanked those Board members, Planning Committee members, and community stakeholders that were able to take the time to meet with the federal review team. There were others that provided written comments that are also appreciated. He thanked the review team for their efforts.

He reiterated Maria's point that there are several corrective actions that need to be addressed within certain timeframes. The recommendations will also be given serious consideration as part of a commitment to continuous improvement.

With regard to the UPWP corrective action, the development of a detailed close out on activities and an expenditures report is a new area of emphasis. GTC staff has already had discussions with NYSDOT-Main Office on incorporating direction into its annual guidance to all MPOs for the upcoming UPWP cycle. This guidance is issued each fall and ensures a consistent message to all MPOs. Staff is fully committed to developing a work plan for meeting the requirement by the end of January.

Jim noted that every quarter plans and studies are presented to the Board so they may be considered for acceptance as evidence of completion of UPWP tasks. He stated that staff will take this a step further so that the project closeouts and associated expenditures are better communicated in the most appropriate report, be that the UPWP, the Semi-Annual Combined Progress report to FHWA and FTA, or some stand-alone product.

With regard to the TIP corrective action related to the Financial Plan, staff recognizes the need for a more robust articulation of the sources of funding used to support the TIP in addition to the Financial Summary table that is already included in the adopted TIP. Staff is fully committed to developing a better description of the TIP funding to for meet the requirement by the end of January.

One shortcoming of the TIP Financial Summary table was the presentation of Federal Transit Administration funds. FTA allows funds to be carried over from one year to the next. With the table showing annual amounts of funding and expenditures, significant negatives balances may be shown in individual years. Staff have reformatted the FTA portion of the table to distinguish any prior year

balance, or carryover, from new allocations. Jim noted that this reformatting has resolved the issue on the FTA side.

On the FHWA side, the TIP has traditionally focused on ensuring that the balance of all funds for any given year is not over programmed and that the balance of any individual fund source is not over programmed for the life of the TIP. While the goal has been to come as close as GTC staff can for each fund source in each year, staff has counted on NYSDOT-Main Office to manage the slight regional variations on a statewide basis. GTC and NYSDOT-Region 4 have been working with the TIP Development to identify project changes that minimize or eliminate any over programming in any single fund source in any single year. One example of this is changing the Federal fund source of the Operation of the Roch./Monroe Co. Traffic Control Center (2018) project via Administrative Modification that Scott Leathersich mentioned earlier.

Jim stated that GTC staff had prepared a Financial Summary table that reflects all the Administrative Modification the Planning Committee approved in August and the TIP Amendments proposed for Board consideration later in the meeting. Assuming there are no changes during deliberation, staff will be able to distribute *today* a TIP Fiscal Constraint table that he believes meets the requirements and addresses the corrective action that is due by the end of this month. It is staff's intention to prepare an update to this table to reflect any Administrative Modifications or Amendments each quarter. GTC staff practice is to post the updated TIP project tables and the Financial Summary to the GTC website after the Board takes formal action each quarter.

Lastly, the Executive Summary notes a concern regarding the percentage of obligated projects in the year they were programmed compared to the initial number of projects. Since the Certification report was prepared, GTC staff has received the Un-Amended Statewide TIP performance for Federal Fiscal Year 2016. Jim was pleased to announce that GTC has the highest percentage of obligated projects of any MPO in the state and is the only MPO to meet the State's goal of 75 percent. GTC staff will continue to work with NYSDOT-Region 4 and project sponsors to meet and exceed the State's goal.

2. Federal Legislative and Funding Update

James Stack provided the following report:

There has not been much progress on a major infrastructure package. Congress has returned from its August break but has less than 15 days on its legislative calendar this month. With the Federal Fiscal Year coming to a close at the end of this month, Congress is focused on several must-do activities:

- Hurricane Harvey disaster relief for Texas and Louisiana
- A debt ceiling increase
- FFY 2018 budget bills to avoid a government shutdown
- Reauthorization of the National Flood Insurance Program
- FAA reauthorization

Last night, President Trump and Senate Democrats came to agreement on a package of Hurricane Harvey disaster relief and an increase in the debt ceiling to cover the next three months.

With the impact of Hurricane Irma on Puerto Rico and the potential impact to the eastern seaboard, additional disaster relief may need to be considered next week. There are two more hurricanes currently in the Atlantic that we can't yet anticipate the impact.

Tuesday night, the House Rules Committee approved the rule establishing the debate process for consideration of four titles of HR 3354, the Make America Secure and Prosperous Appropriations Act of 2018, which is the FY18 appropriations bill that will eventually include all twelve FY18 appropriations bills from the US House of Representatives.

One of the four titles considered Tuesday night is the Transportation appropriations. The Transportation appropriations bill, as passed by the House Appropriations Committee in July, included an \$800 million rescission of unobligated contract authority. Included in the committee reported bill was language that excluded Surface Transportation Block Group Program sub-allocated funding from the rescission, as well as several safety programs. Additionally, the Appropriations Committee reported bill instructed States how the rescission would be applied proportionally across the programs that were not specifically excluded from the rescission. This ensured that no single program would be decimated under the rescission.

The Rules Committee also debated amendments that were filed to the Transportation Division. One of the amendments that was filed and accepted for debate was submitted by Rep. Woodall of Georgia. His amendment would remove language protecting the safety programs, the STBGP sub-allocated funds, and several other programs from the impact of the rescission. Further, the Woodall amendment (No. 28) would remove the proportional application of the recession so that States could rescind unobligated funds from a single program, a couple of programs - essentially however they choose to. Historically, Congress has protect safety programs and STBGP sub-allocated funds from rescission.

In late August, House Speaker Paul Ryan said Congress will probably need to extend current-year funding of most government operations via a Continuing Resolution before the new budget year begins Oct. 1, an action that could delay another year of scheduled increases in highway funding.

Maria Chau reported that a Notice of Funding Opportunity (NOFO) for infrastructure grant funding under the Fiscal Year 2017 Consolidated Appropriations Act has been released. This Act provides \$500 million in grant funds to be awarded by the United States Department of Transportation on a competitive basis. This is the next round of the TIGER program. TIGER grants must be a minimum of \$5 million and a maximum of \$25 million; the exception is

that in rural areas the minimum grant amount can be for \$1 million. The application deadline is October 16, 2017. Maria noted that a series of webinars would be held to review sponsor eligibility and the application process. Jim Stack noted he would email the information to Board members and urged them to contact GTC staff, if they were interested in applying, in order to seek letters of concurrence.

6. Action Items

- a. Accepting reports as evidence of completion of various UPWP Tasks

Chairperson Marren suggested grouping proposed Resolutions 17-74 and 17-75 into a single action; no Member or Alternate objected.

James Stack noted that Proposed Resolutions 17-74 and 17-75 were reviewed and recommended for the Board's approval by the Planning Committee at its August 10, 2017 meeting. The materials for this item start on page 29 of the meeting package.

Thomas Goodwin moved to approve proposed Resolutions 17-74 and 17-75; Daniel Hogan seconded the motion. The motion passed unopposed.

James Stack provided the following overview:

- (1) Accepting the Geneva Active Transportation Plan as evidence of completion of UPWP Task 8765 / Proposed Council Resolution 17-74

The City of Geneva conducted the Geneva Active Transportation Plan. The Plan was supported by broad citizen participation throughout the process. Walking and bicycling tours were held and both events were well attended. Three public meetings were held along with an online survey. The Plan focused on connections from downtown to Seneca Lake along with connections from the Hobart and William Smith Campus to Seneca Lake and downtown.

Implementation of several recommendations is already underway due to recent utility work. The City of Geneva was also the recipient of a \$10 million Downtown Revitalization Initiative grant from the State, which will support many of the Active Transportation Plan's recommendations. Based on feedback at the Planning Committee, maps were added to the executive summary to convey recommendations.

- (2) Accepting the Regional Land Use Monitoring Report (2016) as evidence of completion of UPWP Task 4220 / Proposed Council Resolution 17-75

The Genesee Finger Lakes Regional Planning Council conducted this study to seek to document land use and development trends in the Genesee-Finger Lakes Region for use by GTC and member agencies, as well as others. In 2016, the highest numbers of residential building permits were issued in Towns in Monroe County. Over the past 10 years, the majority of residential development occurred in Monroe County and the surrounding areas in Ontario and Wayne Counties. In

that time, the five communities with permits for the highest number of residential units are all in Monroe County, with over 1,000 units each.

b. Amending the *2017-2020 Transportation Improvement Program (TIP)*

Chairperson Marren suggested grouping proposed Resolutions 17-76 through 17-88 into a single action; no Member or Alternate objected.

Jim Stack explained that proposed Resolutions 17-76 through 17-85 were reviewed and recommended for your approval by the Planning Committee at its August 10, 2017 meeting.

Subsequent to that meeting, NYSDOT staff became aware of the need to show an increase in the non-federal share of the Route 21 over NYS Thruway Bridge Replacement project. The TIP Development Committee reviewed the request and concurred on favorable action. Proposed Resolution 17-86 reflects the requested change.

On August 29, NYSDOT-Main Office contacted NYSDOT-Region 4 staff to request changes to the fund source of two existing projects to take advantage of the National Highway Freight Program funding for eligible Interstate projects. Region 4 staff have requested these changes and GTC staff have prepared proposed Resolutions 17-86 and 17-87 to reflect these changes. Due to the timing of the request, these Resolutions had not been reviewed by the Planning Committee but need to be implemented prior to the end of the current Federal Fiscal Year (FFY) on September 30.

Proposed Resolution 17-88 was developed in consultation with NYSDOT-Region 4 to maximize the use of available funds in the current fiscal year. Proposed Resolutions 17-86 through 17-88 were not identified in time for Planning Committee consideration and recommendation. GTC staff is supportive of the proposed actions.

Terrence Rice moved to approve proposed Resolutions 17-76 through 17-88; Daniel Hogan seconded the motion. The motion passed unopposed.

- (1) Amending the *2017-2020 TIP* by adding a supplemental phase to the Monroe County Highway Preventive Maintenance #3 Project / Proposed Council Resolution 17-76
- (2) Amending the *2017-2020 TIP* by increasing the cost of the Ellicott Trail project / Proposed Council Resolution 17-77
- (3) Amending the *2017-2020 TIP* by splitting the Route 941B/404 Pavement MbC, Helendale to Gravel Rd project / Proposed Council Resolution 17-78
- (4) Amending the *2017-2020 TIP* by increasing the cost of the NY 96 Intersection Improvements at Lynaugh Rd project / Proposed Council Resolution 17-79

- (5) Amending the *2017-2020 TIP* by deferring phases of the Route 77 @ Ledge Rd Intersection Improvement project / Proposed Council Resolution 17-80
- (6) Amending the *2017-2020 TIP* by advancing the construction phases of the Fairport Rt. 31F West Church St. Resurfacing project / Proposed Council Resolution 17-81
- (7) Amending the *2017-2020 TIP* by changing the project limits of the Four Canal Bridges Rehabilitation project / Proposed Council Resolution 17-82
- (8) Amending the *2017-2020 TIP* by increasing the Total Cost of the East Henrietta Rd. Improvements (Rochester CL to Stan Yale Drive) project / Proposed Council Resolution 17-83
- (9) Amending the *2017-2020 TIP* by advancing phases of the Joint Repair at 24 Locations project / Proposed Council Resolution 17-84
- (10) Amending the *2017-2020 TIP* by advancing phases of the Monroe County Highway Preventive Maintenance #7 project / Proposed Council Resolution 17-85
- (11) Amending the *2017-2020 TIP* by increasing the cost of the Route 21 over NYS Thruway Bridge Replacement project / Proposed Council Resolution 17-86
- (12) Amending the *2017-2020 TIP* by increasing the cost of the I-390 Interchange @ 490 (Stage 2) project / Proposed Council Resolution 17-87
- (13) Amending the *2017-2020 TIP* by advancing a phase of the Rt 252 Pavement MbC, RIT Entrance to Marketplace Dr project / Proposed Council Resolution 17-88

Terry Rice asked if funds allocated to a project from the National Highway Performance Program (NHPP) could be replaced with funds from the National Highway Freight Program (NHFP) in order to make NHPP funds available for other uses. Jim Stack explained that this is possible for certain projects; however, the allowable uses of NHFP funds are much more limited than NHPP funds. James Willer noted that one restriction on the use of NHFP funds is that, beginning in December 2017, they must be obligated in accordance with a statewide freight plan. NYSDOT is currently working on a draft statewide freight plan which will be ready by December 2017. Maria Chau added that the NHFP is a new allocated program under the FAST Act. She noted that, prior to December 2017, funds may only be obligated to projects on the National Highway Freight Network.

7. New Business

Chairperson Marren noted that he was out of town for the June 8, 2017 board meeting and thanked Vice-Chair Eric Gott for chairing that meeting in his absence.

8. Next Meeting

Chairperson Marren stated that the next GTC Board meeting is scheduled for December 14, 2017 at the Penfield Town Hall, 3100 Atlantic Avenue in Penfield.

9. Adjournment

The meeting adjourned at 9:43 a.m.