

BINGHAMTON METROPOLITAN TRANSPORTATION STUDY
POLICY COMMITTEE
DECEMBER 14, 2009
MINUTES

The meeting was called to order by the Chair, Carol Sweeney, at 2:00 pm

Roll call and quorum determination:

Members present

- ♦ Supervisor Carol Sweeney, Chair, Town of Owego
- ♦ County Executive Barbara Fiala, Broome County, represented by Deputy Executive Patrick Brennan
- ♦ Mayor Dennis Hannon Village of Johnson City, represented by Robert Bennett
- ♦ Mayor Matthew Ryan, City of Binghamton
- ♦ Mayor Edward Arrington, Village of Owego
- ♦ Supervisor Margaret Turna, Town of Chenango, represented by Councilman Harold Snopek
- ♦ Supervisor Michael Marinaccio, Town of Dickinson
- ♦ Supervisor Peter Andreasen, Town of Vestal
- ♦ Acting Commissioner Stanley Gee, NYSDOT, represented by Regional Director Jack Williams
- ♦ Elaine Jardine, Southern Tier East Regional Planning Development Board

- Approval of minutes of August 19, 2009. Moved Andreasen, second Marinaccio. Approved by consensus.

OPPORTUNITY FOR PUBLIC COMMENT

The Chair opened the floor for comment. None was offered.

SPECIAL RECOGNITION

Supervisor Carol Sweeney was recognized for her years of service to the BMTS Policy Committee and citizens of the Greater Binghamton Region. A Special Resolution was approved by unanimous consent, and a certificate was presented.

ELECTION OF OFFICERS

Jack Williams presented the report of the Nominating Committee (Williams, Jardine, Marinaccio). He placed into nomination for the term January 1, 2010 to December 31, 2011
Chair: Peter Andreasen Vice-Chair: Michael Marinaccio

The Chair opened the floor for additional nominations. None were offered.

- Accept the report of the Nominating Committee and elect the slate. Moved Brennan, second Jardine. Approved by consensus.

ACTION ITEM: LONG RANGE PLAN 2035

Gayle briefed the Committee, explaining that Federal law requires that the BMTS long range regional transportation plan be updated no less frequently than every five years. The current plan, *TRANSPORTATION TOMORROW 2030 ~ PLACEMAKING FOR PROSPERITY*, was adopted by the Policy Committee in September 2005. As such the update has been initiated through discussions with the Program & Finance Subcommittee and Planning Committee.

Federal regulation does not specify the extent of the Plan update. Because Placemaking for Prosperity has mostly not been implemented yet, and represented a major undertaking as a

scenario plan, staff has proposed and the Planning Committee agreed, that the primary change for the 2035 Plan be a new Sustainability element. The climate change bills now in Congress include language requiring MPOs to address greenhouse gas emissions. Beginning that work in the new Plan may put BMTS ahead of the curve. He noted that the Ithaca-Tompkins County Transportation Council has a final draft of their Plan posted, and that they have done cutting edge work on GHG emissions forecasting, from which we can learn. The Policy Committee expressed general agreement with this approach.

Gayle reviewed the “first cut” Statement of Goals and Objectives. The Planning Committee had approved making it available for public comment, so it is now on the BMTS website. He noted the system preservation and safety elements were essentially the same as in the current Plan; and that the mobility element was modified a bit to reflect sustainability goals. One open question is how to address land use, which is key to GHG reduction. This is somewhat outside the realm of a transportation plan. Broome County is considering developing a county comprehensive plan, which would be more appropriate.

Andreasen raised the question of investing in greenways and bicycle facilities when basic infrastructure is deteriorating. Discussion followed. Gayle noted that over the life of the Plan there should be resources to invest, if not in the short term. It was proposed that the objective state that greenway development rely on a dedicated fund source.

Gayle presented the Financial Plan and revenue forecast. Federal law requires that the long range plan be constrained to a forecast of reasonably expected revenue, and that the forecast be developed cooperatively by the MPO, the State, and the transit operator. Acknowledged that forecasting government revenue 25 years into the future is entirely speculative. He had met with George Bagnetto, Commissioner of Public Transportation, and agreed on a transit forecast. NYSDOT had suggested using trend forecasting as had been done in the past. Two revenue scenarios had been developed, based on a conservative and modestly more optimistic forecast of federal revenue growth. Planning Committee recommended making the conservative forecast the “base case” and accepting the other forecast as a means for developing additional targeted investments.

Resolution 2009-17, Approving the Financial Plan for the 2035 Long Range Plan. Moved Arrington, second Marinaccio. Approved by consensus.

ACTION ITEM: 2008-2012 TRANSPORTATION IMPROVEMENT PROGRAM

Gayle explained to the Committee that the action to amend the TIP would lead into the next agenda item, discussion of the TIP update and development of the 2011-2015 TIP.

NYSDOT had proposed to amend two projects. NY 38B over Crocker Creek was programmed as a bridge rehabilitation with a construction cost estimate of \$851,000. The project is now a bridge replacement and safety work at a nearby intersection of NY 38B and NY 26. The cost estimate is now \$4.959 million with a Federal share of \$2.600 million. NYSDOT states fund offset will come from a project outside the BMTS area.

The second project is NY 434/Rano Boulevard/Sycamore Rd. An additional \$876,000 is needed for right-of-way acquisition; Federal share \$701,000. Gayle explained that it has been the practice of NYSDOT to program a small amount, typically \$13,000, for ROW for every project. This acts a placeholder, but forces us to find money for the actual cost later. This practice was carried over to local projects as well. The TIP Subcommittee has stated that Initial Project Proposals for all new project applications must include a reasonable estimate of ROW costs.

Staff had added to the proposed amendment two local projects, subsequent to a meeting with Mayor Ryan and City staff. The Court Street Gateway, for which FHWA concurrence is now in hand and design approval imminent, requires additional funding for ROW, design, and construction. The total is \$850,000 Federal share. The Front St/Clinton St intersection improvement project is in the process of completing ROW acquisition, and is scheduled for letting in March. It also requires additional funding for ROW, design, and construction, with a Federal share of \$902,000.

Gayle noted that none of these changes is unusual, given the current practice of not programming ROW money. Construction cost estimates are refined in final design, and often go up. The problem is that the overall program must be fiscally constrained, so every cost increase requires an offset from another project. NYSDOT is willing to take money from their Paving Block to offset the 434/Rano/Sycamore change.

Jack Williams suggested the Policy Committee revisit project priorities and scope. He noted that as Regional Director he had been forced to make hard choices and defer or delete about \$90 million in projects from the capital program last year to meet reduced allocations, including major work in Oneonta and Bainbridge. He questioned whether we could afford project enhancements, as are included in the Court Street Gateway, when system preservation needs are not being met. Mayor Ryan spoke to the importance of the Gateway project as designed.

The issue of Federal rules for property acquisition was raised, with fact that the same rules apply to temporary easements as large parcels. Mayor Ryan pointed out that the cost of required mapping and appraisal can be \$5,000-7,000, while the eventual payment to the property owner may be less than \$300.

Gayle reviewed the discussion items related to the 2011-2015 TIP update:

- ♦ Federal authorization and appropriations: Congress had passed the FY2010 appropriations as part of an omnibus appropriation bill. It extends SAFETEA-LU authorization until the end of February. No new action on a full authorization bill. Somewhat optimistic that there may be either a short term authorization introduced as a jobs bill. As a result, still no certainty about TIP funding.
- ♦ Allocations: NYSDOT has released funding allocations to the Regions. Region 9 allocations are significantly reduced both from the "advocacy" program submitted in October, and also from last year's update exercise. Especially hard hit are two of the most used fund source, STP-Flex and NHS.
- ♦ Starting point: Staff continues to work hard on developing a complete list of all projects that were committed to in the 2008-2012 TIP, and their current costs and schedules. The failure of both NYSDOT and local sponsors to deliver projects on time has made program management very difficult. It looks like 2010 and 2011 will be overloaded because of slippage into those years.
- ♦ Prospect Mountain: Jack Williams had proposed that consideration be given to programming work that could alleviate congestion resulting from the detours associated with the I-86 Prospect Mountain project. Gayle responded that this had been raised at the Planning Committee meeting, and the question was whether funding for such projects would come from the I-86 statewide significant setaside. He also stated that based on BMTS modeling, the primary bottlenecks will be on Bevier Street between Brandywine and Chenango; and on Front Street. Neither of these are candidates for widening, but improvements to the signal systems could be beneficial.

- ♦ Timeline: Draft TIP to Planning Committee in March, to Policy Committee for approval no later than June 1, 2010.

The discussion returned to the amendment. Gayle offered these choices: the Committee can choose on project to proceed, they can seek other offsets, or they can notify project sponsors that the amount currently programmed must be considered a ceiling on Federal share, and that all remaining costs must be assumed by the sponsor. Mayor Ryan asked if the Prospect Mountain project could be deleted and used as an offset. Gayle responded that all I-86 work is being funded through a "Statewide Significant Projects" fund, which is money taken off the top of the state's federal apportionment of appropriate fund sources. If the project was deleted and the money redistributed, Region 9 would see only a small increase in NHS. We are better off having this money spent here.

Gayle suggested that another option is to ask the Planning Committee to revisit the entire list of projects now scheduled for letting in 2010, and recommend priorities and offsets.

Marinaccio recommended taking the latter course of action. He proposed an amendment to Resolution 2009-16: (1) change Attachment A to include only PIN 900704, NY 38B over Crocker Creek; and (2) inserting a Resolved clause instructing the BMTS Planning Committee to review all projects currently scheduled for letting in FFY2010 and recommend funding priorities and offsets.

- Resolution 2009-16, Amending the 2008-2012 Transportation Improvement Program. Amendment proposed by Mr. Marinaccio accepted by consensus. Resolution as amended, moved Marinaccio, second Andreasen. Approved by consensus.

Gayle committed to having a new amendment back to the Policy Committee by mid-January so as not to delay any project activity.

DISCUSSION ITEM: UNIFIED PLANNING WORK PROGRAM

Gayle briefed the Committee. Allocations of Federal planning funds have recently been sent by NYSDOT Main Office, and assume the same amount as FFY 2009. This is only an assumption, since Congress had not yet acted. This funding level is adequate to support the current staff operation.

He indicated initial work was underway on developing the UPWP, which spells out the planning work to be undertaken by BMTS staff. A candidate letter had been sent out to members; the Town of Chenango had proposed a corridor study for Routes 12 and 12A.

Mayor Arrington requested a study of truck travel through the Village of Owego. Gayle explained that a number of previous studies had been done without an implementable solution, but that staff could revisit the issue. The Mayor explained that truck traffic patterns and volumes had changed as a consequence of the growth of Weitsman/Upstate Shredding.

Gayle suggested much of the focus in the UPWP would be completion of the Long Range Plan update.

BUSINESS OFFERED FROM THE FLOOR.

The chair opened the floor for additional business. None was offered.

The meeting was adjourned at 3:35 PM.