

1 Chittenden County Metropolitan Planning Organization
2 Regular Meeting and Public Hearing
3 Meeting Minutes
4

5 Date: Wednesday, September 15, 2004

6 Time: 7:00 p.m.

7 Place: CCMPO Offices; 30 Kimball Avenue, Suite 206; So. Burlington, VT 05403

8 Present:

9 Bill Keogh, Burlington

10 Jeff McDonald, Charlotte (Vice-Chair)

11 Chris Conant, Colchester

12 Jeff Carr, Essex Town

13 Dale Arango, Essex Junction

14 Bob Penniman, Jericho (Chair)

15 Virginia Clarke, Richmond

16 Jim Dudley, Shelburne

17 Jim Condos, South Burlington

18 Tom Buckley, Westford

19 George Gerecke, Williston

20 Mike O'Brien, Winooski

21 Patricia McDonald, VTrans Secretary

22 Ex-Officio: Chris Jolly, FHWA

23 Lew Wetzel, CCRPC

24 Mike Flaherty, VTA

25 Others: Matthew Langham, VTrans

26 Polly McMurtry, VTrans

27 Peter Coleman, Vermont Times

28 Greg Brown, CCRPC Executive Director

29 Staff: Bill Knight, Executive Director

30 Peter Keating, Sr. Transportation Planner

31 Christine Forde, Sr. Transportation Planner

32 Susan Smichenko, Sr. Transportation Planner

33 Dave Roberts, Sr. Transportation Planner

34 Daryl Benoit, Transportation Planner

35 Paul Craven, Project Manager

36 Bernadette Ferenc, Administrative Assistant
37

38 The meeting was called to order at 7:05 p.m. by the Chair, Bob Penniman, after determining the
39 presence of a quorum.
40

41 1. Changes to the Agenda. The chair had a change that they dealt with right off. The board
42 presented a resolution honoring Bernie Ferenc for 20 years of service to the CCMPO, and gave
43 her a desk clock and flowers.
44

45 2. Public Comment Period. There were no public comments.
46

47 3. Approval of minutes. JEFF CARR MADE A MOTION, SECONDED BY CHRIS
48 CONANT, TO ACCEPT THE MINUTES OF AUGUST 18, 2004 WITH EDITS OR
49 CHANGES. Tom Buckley noted that on page 3, line 39 where the sentence is incomplete we

1 should add the word "voluntary." MOTION CARRIED TO APPROVE THE MINUTES AS
2 CORRECTED. JIM DUDLEY ABSTAINED.

3
4 5. Public Hearing on Major Amendments to the FY04-06 Transportation Improvement Program
5 (TIP). Bob Penniman opened the public hearing as warned at 7:15 p.m. and noted that at the last
6 meeting we asked VTrans to keep the FY04-06 TIP as is. We knew we were under quick
7 deadline for FY04 because the latest extension of the Federal Transportation Bill expires
8 September 24, 2004, rather than September 30th. The Executive Committee was given the
9 authority to review the proposed amendments that would be warned for public hearing. The
10 respective staffs did a tremendous job to make sure all the projects that need money in FY04
11 have it. Mr. Penniman has committed the Executive Committee to work with VTrans staff to
12 work on the FY05 TIP. He asked members to stay focused tonight on the FY04 year of the TIP.
13 Our intent at the Executive Committee when we found out that the act of the legislature gave us
14 \$1M less than our original fiscal constraint for FY04, was to warn the greater amount and then
15 take action on a lesser amount, which would be easier than warning a lesser amount and taking
16 action on a larger amount, should the board so choose.

17
18 Christine Forde reviewed the issues:

- 19 * Due to unresolved issues regarding use of funds designated for the Circumferential Highway,
20 CCMPO has not approved the FY05-07 TIP. The FY05-07 TIP would typically be adopted in
21 July, 2004.
- 22 * As a result, the FY05 year of the FY04-06 TIP remains in effect until a new TIP is adopted.
- 23 * Project costs were updated in the draft FY05-07 TIP, but the revised costs are not reflected in
24 the FY04-06 TIP. In order to update costs in the FY04-06 TIP, affected projects must be
25 amended.
- 26 * Three projects are especially affected by this issue: Riverside Avenue, Burlington; Lime Kiln
27 Bridge, Colchester/South Burlington; and Kennedy Drive, South Burlington. The FY04-06
28 TIP has inadequate funding levels for each of these projects.
- 29 * In order for a project to be bid, the TIP must include all funds necessary to cover the pre-bid
30 cost estimate. If the TIP does not have adequate funding levels, FHWA will not allow the
31 project to be bid. (Funding can be outside of the three year window of the TIP, but must still
32 be identified in the Comments section of the TIP.)
- 33 * Changes listed below for Riverside Avenue, Lime Kiln Bridge and Kennedy Drive modify
34 funding levels in the FY04-06 TIP to allow Riverside Avenue to be bid in FY04, and for
35 Lime Kiln Bridge and Kennedy Drive to be bid early in FY05.
- 36 * Changes are also listed below for projects that have funds in FY04, but will not be able to use
37 them. These projects are Champlain Parkway - Contract 2, Circumferential Highway I-89/I-
38 289 Interchange, US7/Rebecca Lander Drive, and Williston Park and Ride. CCMPO can
39 direct those funds to other projects. If the funds are not redirected, they are lost to Chittenden
40 County.
- 41 * Changes are listed below for East Street Bridge and US7/Charlotte because the FY05 year of
42 the FY04-06 TIP has inadequate funding levels.
- 43 * Finally, changes are listed below for Shelburne Road and Champlain Parkway – Contract 6
44 to balance the fiscal constraint level. Extra funding in FY04 is directed to Shelburne Road,
45 while funds are delayed for Champlain Parkway from FY06 to FY07. Shelburne Road is able
46 to absorb additional funding, and Champlain Parkway will not need funding until 2007.

47
48 The revised Table 1 shows where we made changes to leave the \$1M on the table from the circ.
49 Jeff Carr asked for clarification for revised Table 2, and whether we'd have to deal with the

1 \$13M for the circ. Bob Penniman said the next process is the FY05 TIP which is the bigger
2 issue. Besides the normal fiscal constraint we are also under another constraint based on action
3 of the legislature, so we have to deal with \$13-14 M very shortly. JEFF CARR MADE A
4 MOTION, DULY SECONDED, TO CLOSE THE PUBLIC HEARING AT 7:40 p.m. MOTION
5 CARRIED UNANIMOUSLY.
6

7 Bob Penniman said we'll be doing another exercise in the next month or so to make amendments
8 to FY05. There was a brief discussion about the \$3M of the circ money that the legislature said
9 could remain in Chittenden County. Matthew Langham said on the Revised Table 1 for FY04
10 there are two line items for the circ. The \$996,050 is being released from the circ and being
11 spent on Riverside Avenue; the \$1M is what is being released to the state.
12

13 Jim Condos questioned the current status of Lime Kiln Road and Kennedy Drive. Matthew
14 Langham said Lime Kiln Bridge is very close to going to bid, but had some minor ROW issues.
15 They hope to have this ready very shortly after October 1st. Christine Forde said Kennedy Drive
16 delay was that the comment period on the ROW acquisition ends after September 24th. When
17 asked if VTrans intends to bid this within 30-40 days, Matthew said that is their intent. Jim
18 Condos voiced concerns about the progress of projects which is what aggravates folks at the
19 local level. We could get more projects done if we could get them to move a little quicker.
20

21 JEFF CARR MADE A MOTION, SECONDED BY GEORGE GERECKE, TO APPROVE THE
22 FY04-06 TIP AMENDMENTS FOR FY04 IN THE AMOUNT THAT IS REFLECTED IN
23 REVISED TABLE 1, WHICH INCLUDES THE \$1M TO BE RELEASED TO VTRANS.
24 (This table is attached to these minutes and becomes a part of them.)
25

26 BILL KEOGH MADE A MOTION TO AMEND THE MOTION TO REFLECT THE
27 ORIGINAL TABLE 1 FIGURES WHICH DOES NOT RELEASE THE \$1 M. MOTION DIED
28 FOR LACK OF A SECOND.
29

30 GEORGE GERECKE MADE A FRIENDLY AMENDMENT THAT WE INCLUDE THE
31 CLAUSE THAT STATES THAT IN CASE RIVERSIDE AVENUE CANNOT GO TO BID,
32 THAT THE MONEY GO TO SHELBURNE ROAD. JEFF CARR ACCEPTED THE
33 FRIENDLY AMENDMENT.
34

35 A lengthy discussion ensued with the following points brought up:

- 36 * The Chair of the House Transportation Committee was quoted saying that all VTrans has to
37 do is present a program and they will approve it.
- 38 * The status of the MPO is on the line here. We're being challenged and if this passes it could
39 be seen as knuckling under and not as a grassroots body; and we should stand up to those
40 who would thwart the efforts to keep the money here.
- 41 * The motion was made in the spirit of cooperation and we hope that collaboration would not
42 be "do it our way or heck with MPO."
- 43 * This board works very hard to meet priorities and within constraints, sometimes putting local
44 priorities behind regional priorities.
- 45 * The Executive Committee will work with VTrans executive staff to see how they can deal
46 with the \$13-14M which will be discussed in much greater detail than this one.
- 47 * We don't want to win this battle and lose the war.
- 48 * If the MPO doesn't vote to take \$1 M out of FY05 the Secretary would have to vote against it
49 and there would be serious impact to the dollars we have. It would not be a good thing.

- 1 * A positive vote will buy some time to develop a new FY05-17 TIP.
 2 * If you look at fiscal constraint limit on revised Table 1, part of the \$49.5 M is for the circ that
 3 is not needed. If we don't play, we run the risk that in the future should the circ still be
 4 shown to be needed they would not be willing to fund it.
 5 * Over and above the legislature's action is the lack of federal reauthorization.
 6 * Time is running out for FY04. If we don't release the \$1M the state would give it back to the
 7 feds because there is no time to reallocate it. .
 8

9 VOTE TO APPROVE THE TIP AMENDMENTS AS LISTED IN REVISED TABLE 1,
 10 INCLUDING CLAUSE ABOUT FUNDS FOR RIVERSIDE AVENUE:

11	Bolton	Absent	Burlington	yes (4)	Charlotte	yes
12	Colchester	yes (2)	Essex Jct.	yes	Essex Town	yes
13	Hinesburg	absent	Huntington	absent	Jericho	yes
14	Milton	absent	Richmond	yes	St. George	absent
15	Shelburne	yes	So. Burl.	Yes (2)	Underhill	absent
16	Westford	yes	Williston	yes	Winooski	yes
17	VTrans	yes				

18 MOTION CARRIED WITH 18 OF 24 VOTES PRESENT AND VOTING AND 12 OF 18
 19 MUNICIPALITIES VOTING IN THE AFFIRMATIVE.
 20

21 Secretary McDonald spoke about the federal transportation reauthorization. VTrans put together
 22 their budget for FY05 based on what they thought they were going to get. They may be
 23 authorized for \$133M, but actually get \$126 M; However depending what Congress does, they
 24 may only get \$120M. They're watching it very closely. We're very fortunate that we have
 25 Senator Jeffords as a senior member of EPW and Jeff Squires on his staff working on this.
 26

27 6. Circ Environmental Impact Statement (EIS) and CCMPO involvement. Bob Penniman noted
 28 that Sec. McDonald has offered MPO involvement in this project. Technical involvement would
 29 involve our transportation model, which the MPO is in the process of updating. Second issue is
 30 VTrans offer to have representation at the policy steering committee level. The Executive
 31 Committee has only talked about it briefly and do not have a recommendation, but they do feel it
 32 should not be Bill Knight, but a board member. He believes the Executive Committee will come
 33 back with a recommendation at the October meeting. Secretary McDonald could not disclose
 34 who the selected consultant is yet, but did note that the firm has an incredible amount of
 35 experience in cumulative and secondary impacts. They intend to put together a main technical
 36 team to review this and a small steering committee, but they need an opportunity to talk to the
 37 consultant about this because of their experience about what works and what does not. Virginia
 38 Clarke and Bob Penniman reviewed the proposals along with Bill Knight and Dave Roberts. Sec.
 39 McDonald feels the MPO needs to be involved with VTrans on technical issues. When asked the
 40 timetable for this process, Sec. McDonald said once they talk to the consultant, they'll set the
 41 timetable. Bill Knight said we'll put this on the agenda for the next board meeting.
 42

43 7. Approve Bike/Pedestrian Priorities. Peter Keating explained the bike/ped program. The last
 44 three rounds VTrans has asked regions to prioritize projects in their areas. W we had to get
 45 descriptions of the projects that communities will apply for because VTrans wanted the priorities
 46 by the application deadline of October 1, 2004. It was difficult to do without a real application.
 47 There were 6 applications from Chittenden County. The subcommittee recommends the
 48 following two projects as our priorities.

1 1. Colchester I-89 Exit16 bike/ped improvements, Winooski City Line to Sunderland
2 Woods.

3 2. Milton US 7 sidewalk from West Milton Road to Haydenberry Dr.

4 The TAC approved this recommendation.

5
6 Jeff Carr noted that just because we approve the two priorities, doesn't mean they'll get funding
7 because there is only \$2M available statewide. Tom Buckley will support these
8 recommendations, but noted that the northern section of the Burlington bike path is a safety
9 hazard and needs improvement and we need to keep it on the radar screen. MIKE O'BRIEN
10 MADE A MOTION, SECONDED BY JIM CONDOS, TO APPROVE THE
11 RECOMMENDATIONS AS PUT FORTH TONIGHT. VOTE: MOTION CARRIED
12 UNANIMOUSLY.

13
14 8. Approve Enhancement Program Priorities. Peter Keating described the history of the
15 enhancement program and the evaluation process. There were 8 projects in all and he showed
16 the scoring that points out the top two projects. The tabulation revealed scores clustered in three
17 distinct groups. He then reviewed project costs and noted that they had made it known that they
18 had rarely made awards more than \$300,000. BILL KEOGH MADE A MOTION TO
19 APPROVE THE SUBCOMMITTEE RECOMMENDATION. CHRIS CONANT SECONDED.

20
21 Bob Penniman handed the gavel to the Vice-Chair, Jeff McDonald so he could speak to the
22 Jericho project. He feels one evaluation criterion left out of here is the downtown designation
23 and town centers. Downtowns are cities like Winooski and Burlington. Village centers are
24 Shelburne and Jericho. Another piece left out is the historic significance. They expect their
25 project will be scored differently when it goes to the state level. Peter Keating said three quarters
26 of our evaluation criteria are the same as the state's. When we developed these criteria three
27 years ago, we felt some other elements needed to be included. Jim Condos noted that the last
28 two cycles did not award any projects in Chittenden County and he hopes that they take that into
29 account. George Gerecke feels the criteria for the program is against semi-rural bike paths.
30 Discussion continued about what communities are told about requirements. Polly McMurtry
31 said applicants are required to go to workshops every two years to bring them up to date. Jim
32 Condos asked VTrans about the dollar amount we're working with and noted this is the least
33 amount of money over the past few years. Sec. McDonald had made a decision to put a hold on
34 this for awhile because for several years we'd spent more than the 10% required. Sec.
35 McDonald asked why the MPO doesn't just use the evaluation form the state committee does.
36 Peter Keating said we did model this after the state's but felt we should modify it for our region.
37 He will take Bob's suggestion to update the criteria to reflect the downtown designation to the
38 committee. VOTE: MOTION CARRIED UNANIMOUSLY.

39
40 9. Certification of the Planning Process. Bob Penniman noted that we annually certify that
41 we're in compliance with federal planning regulations. JEFF CARR MADE A MOTION THAT
42 WE AUTHORIZE THE CHAIR TO SIGN THE CCMPO CERTIFICATION OF THE
43 PLANNING PROCESS. GEORGE GERECKE SECONDED AND THE MOTION CARRIED
44 UNANIMOUSLY.

45
46 10. Addition of Campus Connector Road to the Federal-aid Urban System. Dave Roberts noted
47 that this proposal would add the Campus Connector road to the federal-aid system as an urban
48 collector. When a highway is on federal-aid system, it can access federal funds through our TIP.
49 The issue that came up is that there is a \$1M earmark for the project and that won't be enough.

1 There was a request from Colchester; the TAC recommends approval; and if the Board approves
2 it, VTrans will forward it to Federal Highway Administration. Dave Roberts reviewed FHWA
3 guidelines and the map that shows the inclusion of Winchester Road and Barnes Avenue because
4 a collector road needs to lead to somewhere. GEORGE GERECKE MADE A MOTION, DULY
5 SECONDED, THAT THE MPO BOARD REQUEST VTRANS TO PETITION FHWA TO
6 ADD THE REQUESTED SEGMENTS OF THE CAMPUS CONNECTOR ROAD IN
7 COLCHESTER TO THE FEDERAL-AID SYSTEM AS AN URBAN COLLECTOR
8 HIGHWAY. When asked if there is a downside to adding this, Dave Roberts said FHWA has
9 targets of percentage of highways that can be included on the federal-aid system based on road
10 classification. In Vermont we're exceeding the percentage, but that's not an issue. Chris Jolly
11 said these roads could be held to higher design standards. When asked if this has an impact on
12 the Route 15 corridor project, Bill Knight said it's a positive because it'll take traffic off of Route
13 15. VOTE: MOTION CARRIED UNANIMOUSLY.
14

15 11. Executive Director's Report.

- 16 • The auditors will be here next week. This year will be a little unique because we're
17 wrapping up a 12-month fiscal year and a 13-month contract year.
- 18 • MTP is on schedule. Informal copies have been sent to all towns, and the steering committee
19 is meeting on September 29th.
- 20 • Transportation Model Update is on schedule. There is a meeting on Friday. A license plate
21 survey has been completed.

22
23 12. Committee Reports – there were none.
24

25 13. Other Business.

- 26 • Bill Keogh said each community submitted a sidewalk plan and he feels we should be
27 spending more money on that. It was noted that the proposed FY05-07 TIP includes money
28 for that purpose. Jim Condos noted that in reviewing the bike/ped and enhancement
29 applications, there are several sidewalk projects that we could get to if they don't get funded
30 through those programs.
- 31 • Jeff McDonald asked for an update on Route 15 corridor. Bill Knight said planning funds
32 have been released and we'll continue the TOD work on this. There is still several million
33 dollars available for construction.
- 34 • Bob Penniman noted that most members saw his article in the newsletter supporting rail and
35 the response from the trucking company.

36
37 JIM CONDOS MADE A MOTION, SECONDED BY JEFF McDONALD, TO ADJOURN AT
38 9:10 P.M. MOTION CARRIED UNANIMOUSLY.
39

40 Respectfully submitted,
41

42
43
44 Bernadette Ferenc
45 Administrative Assistant
46