

1 Chittenden County Metropolitan Planning Organization  
2 Regular Meeting & Public Hearing  
3 Minutes  
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5 Date: Wednesday, July 15, 2009  
6 Time: 7:00 p.m.  
7 Place: CCMPO Offices, 110 West Canal Street, Suite 202; Winooski, VT 05404  
8 Present: Andy Montroll, Burlington Jim Donovan, Charlotte (7:03)  
9 Marc Landry, Colchester (Vice-Chair) Jeff Carr, Essex (Chair)  
10 Dale Arango, Essex Junction Andrea Morgante, Hinesburg  
11 Rick Moulton, Huntington Bob Penniman, Jericho  
12 Lori Donna, Milton Phil Gingrow, St. George  
13 Denis Gravelin, South Burlington Steve Owen, Underhill  
14 George Gerecke, Williston Mike O'Brien, Winooski  
15 Amy Bell, VTrans Planning Coordinator  
16 Ex-Officio: Chris Jolly, FHWA Chris Cole, CCTA  
17 Leslie Pelch, CCRPC  
18 Others: Rob Ide, VTrans Rail Division Matthews Langham, VTrans  
19 Andy Legg, Milton Alternage Mike Quinn, Essex Junction resident  
20 George Tyler, Essex Jct. Trustee Rep. Sonny Audette,  
21 Dave Crawford, Essex Jct, Village Mgr. Charles Hunter, NECR  
22 John Lajza, Essex Jct. Trustee Chapin Spencer, Local Motion  
23 Mike Coates, MPO TAC John Fitzgerald, Essex resident  
24 Staff: Michele Boomhower, Executive Director Peter Keating, Sr. Trans. Planner  
25 Christine Forde, Sr. Trans. Planner Dave Roberts, Sr. Trans. Planner  
26 Eleni Churchill, Sr. Trans. Planner Daryl Benoit, Tran. Planner/IT  
27 Bryan Davis, Transportation Planner Jason Charest, Trans. Engineer  
28 Bernadette Ferenc, Executive Assistant  
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30 The meeting was called to order at 7:00 p.m. by the chair, Jeff Carr. He welcomed Lori Donna  
31 the new representative from Milton and the Essex Junction Village Trustees and other guests  
32 today.  
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34 1. Changes to the agenda. MIKE O'BRIEN MADE A MOTION THAT WE MOVE ITEM #7  
35 (PRESENTATION OF VERMONT WESTERN CORRIDOR DRAFT PLAN TO THE  
36 SEPTEMBER MEETING BECAUSE WE'LL HAVE MORE INFORMATION. MARC  
37 LANDRY SECONDED AND THE MOTION CARRIED UNANIMOUSLY.  
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39 2. Public comment period. There were none.  
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41 3. Action on the Consent Agenda. There were six minor amendments to the TIP on the consent  
42 agenda. GEORGE GERECKE MADE A MOTION TO APPROVE THE CONSENT  
43 AGENDA. DENIS GRAVELIN SECONDED AND THE MOTION CARRIED  
44 UNANIMOUSLY.  
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46 4. Approval of Minutes. MARC LANDRY MADE A MOTION TO APPROVE THE  
47 MINUTES OF JUNE 17, 2009, WITH CORRECTIONS IF ANY. MIKE O'BRIEN  
48 SECONDED. Amy Bell corrected page 1, line 47 to change "programmed" to "committed."  
49 MOTION CARRIED WITH DALE ARANGO ABSTAINING.

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5. Executive Director's Report.

- Michele distributed the June Executive Director's report.
- Exit 12B alignment study report will be presented tomorrow night at South Burlington City Hall. She has been meeting with the group working on innovative financing for that interchange.
- She noted her report reviews grant awards that have come to communities over the past month or so.
- The voting subcommittee of the MPO met this month regarding the weighted voting of the board that we were asked by Milton two years ago to address and report back in June 2009. The sub-committee recommended we defer reviewing and addressing weighted voting in the bylaws until we have information from the 2010 Census, since we don't know what'll happen. Mike O'Brien asked about the basic question of setting parameters such as population and suggested we don't need Census data to develop the policy. The point is setting up a system so that as we move along, we don't have to keep addressing it. He feels we should take some action now and determine whether it'll be based on population or other factors. Rick Moulton said when MPO & RPO merged the rural communities felt they would be at a disadvantage if it was based on population and he feels we really need to look at that. Jeff Carr said that in the 2010 Census we may find that there will be other communities outside of Chittenden County that will be members of the CCMPO, so we don't even know who should be at the table. The subcommittee members were Andy Montroll, Andy Legg, Marc Landry and Jim Dudley.

6. Presentation on Vermont Rail System Activities. Rob Ide, Rail Program Manager at VTrans gave a powerpoint presentation. He briefly reviewed a map of the Vermont rail system, noting who owns the various lines. In Burlington, College Street south is publically owned and College Street north is privately owned. He then showed a map of New England and the Northeast where we connect with various railroads. His section also manages the rail trails network, which he described.

Mr. Ide then reviewed a spreadsheet that outlines the spending plan for the Jeffords earmark. He noted that people talk about the \$30M earmark which was the number before appropriators decided how much we'd get and \$26.85M was actually available. These projects were the list of projects that the Agency submitted. He's heard the argument that the Agency hasn't spent the money as quickly as it might have. In 2009 \$4M was expended from this account. In 2010 they plan to move \$7M and have identified areas where the money will be used. There are specific projects associated with this earmark and if a change in spending priorities is to happen, it affects other things and therefore something on this list will not happen. The idea that is being presented by Essex wasn't presented until the legislature was already convened and it wasn't part of VTrans submission to the legislature. It was presented to the House Transportation Committee, but not the Senate and neither committee included this project in their capital bill for this year. They at the Agency do not have the authority to move this money around for this purpose. For the ARRA application they've consulted with railroads, Amtrak, etc. to put together a complete package for the \$8B available nationally. There are two applications from Vermont. If they are successful in obtaining stimulus funds for some of the projects outlined on the earmark list, we can then use the earmark funds for other projects. We should have that answer in mid-November and we could then make a presentation to the legislature in 2010 for FY2011. VTrans is not opposed to the project presented by Essex, and if stimulus funding becomes available they would recommend including the Essex project in their

1 submission to the legislature next year. Discussion ensued re. Middlebury Spur and using a  
2 RIFF loan for part of it. We are still \$8.5M over the \$26.85M earmark so it'd just bring us even.

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4 Mr. Ide then reviewed the rail stimulus request. This is the most fluid document they've ever  
5 had. He reviewed the requests for the two years of stimulus money. Having Amtrak to  
6 Burlington is the #1 policy goal of the rail section. Bob Penniman mentioned his history with the  
7 St. Johnsbury & Lamoille County Railroad. His point being that it's a critical link from an  
8 economic development standpoint. He feels the most critical link on the rail system is from  
9 Burlington to Essex. Rob Ide said that project was brought to their attention in the early months  
10 of this year. We have about 85 years of deferred maintenance in the state on the rail lines. Some  
11 of them rode the rail from College Street to Essex Junction yesterday and it's functioning at a  
12 low speed. They don't argue it's a good idea to do upgrade that track, but it was not part of the  
13 plan for the Jeffords earmark and it was not on that list. If they are successful with stimulus  
14 funds they would be happy to use Jeffords earmark for other projects, although he admits we  
15 may not get it done as quickly as people would like. Rick Moulton asked if the \$50M in there  
16 for Vernon to the border on NECR includes Essex to Burlington. Rob Ide said it does not – in  
17 order to qualify for passenger rail funds, there must be passenger rail already running on it.  
18 Discussion ensued about what was included in ARRA submittal. Rob Ide noted that freight pays  
19 the bill to allow passenger rail. Lengthy discussion continued. When asked how critical the  
20 stimulus money is for there to be passenger rail, Rob Ide said it's vital. It'd take \$36M to do  
21 ABRBE from Rutland to Burlington and \$38M from Rutland to Hoosick, NY or \$75M to get  
22 Amtrak to Burlington. When Chris Jolly asked if these applications are all or nothing, Rob Ide  
23 said that is his understanding. There was a brief discussion about the possibility of AMTRAK  
24 coming to Burlington via Essex by having the train back up into Burlington and then head back  
25 to Essex Junction. Rob Ide said they've heard four things important to people for passenger rail:  
26 1) moving trains from Point A to Point B; 2) on time –period; 3) clean restrooms; 4) quality and  
27 diversity of food. Rob Ide said Amtrak likes having engines on each end of the train in northern  
28 areas for power and weight for winter conditions.

29  
30 John Lajza said his concern is what happens if stimulus funding doesn't come through? What do  
31 we do then? The Village just started looking at commuter rail between Essex and Burlington and  
32 it just didn't seem viable. Rob Ide said his and the Agency's focus is intercity – Burlington, St.  
33 Albans, White River Junction, New York City, Philadelphia and Washington, D.C. That's what  
34 he can compete for.

35  
36 John Fitzgerald wanted to know where tractor trailer truck and container truck terminals are in  
37 Vermont. Jeff will have the MPO staff get back with him.

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39 George Gerecke thanked Mr. Ide for the presentation, but wished we'd had this information a  
40 long time ago. Rob Ide said using federal funds with private funds for rail improvements is  
41 relatively new.

#### 42 7. FY2010-2013 Transportation Improvement Program (TIP).

43 a. Public Hearing. Jeff Carr opened the public hearing at 8:05 p.m.

44 Dale Arango noted that she hoped everyone read the memo from Dave Crawford. She noted  
45 the Village proposes the MPO go ahead and pass the TIP without specific funding for this project  
46 and authorize staff to draft a minor TIP amendment when the funding is determined.

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48 Dave Crawford said they've laid out trustees' position adopted last night to be presented  
49 tonight. He brought two board members and NECR and asked for advice of how to go forward

1 from here. He noted that after they heard that the full TIP might not be approved, they decided  
2 to work with us and not indicate the earmark as the funding source.

3  
4 Chapin Spencer wanted to thank members for moving to a growth center and for their  
5 support of the bike ferry in Richmond. Regarding the TIP he was pleased to be a partner in the  
6 2008 development of the bike/ped plan. One of the recommendations was that we have 6-7%  
7 spending on stand alone bike/ped projects. In the first year of the TIP it looks good, but the out  
8 years are slim. He would like us to see how to do a better job in the future. He noted we've lost  
9 shoulders on Susie Wilson Road because of Lowe's and on Flynn Avenue in Burlington.

10  
11 Dale Arango is looking for clarification between illustrative project vs. the projects that don't  
12 have funding. Christine Forde said the TIP is a planning document on funding that is expected to  
13 be available. Illustrative projects are listed pending availability of funding. Basically they are  
14 the same.

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16 **MARC LANDRY MADE A MOTION TO CLOSE THE PUBLIC HEARING AT 8:14 P.M.**  
17 **DENIS GRAVELIN SECONDED AND THE MOTION CARRIED UNANIMOUSLY.**

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19 b. Action on the document. After a brief discussion, **BOB PENNIMAN MADE A MOTION**  
20 **TO APPROVE THE TIP AS WARNED. GEORGE GERECKE SECONDED. MIKE**  
21 **O'BRIEN MADE A MOTION TO AMEND THE MOTION TO INCLUDE THE**  
22 **AMENDMENTS IN THE BOARD PACKET AND TO REMOVE THE FUNDING LINE**  
23 **FROM RR002 AND REPLACE IT WITH SUBJECT TO AVAILABLE FUNDING. ANDY**  
24 **MONTROLL SECONDED.** Christine Forde reviewed the 6 amendments which are the items  
25 we approved on the consent agenda to move them from FY09 to FY10.

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27 When asked why it says Burlington to Milton rather than E. Alburg, Christine Forde said our  
28 TIP only addresses Chittenden County. Andy Legg said the Lake Road project in Milton is  
29 really \$370,530. Andrea Morgante would like to preface that she still believes there is an item in  
30 the TIP that we haven't heard a lot about, which is the circ. She pointed out that we are still  
31 including \$1.5M for PE in FY10 year and she understands that the preferred alternative has not  
32 been selected. There would be \$34M that goes to 2013 and we're talking about \$36M for the rail  
33 project. Someone questioned point of order, since this was not germane to the amended motion.

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35 Andy Montroll said regarding the Burlington-Essex or Milton, he thinks it's prudent to take  
36 out the funding, but it's important to us that we do the project. He thinks its unfortunate we can't  
37 give the true priorities of the region without the threat of not having the TIP approved. Jeff Carr  
38 said he heard very clearly from Amy and Rob Ide that VTrans supports the project, just not the  
39 funding source. He's glad the Village understands. We want to convey to VTrans that we really  
40 want to find a funding source for this project. The Village and NECR have worked hard and  
41 gained a lot of support in the county and this is a priority for the MPO. We are removing the  
42 funding as a demonstration of cooperation and we really want to move this project forward. Bob  
43 Penniman emphasized said this wasn't updating track for just passenger rail. It has a lot to do  
44 with freight/woodchip delivery by rail vs. trucks. Amy Bell wanted to make it clear that they got  
45 the message and this action leaves the dialog open by leaving the project in there and taking the  
46 funding source out, which happens on quite a few projects in the TIP. **VOTE ON MOTION TO**  
47 **AMEND THE ORIGINAL MOTION – CARRIED UNANIMOUSLY.**

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1 Andrea Morgante said we seem to be shying away from the controversy of voting on it. She did  
 2 want to bring up the fact that we haven't heard anything about the circ but it remains on the TIP  
 3 and perhaps we really need to determine our priorities. Jeff Carr said the circ is still an ongoing  
 4 dialog between all the parties. Michele Boomhower said Ken Robie reported on Monday that  
 5 there seems to be progress made with resolving the wetlands issue with the Corps of Engineers.  
 6 The draft final EIS has been available and has been waiting to finalize to resolve the wetland  
 7 issues with the Corps. They hope to come out with a final EIS this fall at which time we will  
 8 invite Ken to come in to discuss this project. Bob Penniman said once the final EIS is done, then  
 9 we can have the dialog. Andrea Morgante said at some point we should have a list of priorities.  
 10 Jim Donovan said we really need a discussion of priorities as we move forward with the MTP  
 11 and we do need to keep in mind what Chapin says – we need to reach the bike/ped goals we've  
 12 set.

13 VOTE ON MOTION AS AMENDED:

14 Bolton	Absent	Burlington	yes (4)	Charlotte	yes
15 Colchester	yes (2)	Essex Jct.	yes	Essex	yes
16 Hinesburg	yes	Huntington	yes	Jericho	yes
17 Milton	yes	Richmond	Absent	St. George	yes
18 Shelburne	Absent	So. Burlington	yes (2)	Underhill	yes
19 Westford	Absent	Williston	yes	Winooski	yes
20 VTrans	yes				

21 MOTION CARRIED WITH 20 OF 24 VOTES AND 14 OF 18 COMMUNITIES VOTING  
 22 IN FAVOR.

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 24 c. Certification of the Planning Process. Jeff Carr explained that this an annual certification that  
 25 we're planning according to federal regulations. GEORGE GERECKE MADE A MOTION TO  
 26 APPROVE THE CERTIFICATION OF THE PLANNING PROCESS. MIKE O'BRIEN  
 27 SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

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 29 9. Approval of Sidewalk Grant Awards. Jeff Carr took the Chair's prerogative to take this item  
 30 off the agenda since it's not ripe for action. The Executive Committee will review it and bring it  
 31 back to the board in September. When pressed for an explanation, Michele Boomhower said the  
 32 process ran according to how it was supposed to, but there was miscommunication between her  
 33 and the staff. Milton had turned in funding to sidewalk program and VTrans agreed to put it into  
 34 Chittenden County's pool. She and Milton had an agreement that we would try to establish,  
 35 through the process, a mechanism to recognize efficiencies of Milton through the scoring  
 36 process. That was not done which she didn't discover until she was on vacation. That's when  
 37 she made her first recommendation to change the 3<sup>rd</sup> place award from Colchester to Milton.  
 38 After consultation with board and executive committee members, she changed her  
 39 recommendation to take it off the table and have the executive committee review it. There are  
 40 other issues related to process that the Executive Committee will deal with as well Lengthy  
 41 discussion ensued about the necessity to review the whole process after Jeff said there is enough  
 42 question about the process that the board needs to thoroughly understand what did or didn't go  
 43 on, that the process was run properly with what the program criteria are. Once we understand  
 44 the facts we may change the recommendations but maybe not. The money cannot be awarded  
 45 until October 1<sup>st</sup> so it doesn't hurt to have this wait until September. DENIS GRAVELIN  
 46 MADE A MOTION TO TABLE THIS UNTIL THE SEPTEMBER MEETING. MARC  
 47 LANDRY SECONDED. Amy Bell said the October date is the beginning of the new federal  
 48 fiscal year. They just start the process then and it could be 6-8 months before agreements are in  
 49 place to actually obligate the funds. Andy Legg said this shouldn't have been framed as a

1 difference between Colchester and Milton. It was brought up to the TAC because they heard  
2 from staff that there was a legitimate concern about criteria. There seems to be an inequity about  
3 is who is receiving a grant year after year. Lengthy discussion continued. Jeff Carr said a  
4 question is that there has been an informal criterion that a community hasn't gotten a grant  
5 because they've gotten it before. It was noted that we probably will not change criteria for this  
6 round since applications have been reviewed. However we may discover that we need to revise  
7 them for the next year's round. The full board would approve any change in criteria. VOTE:  
8 MOTION CARRIED WITH VTRANS AND JERICHO ABSTAINING.

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10 10. Committee Reports.

11 a. Executive Committee Draft Minutes. Minutes of the July 1, 2009 meeting were in the packet.

12 b. Transportation Advisory Committee (TAC). Draft minutes of the July 7, 2009 meeting were  
13 included in the packet.

14 c. Public Transportation Committee. Peter Keating said they met yesterday and reviewed the  
15 scope for the update of the Park and Ride Plan.

16 d. Finance Committee. Met on June 29<sup>th</sup>.

17 e. CCRPC. Leslie Pelch reported that their executive committee met last night and they will be  
18 soliciting participants for the regional plan update. Jeff Carr noted that there will be joint  
19 committee to review employee benefit packages of both organizations. Steve Owen, Jim Dudley  
20 and Marc Landry will serve.

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22 MARC LANDRY MADE A MOTION, SECONDED BY ANDY MONTROLL, TO ADJOURN  
23 AT 8:57 P.M. MOTION CARRIED UNANIMOUSLY.

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25 Respectfully submitted,

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29 Bernadette Ferenc  
30 Executive Assistant