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**GENESEE TRANSPORTATION COUNCIL
QUARTERLY BOARD MEETING
Brighton Town Hall
2300 Elmwood Avenue
Brighton, NY**

June 13, 2019

GTC BOARD MEMBERS PRESENT

John F. Marren, Ontario County (Chairperson)
Robert Bausch, Genesee County and Genesee/Finger Lakes Regional Planning Council (G/FLRPC)
Daniel Hogan, Monroe County – At Large
David LeFeber, Livingston County
Steve LeRoy, Wayne County
James McIntosh, City of Rochester At-Large
Douglas Paddock, Yates County
David Seeley, Monroe County Supervisors Association

ALTERNATE REPRESENTATIVES PRESENT

Rochelle Bell, Monroe County Planning Board, representing William Santos
Kevin Bush, New York State Department of Transportation (NYSDOT), representing Marie Therese Dominguez
Bill Carpenter, Rochester Genesee Regional Transportation Authority (RGRTA), representing Geoffrey Astles
Jerry Davis, Wyoming County, representing A. Douglas Berwanger
Tim Frelier, Monroe County, representing Cheryl Dinolfo
Andrea Guzzetta, Rochester City Council, representing Loretta Scott
Scott Leathersich, Monroe County At-Large, representing William Napier
Mitch Rowe, Seneca County, representing Robert Shipley

GTC BOARD MEMBERS ABSENT AND UNREPRESENTED

Michael Canavan, Federal Highway Administration (FHWA)
Dr. Joseph Carbone, Monroe County
Matthew Driscoll, New York State Thruway Authority (NYSTA)
Stephen Goodman, Federal Transit Administration (FTA)
Lynne Johnson, Orleans County
Basil Seggos, New York State Department of Environmental Conservation
Steven Ulass, Federal Aviation Administration (FAA)
Lovely Warren, City of Rochester
David L. Watson, Rochester City Planning Commission
Howard Zemsky, Empire State Development Corporation

OTHERS IN ATTENDANCE

Jody Binnix, GTC staff	Ken Miller, Wayne County
Sean Carrington, NYS Thruway Authority	Chris Reeve, NYSDOT
Kevin Caggiano, Town of Victor	James Stack, GTC staff
Angela Ellis, Livingston County	Robert Williams, GTC staff
Joel Kleinberg, NYSDOT	David Zorn, G/FLRPC
Alex Kone, GTC staff	

1. 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.

2. Public Forum

No one from the public spoke during the Public Forum.

3. Approval of Minutes

Chairman Marren noted that draft minutes from the March 7, 2019, GTC Board meeting were included in the meeting package.

Bill Carpenter moved to approve the minutes from the March 7, 2019, Quarterly Meeting; Scott Leathersich seconded the motion. The motion passed unopposed.

Chairman Marren added that draft minutes from the May 9, 2019 Planning Committee meetings are provided for informational purposes.

4. Communications and Announcements

James Stack made the following announcements:

- Marie Therese Dominguez has been named the Acting Commissioner of the New York State Department of Transportation. As such, she is a Member of this Board.
- John Papponetti has been named as the Orleans County Highway Superintendent and will serve as Lynne Johnson's alternate to the GTC Board.
- On April 29, Bob Williams joined the GTC staff as our new Program Manager for Active Transportation.

5. Reports and Action on Old Business

a. Planning Committee Report

Scott Leathersich provided the following report:

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

- Accept report as evidence of completion of two Unified Planning Work Program tasks:
 - *Genesee-Finger Lakes Regional Local Bridge Vulnerability Assessment* (UPWP Task 5751); and
 - *Uptown Canandaigua Mixed-Use and Transportation Corridor Feasibility Study* (UPWP Task 7704).

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- Amend the *FY 2019-2020 UPWP* to reflect the contribution of actual FY 2018-2019 rollover amounts.
- Amend the *2017-2020 Transportation Improvement Program* as requested by Monroe and Ontario Counties, the City of Rochester, RGRTA, and NYSDOT.
- Amend Chapter 2 of the *2017-2020 Transportation Improvement Program* by *adding a section addressing* Pavement Condition, Bridge Condition, System Performance, Freight, and CMAQ Performance Measures
- Certify that all Federal planning requirements are met
- Adopt the *Transportation Conformity Determination for the Long Range Transportation Plan for the Genesee-Finger Lakes Region 2040 and 2020-2023 Transportation Improvement Program*
- Adopt the *2020-2024 Transportation Improvement Program*

Additionally, the Planning Committee took the following action:

- Approved eleven administrative modifications to the *2017-2020 Transportation Improvement Program* as requested by Genesee, Ontario, and Wyoming Counties, the Town/Village of East Rochester, and NYSDOT:
 - Increasing the Federal Share of the County Road 23 @ McIvor Road/Fort Hill Intersection Improvements project;
 - Increasing the Total Cost of the Reconstruction of Ontario Street Bridge project;
 - Increasing the Total Cost of the Applinville Road Bridge Replacement project;
 - Increasing the Total Cost of the Village of Holley Pavement Preservation, Rt. 237 project;
 - Increasing the Total Cost of the Schoellkopf Road Bridge Rehabilitation project;
 - Advancing phases of the Hundredmark Road over Drainage Ditch project;
 - Increasing the Total Cost of the NY 104 Intersection Improvements at Knickerbocker Road project;
 - Advancing phases of the Route 390 Pavement MbC, Lyell Avenue to Route 104 project;
 - Decreasing the Total Cost of the Highway Emergency Local Patrol (2020) project;
 - Decreasing the Total Cost of the Regional ITS Operations (2020) project; and
 - Changing the Federal funds source of the Region 4 Vehicle Detection & ITS Maintenance project.
- Approved the Scopes of Work for eight Unified Planning Work Program tasks:
 - Livingston County Downtown Wayfinding Master Plan (UPWP Task 6312);
 - Village of Avon Circulation, Accessibility & Parking (CAP) Study (Task 6814);

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- Middle Cheshire Road & Health Care Services Corridor Active Transportation Plan (UPWP Task 8779);
- Implementing Complete Streets in the G-FL Region; A Guidebook (UPWP Task 5361);
- Phase II Cayuga-Seneca Canalway Trail (UPWP Task 6529);
- State Route 332 & Route 96 Sub-Area Study (UPWP Task 7576);
- Monroe County Traffic Signal/Sign Pole Asset Management (UPWP Task 7950); and
- Honeoye Hamlet Active Transportation Study (UPWP Task 8767).

b. GTC Staff Report

James Stack reported that the most significant staff efforts for the past quarter have been in support of items to be considered later in the agenda.

c. Old Business

1. Federal Legislative and Funding Update

James Stack provided the following report:

FFY 2020 Appropriations

On May 23, the House Transportation, Housing and Urban Development, and Related Agencies Appropriations Subcommittee approved legislation to fund transportation programs for FFY 2020. The legislation was passed by the full House Appropriations Committee on June 4.

The bill includes \$1 billion for the Better Utilizing Investments to Leverage Development, or BUILD, program, which is \$100 million more than the current year. The bill also includes \$1.5 billion for the National Highway Freight program for freight connectivity projects. The bill emphasizes resiliency to “address the risk of structure failure or loss of use from natural hazards throughout the lifetime of the project.” We will have to wait for the final legislation and any guidance to see how this will affect future project selection. It’s possible that the transportation infrastructure resiliency analyses that we’ve undertaken can position our region to take advantage of any resiliency-focused funding.

The bill provides \$48.9 billion for the Federal Highway Administration, which is \$1.7 billion higher than the President’s budget request but \$404 million less than the current year. For the Federal Transit Administration, the bill provides \$13.5, which is \$1.1 billion higher than the President’s request and \$60 million higher than this year.

Infrastructure Initiative

Despite positive signs earlier this year, infrastructure talks between the President, Speaker Pelosi, and Senate Schumer collapsed on May 22. Others in

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Congress are continuing to pursue an infrastructure package on a bipartisan basis. The Problem Solvers Caucus, co-chaired by Congressman Reed of Corning, has released a report entitled "Rebuilding America's Infrastructure". Among the recommendations are to:

- Provide incentives to encourage States to adopt legislation that allows public-private partnerships to implement large projects;
- Indexing the federal motor fuels taxes while modernizing any indexing to consider factors such as fuel economy standards, changes in construction costs, and overall inflation;
- Establishing a vehicle miles traveled tax on automated vehicles; and
- Establishing an annual fee for fully electric and hybrid vehicles that consume less or no gasoline.

The Committees with jurisdiction over infrastructure have not yet taken up this legislation and there is no indication as to when this might occur.

Earlier this month, Senator Jeanne Shaheen of New Hampshire led the introduction of the Strengthen and Fortify Existing (SAFE) Bridges Act, which would provide \$2.75 billion per year for five years. The distribution of funds would be based on a State's share of deficient bridges. Representative Jim Langevin of Rhode Island has introduced companion legislation in the House. Like the fuel tax legislation, no committee of jurisdiction has taken up the legislation.

Federal Transportation Funding

On May 21, Representative Earl Blumenauer of Oregon released the Rebuild America Act of 2019 to raise revenue for the Highway Trust Fund. The legislation would increase the federal fuel tax by 5 cents per year for 5 years. By 2025, the fuel tax would be 25 cents per gallon higher than today. The fuel tax would then be indexed to inflation and the legislation would establish clear Congressional intent to replace the fuel tax with a more equitable alternative after 10 years. The American Trucking Association, the Owner-Operator Independent Drivers Association, and NATSO (formerly the National Association of Truck Stop Operators) have already endorsed the proposed fuel tax increase.

Bill Carpenter reported that the NYS Public Transit Association is advocating for additional funding through the next Federal authorization. He added that as the current President, he will be lobbying on the behalf of the Association.

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2. TIP Staff Modifications Report

Chairman Marren informed the Board that the following report was included in the meeting package and is being provided for informational purposes.

On April 1, the TDC raised no objections to the following changes:

- **Reduce phase costs** for the I-490 at I-590 MbC project prior to STIP obligation to preserve obligation authority. The modification decreased the Federal share to account of accomplishments to be made on non-Interstate portions of the project.

On April 29, the TDC raised no objections to the following changes:

- **Modify phases** for the Rt 15 from Rt 252 to I-390 Corridor Improvements project with no change in Total Cost or Federal Share. The Scoping phase was changed to 'Other' so it would accurately reflect corridor planning, not engineering, activities.
- **Reduce phase costs** for the Rt 33A over Erie Canal Superstructure Replacement project prior to STIP obligation to preserve obligation authority. The project, including the Detailed Design phase, has been submitted for consideration in the *FFYs 2020-2023 TIP* as a Bridge Replacement.
- **Increase Total Cost less than \$50,000** for the County Road 28 & Shortsville Road Intersection Improvements (Ontario County) project.

On May 1, the TDC raised no objections to the following changes:

- **Increase Total Cost less than \$50,000** for the Preventive Bridge Maintenance – 4 Bridges (Orleans County) project.

On May 29, the TDC raised no objections to the following changes:

- **Increase Total Cost less than \$50,000** for the Preventive Bridge Maintenance – 4 Bridges (Orleans County) project.
- **Increase Total Cost less than \$50,000** for the Highway Preventive Maintenance #4 (Monroe County) project.

On June 3, the TDC raised no objections to the following changes:

- **Reduce phase costs** for the Highway Emergency Local Patrol (2019) project prior to STIP obligation to preserve obligation authority.
- **Reduce phase costs** for the Rt 33A Bridge over Black Creek project prior to STIP obligation to preserve obligation authority.
- **Reduce phase costs** for the NYSDOT Bridge Deck Preventative Maintenance (15 Locations) project prior to STIP obligation to preserve obligation authority. The project is reduced to 9 locations in the *FFY 2020-2024 TIP* since NYSDOT is accomplishing 6 locations within other projects.

6. Action Items

- a. Accepting reports as evidence of completion of a UPWP Task

Chairman Marren suggested grouping proposed Resolutions 19-28 and 19-29 into a single action; no Member or Alternate objected.

James Stack noted that Proposed Resolutions 19-28 and 19-29 were reviewed and recommended for GTC Board approval by the Planning Committee at its May 9 meeting.

- (1) Accepting the *Genesee-Finger Lakes Regional Local Bridge Vulnerability Assessment* as evidence of completion of UPWP Task 5751 / Proposed Council Resolution 19-28

James Stack provided the following report:

This project was conducted by GTC staff. The Executive Summary of the project starts on page 31 of the meeting package. The purpose of the project was to determine the vulnerability of local bridges on non-federal aid roadways in the Genesee-Finger Lakes Region to natural and human-caused hazards. This project builds upon a previous effort to look at other critical transportation infrastructure, including bridges on federal-aid roadways.

The project assessed the vulnerability of local bridges and proposed strategies for preventing and/or mitigating the impacts of hazard events on those bridges. Further, this assessment provided an on-site assessment of nineteen local bridges, selected by county highway superintendents.

- (2) Accepting the *Uptown Canandaigua Mixed-Use and Transportation Corridor Feasibility Study* as evidence of completion of UPWP Task 7704 / Proposed Council Resolution 19-29

James Stack provided the following report:

This study was conducted by the Town of Canandaigua. The Executive Summary of the project starts on page 39 of the meeting package. The purpose of the project was to create a sustainable development plan that addresses community transportation needs, arising from both the current and planned land uses, by focusing on multi-modal transportation options, place-making, and the development of a community identity.

The project included:

- an existing conditions analysis of the local economy and physical environment;
- a demographic, market, and economic trend analysis;
- a strengths, weaknesses, opportunities, and threats based community needs assessment;
- a future land use vision; and

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- an implementation plan.

Steve LeRoy moved to approve proposed Resolutions 19-28 and 19-29; Kevin Bush seconded the motion. The motion passed unopposed.

- b. Amending the *FY 2019-2020 UPWP* to reflect the contribution of actual FY 2018-2019 rollover amounts / Proposed Resolution 19-30

James Stack reported that Proposed Resolution 19-30 was reviewed and recommended for GTC Board approval by the Planning Committee at its May 9 meeting.

The current Unified Planning Work Program, or UPWP, was developed with estimated rollover amounts based on activity through the second quarter of the last fiscal year for projects that were not expected to be completed by March 31. Now that the accounting for FY 2018-19 has been closed out, the budgets for these projects can be adjusted to reflect fourth quarter activity. This is a routine adjustment that is made every June. Exhibit 1 on page 57 of the meeting package demonstrates a significant level of progress in the third and fourth quarters. The one exception is Task 1600 under GTC, which is a reflection of savings from the staff core budget. These savings will be available for future projects.

Also of note, is a significant increase in Task 5200 under GTC. This task is related to the development and management of the Long Range Transportation Plan or LRTP.

During development of the UPWP, GTC staff was working with NYSDOT Main Office staff to verify balances of unspent funds from prior years that are referred to as Backlog/Savings. At the time, we knew there would be enough revenue available to fully fund the requested amount for new UPWP projects for which the UPWP Development Committee could recommended only partial funding. The Planning Committee agreed with this change and the adopted UPWP reflected those amounts.

GTC staff has been able to confirm the remaining balance of the Backlog/Savings at \$475,763. In order to protect this balance from possibly being lost via the FAST Act Rescission, GTC staff proposed and the Planning Committee is recommending to add these funds to the LRTP Task intending to support an updated Regional Household Travel Survey. This survey is critical to supporting our federal requirement to have a Travel Demand Model that represents travel characteristics in our region.

The last time we conducted a Household Travel Survey was in 2011. The state of the practice suggests conducting a Household Travel Survey in a timeframe that allows comparison to other major demographic data, such as what we will get from the 2020 Census. For comparison, the contract for the last Household Travel Survey was over \$500,000. GTC staff intends to explore alternatives methods of getting suitable travel information in a less costly way.

Scott Leathersich moved to approve proposed Resolution 19-30; James McIntosh seconded the motion. The motion passed unopposed.

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- c. Amending the *2017-2020 Transportation Improvement Program* / Proposed Resolutions 19-31 through 19-50 and 19-55 through 19-58

Chairman Marren suggested grouping proposed Resolution 19-31 into a single action, proposed Resolution 19-32 through 19-50 into a single action, and proposed Resolutions 19-55 through 19-58 into a single action; no Member or Alternate objected.

James Stack reported that Proposed Resolutions 19-31 through 19-50 were reviewed and recommended for GTC Board approval by the Planning Committee at its May 9 meeting. At that same meeting, the Planning Committee delegated the final recommendation for the *FFY 2020-2024 TIP* to the TIP Development Committee (TDC). Proposed Resolutions 19-55 through 19-58 reflect recommendation made by the TDC at its May 29 meeting.

- (1) Amending the *2017-2020 TIP* by adding the Demand Response Mobility-as-a-Service (Maas) project / Proposed Resolution 19-31

This amendment is requested by RGRTA. This is a new project that will support the acquisition of software to manage rides within the new Community Mobility Zones (CMZs) proposed as part of the Reimagine RTS initiative.

William Carpenter stated that the demand response services in the CMZs will feed into the fixed-route service network at the Connect Hubs proposed in Reimagine RTS. The new pick-up and drop-off services will cost \$1 to \$3 per trip within each zone. He noted that the model could be expanded to the rural RTS affiliates within 18-30 months of rollout in Monroe County.

William Carpenter moved to approve proposed Resolution 19-31; Kevin Bush seconded the motion. The motion passed unopposed.

- (2) Amending the *2017-2020 TIP* by increasing the Total Cost of the Regional Traffic Operation Center Operations Staffing (2020) project / Proposed Resolution 19-32

This amendment is requested by NYSDOT. The increased cost reflects the anticipated amount of a new contract for these staffing services. The increased amount is consistent with what was requested and recommended for funding in the FFY 2020-2024 TIP.

- (3) Amending the *2017-2020 TIP* by increasing the Total Cost of the Route 77 @ Ledge Road Intersection Improvement project / Proposed Resolution 19-33

This amendment is requested by NYSDOT. The increased cost reflects the latest estimate based primarily on expanded work limits to accommodate splitter islands & realignment work for traffic calming on approach to roundabout.

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- (4) Amending the *2017-2020 TIP* by increasing the Total Cost of the NY 96 Intersection Improvements at Lynaugh Road project / Proposed Resolution 19-34

This amendment is requested by NYSDOT. The increased cost reflects the latest estimate based primarily on the need to install a retaining wall and changing pavement material on a section of Lynaugh Road from asphalt to concrete.

- (5) Amending the *2017-2020 TIP* by transferring funds from the Region 4 Pedestrian Safety Action Plan Implementation Phase II project and by increasing the total cost of the Route 252 Pavement MbC, Lowenthal Rd to Marketplace Dr project / Proposed Resolution 19-35

This amendment is requested by NYSDOT. The increased cost reflects the latest estimate based primarily on ADA work, night work, signal work, and median repairs. The project will incorporate pedestrian safety elements that were originally contemplated under a separate project as it would be more cost effective to include them under this project.

- (6) Amending the *2017-2020 TIP* by deferring phases of the Route 414 over CSX Bridge Rehabilitation project / Proposed Resolution 19-36

This amendment is requested by NYSDOT. During the design process it was determined that additional bridge elements need to be addressed. The construction and inspection phases of the project were submitted for consideration under the FFY 2020-2024 TIP. Taking this action now frees up funding in the current year.

- (7) Amending the *2017-2020 TIP* by increasing the Total Cost of the County Road 28 & Shortsville Road Intersection Improvements project / Proposed Resolution 19-37

This amendment is requested by Ontario County. The increased cost reflects the latest estimate based primarily on increased work related to the westerly highway approach, drainage, and relocation of a water main pressure reducing vault.

Daniel Hogan moved to approve proposed Resolutions 19-32 through 19-37; Kevin Bush seconded the motion. The motion passed unopposed.

- (8) Amending the *2017-2020 TIP* by deferring phases of the Mount Hope Avenue Improvements - Phase 2 project / Proposed Resolution 19-38

This amendment is requested by the City of Rochester. The Plans, Specifications & Estimate milestone is not expected to be achieved in time to obligate the funds in the current Federal Fiscal Year.

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- (9) Amending the *2017-2020 TIP* by deferring phases of the Main Street Streetscape - Phase 2 project / Proposed Resolution 19-39

This amendment is requested by the City of Rochester. The Plans, Specifications & Estimate milestone is not expected to be achieved in time to obligate the funds in the current Federal Fiscal Year.
- (10) Amending the *2017-2020 TIP* by deferring phases of the Pedestrian Safety Action Plan - Phase III (Monroe County) project / Proposed Resolution 19-40

This amendment is requested by Monroe County. The Plans, Specifications & Estimate milestone is not expected to be achieved in time to obligate the funds in the current Federal Fiscal Year.
- (11) Amending the *2017-2020 TIP* by deferring phases of the Pedestrian Safety Action Plan - Phase III (City of Rochester) project / Proposed Resolution 19-58

This amendment is requested by the City of Rochester. The Plans, Specifications & Estimate milestone is not expected to be achieved in time to obligate the funds in the current Federal Fiscal Year.
- (12) Amending the *2017-2020 TIP* by increasing the Total Cost of the I-490 Bridges at Meigs and Averill project / Proposed Resolution 19-41

This amendment is requested by NYSDOT. Based on Design-level plans, NYSDOT Main Office requested significant additional work be added to the project and provided additional funds to accomplish the requested tasks. The FFY 2020 phases are being accelerated to utilize current year STP-Off System Bridge funding to minimize the risk of rescission as discussed at the March meeting.
- (13) Amending the *2017-2020 TIP* by deferring phases of the Rt 19 and Rt 98 Erie Canal Lift Bridge Rehab project / Proposed Resolution 19-42

This amendment is requested by NYSDOT. Due to the complexity of these structures, the design effort will take longer than a traditional bridge project. Deferring the Construction and Inspection phases recognizes this and realigns the projects anticipated to be obligated in FFY 2020.
- (14) Amending the *2017-2020 TIP* by increasing the Total Cost of the Empire State Trail - Quaker/O'Neil Road Bridge Rehabilitation project / Proposed Resolution 19-43

This amendment is requested by NYSDOT. This structure has been designated an historic truss bridge and a contributing component to the National Register Listed Erie Canal System, a National Historic Landmark. The requirements to maintain the historic nature of this structure are resulting in significantly higher estimated costs. NYSDOT Main Office has provided additional funds to accomplish the project. The FFY 2020 phases are being accelerated to utilize Recreational Trails Program funding before it expires at the end of the current FFY.

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Kevin Bush moved to approve proposed Resolutions 19-38 through 19-43; Steve LeRoy seconded the motion. The motion passed unopposed.

James Stack noted that Items 15 through 21 are programmed with funding managed on a statewide basis by NYSDOT Main Office outside of the regional Planning Targets. The respective funds are not available to any other project.

- (15) Amending the *2017-2020 TIP* by adding the Arcade Main Street Sidewalk project / Proposed Resolution 19-44

This amendment is requested by NYSDOT on behalf of the Village of Arcade. The Village applied for and was awarded funding under the Transportation Alternatives Program.

- (16) Amending the *2017-2020 TIP* by adding the Lima Sidewalk Connections project / Proposed Resolution 19-45

This amendment is requested by NYSDOT on behalf of the Village of Lima. The Village applied for and was awarded funding under the Transportation Alternatives Program.

- (17) Amending the *2017-2020 TIP* by adding the Genesee Valley Greenway Resurfacing and Enhancements project / Proposed Resolution 19-46

This amendment is requested by NYSDOT on behalf of the State Office of Parks, Recreation, and Historic Preservation. NYSOPRHP applied for and was awarded funding under the Transportation Alternatives Program.

- (18) Amending the *2017-2020 TIP* by adding the Lakeshore Drive and Route 364 Sidewalks project / Proposed Resolution 19-47

This amendment is requested by NYSDOT on behalf of the Ontario County. The County applied for and was awarded funding under the Transportation Alternatives Program.

- (19) Amending the *2017-2020 TIP* by adding the Silver Lake Trail Phase I project / Proposed Resolution 19-48

This amendment is requested by NYSDOT on behalf of the Village of Perry. The Village applied for and was awarded funding under the Transportation Alternatives Program.

- (20) Amending the *2017-2020 TIP* by adding the Shared Mobility project / Proposed Resolution 19-49

This amendment is requested by NYSDOT on behalf of the RGRTA. RGRTA applied for and was awarded funding under the Congestion Mitigation and Air Quality Improvement Program.

William Carpenter stated that RGRTA can operate bikeshare services in jurisdictions beyond the current City of Rochester program. He added that

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RGRTA will conduct outreach to these communities and gain interest in deployments for 2020.

- (21) Amending the *2017-2020 TIP* by adding the Community Mobility Zone Operations project / Proposed Resolution 19-50

This amendment is requested by NYSDOT on behalf of the RGRTA. RGRTA applied for and was awarded funding under the Congestion Mitigation and Air Quality Improvement Program.

William Carpenter stated that the project would provide initial operations funding for the demand response services in the new Community Mobility Zones for the first three years. He noted that it is a rare opportunity to deploy services as a full-scale pilot.

Jerry Davis moved to approve proposed Resolutions 19-44 through 19-50; William Carpenter seconded the motion. The motion passed unopposed.

James Stack noted that Items 22 through 24 are required to initiate the development of projects proposed for construction in the *FFY 2020-2024 TIP*. These phases will facilitate expedited project schedules by utilizing Available Balances in FFY 2019.

- (22) Amending the 2017-2020 TIP by adding the CR 62 (Bronson Hill Rd) Rehabilitation project / Proposed Resolution 19-55
- (23) Amending the 2017-2020 TIP by adding the Dow Road over Bidwell Creek project / Proposed Resolution 19-56
- (24) Amending the 2017-2020 TIP by adding the I-590 Bridges at Rt 31 and Allens Creek Rd project / Proposed Resolution 19-57

William Carpenter moved to approve proposed Resolutions 19-55 through 19-57; Steve LeRoy seconded the motion. The motion passed unopposed.

- d. Amending Chapter 2 of the *2017-2020 Transportation Improvement Program* / Proposed Council Resolution 19-51

James Stack reported that Proposed Resolution 19-51 was reviewed and recommended for GTC Board approval by the Planning Committee at its May 9 meeting.

As mentioned at previous meetings, the MAP-21 Act of 2012 directed the U.S. Department of Transportation to establish a set of Performance Measures to increase the accountability and transparency of the federal highway and transit programs and improve project decision-making through performance-based planning and programming through the rulemaking process. The FAST Act of 2015 continued the performance management and the performance-based planning & programming requirements of MAP-21 with minor changes.

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The Final Rules established national Performance Measures across four subject areas, including Pavement Condition, Bridge Condition, System Performance, Freight, and Congestion Mitigation & Air Quality. Federal regulations require that each Metropolitan Planning Organization or MPO, such as GTC, establish Performance Targets that address the Performance Measures to use in tracking progress toward attainment of critical outcomes for the region. To meet this planning requirement, this Board has adopted the *National Performance Measures Report for the Genesee Finger Lakes Region* to incorporate the respective measures and targets.

Additionally, MPO TIPs “shall include, to the maximum extent practicable, a description of the anticipated effects of the transportation improvement program toward achieving the performance targets established in the metropolitan transportation plan, linking investment priorities to those performance targets”.

Any TIP amended or adopted after May 20, 2019 must include a description of Performance Measures and Targets for:

- Pavement Condition;
- Bridge Condition;
- System Performance of the National Highway System;
- Freight Performance on the Interstate System; and
- Congestion Mitigation and Air Quality Improvement Program – On-Road Mobile Source Emissions.

Without the relevant topical description, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) are precluded from approving TIP Amendments or a new TIP after the respective performance measure deadline. To that end, the New York State Association of Metropolitan Planning Organizations (NYSAMPO), has collaborated with NYSDOT, FHWA, and FTA to develop common language that can be used in MPO TIPs across New York State to provide a description of the anticipated effects of the TIP towards achieving the Performance Targets.

Consistent with what was done for other performance measure areas, GTC staff has developed the appropriate narrative to incorporate into the TIP to address the newest performance targets and the anticipated effects of the TIP relative to those targets.

Scott Leathersich moved to approve proposed Resolution 19-51; Kevin Bush seconded the motion. The motion passed unopposed.

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- e. Certifying that all Federal planning requirements are met / Proposed Council Resolution 19-52

James Stack reported that Proposed Resolution 19-52 was reviewed and recommended for GTC Board approval by the Planning Committee at its May 9 meeting.

Every four years, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) perform a comprehensive certification review of the transportation planning processes conducted by GTC in its role as the designated Metropolitan Planning Organization for the Genesee-Finger Lakes Region. The last FHWA/FTA certification of GTC was made in July 2017.

In the intervening years, concurrent with the submittal of the entire proposed Transportation Improvement Program (TIP) to the FHWA and the FTA as part of the Statewide TIP approval, GTC is required to "self-certify" that its policy, planning, and programming processes are consistent with applicable federal and state laws as well as regional and local priorities. This certification takes the form of a Self-Certification Document, the content of which is specified by NYSDOT.

In addition to the GTC Planning Committee, the draft 2019 Self-Certification Document was reviewed by the NYSDOT MPO Bureau, which indicated that were pleased with it and did not suggest any changes.

James McIntosh moved to approve proposed Resolution 19-52; Dan Hogan seconded the motion. The motion passed unopposed.

- f. Adopting the *Transportation Conformity Determination for the Long Range Transportation Plan for the Genesee-Finger Lakes Region 2040 and 2020-2023 Transportation Improvement Program* / Proposed Council Resolution 19-53

James Stack reported that Proposed Resolution 19-53 was reviewed and recommended for GTC Board approval by the Planning Committee at its May 9 meeting.

As part of its transportation planning process, GTC must complete a transportation conformity process for the *Long Range Transportation Plan for the Genesee-Finger Lakes Region 2040* (LRTP 2040) and the *FFY 2020-2024 Transportation Improvement Program* (TIP). The Conformity Statement documents that the LRTP 2040 and the FFY 2020-2024 TIP meet the federal transportation conformity requirements in 40 CFR Part 93. Ultimately, the Federal Highway Administration and the Federal Transit Administration will make a Conformity Determination based upon their review of the Statement.

The Clean Air Act requires that federally funded or approved highway and transit activities are consistent with ("conform to") the purpose of the State Implementation Plan or SIP. Conformity to the purpose of the SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing

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violations, or delay timely attainment of the relevant National Ambient Air Quality Standard or NAAQS or any interim milestones. The U.S. Environmental Protection Agency's (EPA's) transportation conformity rules establish the criteria and procedures for determining whether LRTPs, TIPs, and federally supported highway and transit projects conform to the SIP.

On February 16, 2018, the United States Court of Appeals for the District of Columbia Circuit in *South Coast Air Quality Mgmt. District v. EPA*, referred to as "South Coast II" (882 F.3d 1138) held that transportation conformity determinations must be made in areas that were classified either nonattainment or maintenance for the 1997 ozone NAAQS and attainment for the 2008 ozone NAAQS when the 1997 ozone NAAQS was revoked. These areas are referred to as "Orphan Areas". Such conformity determinations are required in Orphan Areas after February 16, 2019. The Rochester, New York Nonattainment Area (Rochester Nonattainment Area) was classified nonattainment at the time of the 1997 ozone NAAQS revocation and was also designated attainment for the 2008 ozone NAAQS. Therefore, per the South Coast II decision, this conformity determination is being made for the 1997 ozone NAAQS on the LRTP 2040 and the FFY 2020-2024 TIP.

This conformity determination is being completed consistent with Clean Air Act requirements, existing associated regulations, and the South Coast II decision, according to EPA's Transportation Conformity Guidance for the South Coast II Court Decision that was issued on November 29, 2018.

The requirements include interagency consultation and public consultation. Interagency consultation was conducted with the New York Air Quality Interagency Consultation Group (ICG). Relevant information about new projects included in the 2020-2024 TIP were provided to the ICG with suggested air quality exemption classification and associated justification. The ICG concurred on the Exempt classification for each project. On behalf of the ICG, the NYSDOT Environmental Sciences Bureau provided comments on the Conformity Statement and the associated proposed Resolution. The comments offered clarification of key dates and adjustments to the narrative due to differences between what is required for traditional nonattainment areas and Orphan Areas. None of the edits change the intent of the Statement or the Resolution. A revised Resolution denoting the changes was distributed.

The draft Conformity Statement must also be made available for public review and comment. At its May 9, 2019 meeting, the GTC Planning Committee approved the draft Conformity Statement for public review concurrent with the public review for the FFY 2020-2024 TIP from May 10, 2019 to June 10, 2019. We did not received any public comments on the draft Conformity Statement.

Kevin Bush moved to approve proposed Resolution 19-53, as revised; Steve LeRoy seconded the motion. The motion passed unopposed.

DRAFT

- g. Adopting the *2020-2024 Transportation Improvement Program* / Proposed Council Resolution 19-54

James Stack reported that Proposed Resolution 19-54 was reviewed and recommended for GTC Board approval by the TIP Development Committee, as delegated by the Planning Committee, at its May 29 meeting.

GTC and NYSDOT-Region 4 staffs have worked with the TIP Development Committee to produce the Draft *2020-2024 Transportation Improvement Program*. Projects recommended for funding through the TIP are proposed to be advanced in Federal Fiscal Years (FFYs) 2020 through 2024.

This TIP represents a significant achievement given the considerable funding constraints resulting from limited federal revenues relative to needs. Given these limitations, the TDC has developed a program of projects that balances cost-effective preservation projects (primarily, preventive maintenance treatments and minor rehabilitations) with necessary reconstructions/replacements and major rehabilitations that will improve the function of the transportation system as it relates to safety, efficiency, and reliability. While the TDC recognizes the need for more reconstructions/replacements and major rehabilitations, there simply is not enough revenue to address these needs. Of note, the TDC recommended reserving some funding in FFYs 2023 and 2024 for preventive maintenance projects during the appropriate window of opportunity.

As part of the TIP development process, a 30-day public review period for the 2020-2024 TIP began on May 10, 2019 and concluded June 10, 2019. This period was concurrent with the public review for the draft Air Quality Conformity Statement. The draft TIP project list was made available in public offices and libraries throughout the TIP planning area as well as on the GTC website. Four public meetings were held to solicit comments on the draft TIP project list. Comments could also be made via email, traditional mail, fax, or by calling GTC.

Since the meeting package was mailed, we received two submissions of written comments. We are distributing a summary of those comments along with a response on behalf of the Evaluation Team. The actual comments are included for your reference. None of the comments are significant enough to change the TDC recommendation of projects to be included in the TIP.

After confirming requirements with the Federal Highway Administration, GTC staff developed the TIP to be provided only online. While this is a departure from past practice, it will allow the TIP document to always remain current without the need to reprint tables after each quarterly amendment cycle. It also allows the projects to be shown on an interactive map to make it easier for the public to identify projects near their areas of interest.

Kevin Bush moved to approve proposed Resolution 19-54; Jerry Davis seconded the motion. The motion passed unopposed.

7. New Business

- a. Amending the *2017-2020 Transportation Improvement Program* by increasing the Federal Share of the I-390 Interchange Improvements at I-490, Stages 3 & 4 project / Proposed Resolution 19-59

Chris Reeve, on behalf of Kevin Bush, requested that this Resolution be removed from consideration. No action was taken.

- b. Chairman Marren inquired about the status of deployment of cashless tolling on the NYS Thruway. Sean Carrington responded that the Thruway Authority had received design-build proposals for the new plazas and gantries. He noted that an announcement regarding an awarded vendor would be forthcoming. He added that construction would begin later this summer and that it is estimated to be completed in 2020.
- c. Chairman Marren reported that he attended a presentation about autonomous vehicles at the NYS Association of Counties. He noted that the presenter stated that the technology is still maturing and that development has a considerable time before it can achieve scale. Jim Stack added that Joe Bovenzi is the GTC staff person with the relevant expertise and can provide guidance to any jurisdictions interested.

8. Next Meeting

Chairman Marren stated that the next GTC Board meeting is scheduled for September 5, 2019 – Brighton Town Hall, 2300 Elmwood Avenue in Brighton.

9. Adjournment

The meeting adjourned at 9:50 a.m.