

**MINUTES OF THE MEETING OF THE
Southeastern Massachusetts Metropolitan Planning Organization
(SMMPO)**

Thursday June 4, 2009

Held at the Mansfield Town Hall, Mansfield, MA

Acting Chairman David Mohler called the meeting to order at 3:25 pm.

The following MPO Members were in attendance:

Kevin Dumas, Mayor of Attleboro – Vice Chair of the MPO

Joseph Cosentino, SRTA

Susan Peterson, SRPEDD Commission Chairman

Jack Healey, Town of Freetown,

Representing Jean C. Fox

David Mohler, EOTPW

Representing Secretary Aloisi

Pamela Haznar, MassHighway District 5

Representing Commissioner Paiewonsky

Ex-Officio members of the MPO in attendance:

Lee Azinheira, JTPG Chairman

The following were also present:

Rachel Bain, EOTPW

Robert L. Gregory, MassHighway District 5

Charlie Cristello, Middleborough

Timothy Kochan, MassHighway District 5

John M. Clover, Attleboro DPW

Tony Centore, Consultant

Roland Hebert, SRPEDD

Steve Smith, SRPEDD

Jacqueline Schmidt, SRPEDD

1. **Call to Order** – The meeting was called to order at 3:25 pm by Acting Chair David Mohler. Introductions were made.
2. **Approval of Minutes** – A motion was made to approve the minutes of April 29, 2009 meeting of the MPO meeting held at the SRPEDD Offices in Taunton. The motion was seconded and approved UNANIMOUSLY.
3. **Discussion and vote on Amendments to the FFY 2009 year of the 2007 to 2010 Transportation Improvement Program (TIP)** - Mr. Hebert introduced the following amendments to the 2007-2010 TIP:
 - Cost increase for the Marion/Mattapoisett I-195 resurfacing project from \$6.7 million to \$12.6 million in the FFY2009 year of the 2007-2010 TIP.
 - Move the Fall River I-195 resurfacing project from FFY 2009 to FFY 2010.The following amendments were also made to the TIP to account for additional American Recovery and Reinvestment Act funding to SRTA:
 - Fall River Terminal – Architect/Engineer, Site Assessment, Environmental Review, Preliminary Design, Site Acquisition and Construction (\$2 million)
 - Purchase Miscellaneous Support Equipment and Service Vehicles (\$607,985)

Mr. Hebert explained that a public comment period of thirty days would be complete on Saturday June 6, 2009 and a public meeting was held May 12 and that no adverse comments were made during the comment period or at the public meeting.

A motion was made to approve the amendments to the FFY2009 year of the 2007-2009 TIP. The motion was seconded and approved UNANIMOUSLY.

Mr. Cosentino discussed a possible amendment in the American Recovery and Reinvestment Act to allow up to 10% of funding allotted to transit authorities to be used for operation. Mr. Cosentino asked that the TIP be adjusted to account for this action for SRTA and GATRA, so that if the changes to the bill are made, the adjustments can be implemented at the time the amendment passes.

Mr. Mohler clarified that if the language in the bill were approved, that 10% of the current ARRA allotment would need to be reprogrammed from capital projects.

Mr. Hebert explained that according to the guidelines in the TIP, adjustments can be done as long as the adjustments are part of the agenda mailed to the Joint Transportation Planning Group (JTPG), and that the Federal Transit Authority (FTA) guidance allows for TIP adjustments as long as they are not above 10%.

Mr. Mohler suggested that approval from FTA be sought, and that GATRA and SRTA bring a list of capital projects or a capital project that will not be done in exchange for operating costs equal to the 10% to the JTPG.

- 4. Discussion on including in the TIP new Congressional Earmarks for SRTA – Mr. Cosentino discussed two earmarks obtained by SRTA in the Appropriations Bill passed by Congress in February. Congressman McGovern has obtained an earmark for \$665,000 for the purchase of two replacement buses, and Congressman Frank has obtained a \$950,000 earmark for the Fall River Terminal and associated parking. Mr. Cosentino asked if it would be possible to be brought in at this time or a subsequent meeting.**

Mr. Hebert asked if either earmark was planned on being spent before September 30, 2009. Mr. Cosentino replied that the two replacement buses could be purchased within the time frame, and that SRTA has a purchase order for 22 buses piggybacked with Akron, Ohio's Regional Transit Authorities, and if the two replacement buses could be added to that order, the process would be greatly simplified.

Mr. Hebert stated that the MPO could entertain a discussion to include in the current FFY 2009 TIP the \$665,000 earmark for replacement buses, and that the \$950,000 earmark for the Fall River Terminal Project could be placed in the FFY 2010 TIP currently under development.

Mr. Hebert asked if there was any issue with match. Mr. Cosentino replied that there might be an issue with the 20% state match, as the budget has not been released and the cap has not been determined yet.

Mayor Dumas asked that if a state match was not available, would the money sit.

Mr. Hebert replied that the money would last for at least three years and that it could be viewed as an adjustment. The \$665,000 earmark would be added to the existing FFY 2009 TIP under Section 5307 by adding two additional buses to the purchase of nine replacement fixed route buses for a total cost of \$3.8 million. The \$950,000 earmark will be added in the development of the FFY 2010-1013.

A motion was made to adjust the FFY 2009 of the TIP to account for the addition of the \$665,000 earmark and the matching state funds. The motion was seconded and approved UNANIMOUSLY.

5. Requested Design Updates from MassHighway – Ms. Hazner presented the following design updates:

- Flaherty Drive Extension, New Bedford:
 - A letter was received from Congressman Frank's office that FHWA reviewed and found it acceptable to advance the project through the MassHighway process.
 - The project was recently approved by PRC on May 14, 2009.
 - There is an EDA grant for this project that is not final but in the last stages, between the EDA grant and the HPP it should be enough to cover the project.
 - The design is 100% complete, but is not in MassHighway format and still needs to go through the MassHighway process and be advertised by MassHighway.
- Faunce Corner Road Bridge Replacement over I-195, Dartmouth:
 - The consultant is preparing four concepts, and a project delivery team meeting, which would include MassHighway, Federal Highway and SRPEDD, should be held during the month of June to review the concepts.
- ROW for Route 79 Relocation, Lakeville:
 - The proposed advertising date is June 13, 2009.
 - There is one outstanding issue with ROW that the ROW Department is working on and the ROW Department feels comfortable the issue will be resolved by the advertising date.
- I-495 Ramp at Route 140, Mansfield:
 - A revised interchange justification report was prepared by Jacobs Engineering to address questions raised by FHWA and was submitted to FHWA on May 12, 2009 for review.
- HSIP Design contracts in New Bedford and Fairhaven:
 - Consultants have been selected and the contracts are being finalized.
 - BSC Group has the southeast region for design.
 - Fairhaven is advancing their two projects to 25% and the designs will be submitted to MassHighway for BSC Group to take it from there.
 - New Bedford has done some preliminary work with CDM, which has been submitted to MassHighway and passed on to Boston.

Mr. Hebert asked if there would be an opportunity to discuss the timing of the HSIP projects with BSC Group. Ms. Hazner answered that the contracts have not been finalized, but there should be no problem discussing the timelines once the contracts are finalized.

Mr. Hebert explained that because there is some question that FHWA may not allow this project to move forward without an environmental assessment, the Mansfield I-495 Ramp to Route 140 Project is proposed to be listed as the number one project in FFY 2010 of the TIP. If this project moves forward as planned for FFY 2009, it will free up funding in FFY 2010 for other projects.

Mr. Hebert asked if the Flaherty Drive Extension Project for New Bedford should be listed in FFY 2010 in addition to FFY 2009 in case the project does not go forward as planned. Ms. Haznar replied that it might not be a bad idea to list it in both, as the project still needs to be reviewed by the environmental section.

6. Discussion of the preparations for the FFY 2010 TIP – Mr. Hebert announced that the JTPG will be meeting June 17, 2009 to further develop the list of projects on the draft 2010-2013 TIP. The following projects are proposed for FFY 2010:

- Construction of a New Ramps from Route 140 to I-4195 SB in Mansfield (\$2.1 million).
- Resurface Route 152 (Central Ave.) and Bakers Corner in Seekonk (\$3.3 million)
- Safety Improvements (Roundabout) at County St., Chase Rd., and Mason Rd. in Freetown (\$1.5 million)
- Pollution Mitigation for the Nemasket River (GRRIP) Middleborough (\$368,000)
- Central Village Pedestrian, Bicycle and Traffic Safety Project in Westport (\$285,400)
- Construct Signals and I-495 Ramps with Route 105 in Middleborough for CMAQ funding (\$1.6 million).
- Reconstruct Bridge Street at Alden Road in Fairhaven using HSIP funding (\$896,010)

Mr. Hebert explained that currently the only project programmed for CMAQ funding is the Middleborough/Lakeville Construction of Signals at I-495 Ramps with Route 105 Project, which is unlikely to be ready for advertising in FFY 2010. There are no other projects that qualify for CMAQ funding that would be ready in time for FFY 2010, therefore another use of the funding should be arranged, such as buying buses, or the Middleborough/Lakeville project needs to be advanced.

Targets for FFY2010 are approximately \$3 million under the Draft Regional Target, and could potentially be approximately \$5 million if FHWA's issues with the Mansfield Route 140/I-495 ramp are cleared up and the project goes out to bid in FFY2009. SRPEDD is currently looking for suggestions for projects to fill the void.

Mr. Azinheira suggested that the Mansfield Reconstruction of Route 106 Project that is currently listed in FFY 2013 could easily be advanced. Mr. Hebert replied that if a design could be finished in time for the project to be included in FFY 2010, then Mansfield should coordinate that effort with MassHighway and if MassHighway agrees, the project could be added to the TIP.

Mayor Dumas asked if the Attleboro North Main Street Bridge and the Olive Street Bridge were going to be listed on the TIP. Mr. Hebert replied that they would be for information purposes only, as they are not federally funded. Mr. Hebert also remarked

that a list of bridges that would ultimately be funded using federal funding was received from EOTPW.

Mr. Mohler further clarified that a draft list of \$1.1 billion of accelerated bridge projects was dispersed. The projects on that list will be advertised as non federal aid projects, but will ultimately be converted to federal aid projects in 2015. Once the list is approved by FHWA, the projects should be listed as non-federal aid projects in the TIP with a note that states that the projects will be funded using federal aid. When the list is approved, language for this purpose will be given out.

Mr. Healey asked for an update on the progress of the Elm Street Bridge Project in Freetown.

Ms. Haznar clarified that MassHighway is currently working to advance a design, and the project has been reviewed by the Project Review Committee. The project is not on any list right now but is being advanced through MassHighway.

Mr. Hebert explained that the targets for FFY 2011 are approximately \$1 million over the Draft Regional Target. Projects programmed for FFY 2011 could potentially move to FFY2010 if update information on project readiness is received. There are currently no projects programmed for CMAQ funding in FFY 2011.

The targets for FFY 2012 are slightly under target. Approximately \$7 million of the total price of \$13 million for the Route 6/28 project in Wareham is programmed in FFY2012, with the rest of the cost (\$5 million) to be programmed in FFY2013. The cost of the Reconstruction of Four Route 6 Intersections Project in Fairhaven is split between federal funding and HSIP funding. There are no projects programmed for CMAQ funding in FFY 2012.

The targets for FFY 2013 are way over budget, as a result of all the projects that could compete for FFY 2013 funding being listed. There are no cost estimates for the Raynham and North Attleborough projects and there are no projects programmed currently for CMAQ and HSIP funding in FFY2013.

Ms. Haznar stated that she believed the Raynham Reconstruction of Route 44, Orchard Street and Route 24 Off-Ramps Project, the North Attleborough Reconstruction of Route 1A at Chestnut Street and Hoppin Hill Road Project and the North Attleborough Traffic Signal and Intersection Improvements at East Washington Street and Chestnut Street could qualify for HSIP funding.

- 7. Discussion of memo on Earmarks** – Mr. Hebert stated that he had received a copy of a letter from congress that indicates that it is the intention of congress during the deliberations of the new transportation legislation to eliminate all funding for old congressional earmarks from ISTEA or T-21, which essentially means any earmarks approved earlier than the implementation of SAFTEA-LU in 2004. Projects affected in the SRPEDD Region include:
- New Bedford - Construction of Improvements to the JFK Highway/Route 18 for a total of \$11,600,000.

- Attleboro - Planning and Engineering for I-95 and Industrial Park to be applied to Tiffany Street, Phase 2 for a total of \$844,230.

Mr. Hebert explained that the Attleboro earmark, according to early communications, could potentially be used to fund the Tiffany Street Phase 2 Planning and Engineering. If congress passes the new transportation legislation by October 1, 2009, the money for this project could disappear.

Mayor Dumas asked if the monies could be used immediately for design shouldn't the money be programmed in FFY 2009 instead of FFY 2010. Mr. Mohler explained that a scope would need to be submitted to and approved by MassHighway and Ms. Haznar stated an agreement would need to be drafted.

Mr. Hebert commented that the project would need to go in Part 1C: Federal Aid Non-Target Projects and that it would need to be an emergency amendment to the TIP.

Mr. Mohler also replied that according to the memo distributed, earmarks for full engineering design of a project cannot be in the TIP unless the entire cost of construction is also listed and programmed.

Mr. Hebert replied that cost of construction for the Tiffany Street Phase 2 Project is programmed in FFY 2011 of the draft 2010-2010 TIP.

A motion was made to make an emergency amendment to the TIP to include the Attleboro Planning and Engineering for I-95 and Industrial Park to be applied to Tiffany Street Phase 2 Earmark for FFY 2009. The motion was seconded and approved UNANIMOUSLY.

Mr. Hebert discussed two earmarks for the Route 24/140 Interchange in Taunton, one for \$5 million and one for \$14.6 million. This list suggests that the \$5 million be available for feasibility, design and environmental studies, an issue that has been dragging for several years as a result of a Section 61 finding that the Taunton Development Corporation is responsible for fixing the Route 24/140 Interchange. The City of Taunton helped arranged the Congressional Earmarks and if they are not used, the TDC would be responsible for funding this project, which they can not afford to do. Attention is requested from MHD and EOT to address this problem.

Mr. Hebert discussed the New Bedford JFK Highway/Route 18 Earmark. If the money for the earmark disappears, the project would have to compete for regional target money. If the earmark goes away, the City of New Bedford will need to be advised on other funding sources.

Ms. Haznar stated that the original 25% designs for the New Bedford JFK Highway/Route 18 Project were not up to snuff and had to be resubmitted, and the resubmission was acceptable. Sketch plans for the bridge and some geotechnical work was recently completed, for which the Boston Bridge Section and MassHighway has some comments. The consultant has a schedule to address the comments by June 16th and

MassHighway has committed to commenting within a week. If everything goes according to schedule, a public hearing will be held towards the end of the summer.

- 8. Other Business** – A public meeting for the I-95 Corridor Study will be held June 16, 2009 at the North Attleborough Middle School Cafeteria.

The I-95 Corridor coalition requested a support letter from SRPEDD to support the establishment of a Marine Highway on the East Coast. SRPEDD has provided a letter based on SRPEDD's prior record of endorsing Marine Highways and support of the short sea shipping concept.

A letter was sent to EOTPW based on updating the functional class on the existing roads connected with the Fall River/Freetown Exit 8 ½ ARRA Project.

An announcement from FHWA published in the National Register states that there will a supplemental discretionary grant program for stimulus money, but projects have to be a minimum of \$20 million and the program is competitive. The state is limited to \$300 million and priority will be given to projects that could be completed by February 2012. Mr. Hebert suggested that if projects were available for that level of funding, SRPEDD should be contacted with the information.

Ms. Bain clarified that the project must be ready to go; generally including design and that the National Register contains an amount of information for determining eligibility.

Mr. Azinheira suggested that the Downtown Mansfield Train Station Project could be eligible.

Mayor Dumas asked that if the Attleboro North Main Phase 2 Project could be ready in time for FFY 2010, if the project could be ready could it be added into the TIP. Ms. Bain replied that a criteria evaluation would need to be completed for the new scope of the project. Mr. Hebert also replied that SRPEDD would need a report of the current project scope.

- 9. Date, Time, and Location of Next Meeting** – To be determined.

- 10. Adjournment** – The meeting was adjourned at 4:35 pm by Acting Chair David Mohler.