

## **BERKSHIRE METROPOLITAN PLANNING ORGANIZATION (MPO)**

### **Meeting of Tuesday, June 20, 2006**

Berkshire Regional Planning Commission, 1 Fenn Street, Pittsfield, Massachusetts

### **MINUTES**

#### **MPO Representatives and Alternates Present:**

Mark Guenard, EOT Planning, Chair alternate (the designee of Secretary of Transportation John Cogliano)

Jack Hickey, BRPC Chair

Ross Dindio, Highway District Director, MassHighway District 1 (designee of MassHighway Commissioner Luisa Paiewonsky)

Bruce Collingwood, Public Works Director, City of Pittsfield (designee of Mayor James Ruberto)

Joseph Dean, BRTA Vice-Chair (alternate for Sandra Lamb, BRTA Chair); also serving as alternate representative for North towns

Cris Irsfeld, Town of Great Barrington, representing Southwest towns

Thomas Szcapaniak, Town of Dalton, alternate from North-Central towns

Gordon Bailey, Town of Lee, representing Southeast towns

#### **Member Agency Staff Present:**

Nat Karns, Executive Director, BRPC

Andrew Lenton, Transportation Program Manager, BRPC

Michael Hoffmann, BRPC

Chuck MacNeil, Berkshire Regional Transit Authority

Mark Moore, MassHighway District 1

#### **Others Present:**

Burke LaClair, Town of Great Barrington

Jana Brule, Town of Florida and TANB

Jane Winn, Berkshire Environmental Action Team

Jon Dietrich, Fuss & O'Neill

Tom DiSantos, Fuss & O'Neill

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#### **Agenda Item 1: Minutes of meeting of May 16, 2006**

A motion to approve minutes of previous meeting, seconded by Ross Dindio, was passed unanimously.

#### **Agenda Item 2: 2006-2010 Transportation Improvement Program**

Mark Guenard reviewed the purpose and importance of the TIP for the MPO.

Andrew Lenton discussed the status of the amended TIP, noting that Mass Highway had made changes to the bridge program. Mr. Guenard spoke to Mass Highway's desire to reprogram bridge projects for FY 2006 and FY 2007, based on budgetary considerations brought about by escalating prices of materials as well as project readiness considerations. Mr. Guenard went on to suggest that

amendments be made to the 2006-2010 TIP and that changes to the 2007-2011 TIP be articulated on the updated draft. Chris Irsfeld inquired about why the Hungerford Bridge was being delayed. Mark Moore replied that the Hungerford project was not ready to be programmed due to a changing of the private project consultant.

Mark Guenard noted he would entertain motions to release the 2006 TIP Amendments for 30-day public comment. Chris Irsfeld made the motion and Joseph Dean seconded. An aye/nay vote was taken. The motion passed unanimously.

### Agenda Item 3: 2007-2011 Transportation Improvement Program Improvement Program (TIP)

Andrew Lenton spoke about the status of the transit TIP. Chuck MacNeil noted that Mass EOT is currently processing applications for transit funds. Mr. Lenton noted that there are also congressional earmarks that will be included on the TIP if the funding comes through.

Mr. Lenton spoke about the highway/STP aspects of the 2007-11 TIP and the difficult decisions that went into programming projects due to current financial constraints. Mr. Lenton noted that, in the current draft TIP, the Route 183 project in Lenox will be spread over two fiscal years (2009-2010) and will be the only target project in 2010. Bruce inquired into how the Route 183 project would be split over two years. Mr. Lenton responded that the project work would not literally be split into two discrete years worth of work – that the split is in regard to the funding mechanism technique being used to get the project fully funded. Mark Guenard agreed and reiterated that the split is simply a funding mechanism.

Mr. Lenton noted MassHighway's concerns that the Park Square project might not be in readiness position to be constructed in FY 2007. Bruce Collingwood responded that the Park Square project is at 100% engineering design, and that the design plans need only to be put into MassHighway's format. Mr. Guenard noted that the Park Square project is a concern to MassHighway because the project – which was originally going to be funded with Chapter 90 funds – is now a federally-funded project (given that it is on the TIP), and MassHighway is concerned that elements of the engineering design done for the project may not be completely in accordance with all federal requirements. Mr. Guenard noted that there appear to be outstanding project issues regard to right-of-way acquisition and potential park impacts, and because of this MassHighway is concerned about the project's ability to move forward in 2007. Mr. Collingwood responded that there were no issues regarding right-of-way on the Park Square project.

Mr. Lenton inquired about the SAFETEA-LU timeline/deadline requirements in regard to TIP projects. Mr. Lenton noted that, in regard to the Park Square project, MassHighway had written that the project would need to go to construction by early spring. Mr. Lenton noted that past practice was that a TIP project would need

only to go to bid by the end of the fiscal year – which would mean that the project would not have to go to construction by the middle of the fiscal year. Mark Moore responded that MassHighway’s guidance to the City of Pittsfield on the Park Square project construction timeline was not based on any federal regulations or funding mechanism purpose, but rather as guidance that was requested by the City – the City wanted to know the timeline/steps that would allow them to construct the Park Square improvements in the spring. Nat Karns then asked whether the practice of a TIP project needing to go to bid by the end of the fiscal year still was in place. Ross Dindio responded affirmatively that a project only needs to be advertised by the end of the fiscal year, but stated that the issue in regard to the Park Square project was right-of-way – in particular, securing needed construction easements. Mr. Dindio noted that MassHighway’s high concern was that, if the City did not secure needed right-of-way, MassHighway would not be able to advertise the project by the end of the fiscal year – this could lead to a de-obligation of funds. Mr. Dindio noted the importance of the Park Square project both to Pittsfield and to the regional transportation system, but noted to the MPO that if the FHWA de-obligates the funds for Park Square, the Park Square project would get bumped into a later TIP year, which could seriously complicate TIP programming. Mr. Dindio also noted that the project would have to go through MassHighway’s approval process and that MassHighway, not the City of Pittsfield, would be setting a date for public hearing on the project design – which could not be set until sixty (60) days following MassHighway/State approval of engineering plans (which must be, at least, at 25% design status). Jack Hickey inquired whether there was any information that the state/MassHighway knew regarding the securing of needed right-of-way for the Park Square project that the City of Pittsfield did not know. Mr. Dindio noted that the serious concern of Pat Preston [with MassHighway in Boston] is that there are four (4) other Pittsfield area TIP projects (Barker Road in Pittsfield, South Street in Dalton/Pittsfield, and two bridge projects in Pittsfield) where the securing of needed right-of-way is also an issue because Ms. Preston has not seen the needed right-of-way progress being made by the City. Bruce Collingwood responded to the concerns Mr. Dindio expressed by noting that the Park Square project has minimal right-of-way needs (no permanent easements are required) and no permit needs; and the City is in good shape regarding right-of-way on both the Park Square and South Street projects, and that the City is on track to have needed right-of-way for the aforementioned bridge projects. Mr. Collingwood stated that he was not aware of MassHighway 60-day requirement for holding a public hearing. Nat Karns asked whether, according to MassHighway, projects now need to be 100% design, permitted, and right-of-way in-hand to be programmed for the 2007 TIP year. Mr. Dindio said no, that was not the case, but that MassHighway is concerned that the project will be in position to be advertised by September 30 of 2007. Mr. Dindio went on to note that the mayor of Pittsfield would like to see the Park Square project start construction in Spring 2007, which Mr. Dindio thought was not an attainable timeline, given engineering considerations still pending and the fact that a notice-to-proceed would not come until at least 10-15 weeks following the choice of a construction consulting firm. Mr. Dindio stressed that he believed the Park Square

project could certainly be progressed far enough to be in position to be advertised by September 30 of 2007, with a construction timeline of spring 2008 – but that a spring 2007 construction timeline was unrealistic. Mr. Guenard reiterated that all the pieces (engineering design, right-of-way, permitting) must be in place for MassHighway to request that FHWA authorize the release of funds. Mr. Guenard reminded the MPO that present business for the MPO was to decide whether to release the Draft 207-2011 TIP for public comment, and that revisions will still be in place following that.

Andrew Lenton noted that the BRPC Transportation Committee approved the Draft 2007-2011 TIP at a recent meeting. Mr. Lenton noted that other TIP materials were still being worked on.

Nat Karns noted that projects included in the first two years TIP 2007-2011 are expected, based on work done by BRPC staff and MassHighway District One staff, to be at a sufficient level of readiness, but that in later TIP years it is harder to gauge project readiness – which has led to difficult programming choices. Mr. Karns noted the difficulty of bumping back different communities' projects like the Main Street project in Great Barrington.

Bruce Collingwood addressed a question regarding the South Street project readiness by noting that he expects the project to be in position to be advertised by September of this year. Mr. Guenard expressed confidence that the City of Pittsfield will have provided MassHighway with all the needed materials so that MassHighway can ask FHWA to authorize the obligation of funds for the project.

Ross Dindio noted that the new restructured MPO has full authority to make decisions, if they so choose, that may be in contrast to BRPC staff or Berkshire Transportation Committee recommendations. Mr. Dindio also noted, in regard to the South Street project in Dalton, that the project could get changed by MassHighway if sufficient materials are not provided to MassHighway by mid-August.

Chris Irsfeld inquired what considerations lead to one project like Route 183 in Lenox going forward and another like Main Street in Great Barrington getting postponed. Andrew Lenton noted that, although both are good viable projects that scored high in the project evaluation process, the Route 183 project was at a much more progressed level of engineering design and general readiness. Mr. Lenton then noted that, if potential earmark funding comes through, the Main Street project could be reinstated to the TIP list. Mark Guenard noted that the earmark authorization process was only at a beginning stage and noted that the earmark dollars Mr. Lenton spoke of were to be allocated statewide. Burke LaClair noted that Great Barrington would have an engineering design consultant hired by August of this year and that he would like to see the MPO give further consideration to the Main Street project.

Gordon Bailey inquired as to what happens if a project is approved for inclusion in the TIP and then fail to meet federal requirements in time. Mark Guenard noted that, if required progress is not forthcoming, it is the responsibility of BRPC staff to notify MassHighway and then the MPO would take action to either move that particular project out of the TIP or bring another project in. Mr. Bailey asked whether it would be a good idea to have the project status tracked clearer, so that he could vote with the most current knowledge of how far projects have progressed. Nat Karns noted that MassHighway District One provides good reports on current design status of projects and that this information could be provided to the MPO members before meetings so that they are better apprised. Mr. Karns then noted that it is a good practice to have a viable backup project agreed on and ready to go should another project end up getting de-obligated for an unforeseen reason.

Chris Irsfeld inquired why Main Street in Great Barrington would be dropped given that it is the final piece on a roadway that has been redone and that it is part of an incredibly vital link into the region. Ross Dindio noted that it was the question of readiness – Lenox was much further along. Mr. Dindio then reiterated that it was up to MPO to make the ultimate decision on what projects to program into the TIP. Andrew Lenton noted that Route 183 also scored high because of its status as a system preservation project. Mark Guenard noted that there will be more opportunities to reprogram outer TIP years. Nat Karns responded to this notion by noting that he believed outer TIP year projects (three, four years out) that get listed should be followed through on to provide certainty to applicable local communities that the work they put in to get a project designed will be worthwhile.

Mark Guenard entertained a motion to approve the release of the Draft 2007-2011 TIP for public comment. Ross Dindio made the motion, Tom Szcapaniak seconded. An aye/nay vote was taken. The motion passed unanimously.

#### Agenda Item 4: Unified Planning Work Program (UPWP)

Mark Guenard described and reviewed the purpose of the UPWP to the MPO.

Andrew Lenton discussed planned activities described in the UPWP draft, which was provided as a handout to the MPO.

Mark Guenard noted he would entertain motions to release the Draft 2007 UPWP for 30-day public comment. Bruce Collingwood made the motion and Chris Irsfeld seconded. An aye/nay vote was taken. The motion passed unanimously.

#### Agenda Item 5: Downtown Pittsfield Circulation Study (DPCS)

Jon Dietrich and Tom DiSantos from Fuss & O'Neill gave a PowerPoint presentation discussing the alternatives studied and the preferred alternative from the DPCS project. Tom DiSantos provided a hardcopy of the slideshow to all meeting attendees. Jon Dietrich noted that the recommended alternative package

was NOT an engineering design and should not be construed as such.

Andrew Lenton noted that a cost-estimate for DPCS preferred alternative improvements would be done by BRPC staff. Michael Hoffmann noted that the cost-estimate would be a planning-level estimate, meant to give a general 'ballpark figure'.

Mr. Lenton asked the MPO how they would like to proceed in regard to the DPCS preferred alternative package recommendations – accept it as a completed deliverable? Endorse as a completed plan? Gordon Bailey remarked that the recommendations should first be seen and discussed by the City of Pittsfield and the general public in Pittsfield before the MPO makes any endorsements. Bruce Collingwood noted that, from a City of Pittsfield perspective, he would like to have the plan preliminarily approved pending a cost estimate. Nat Karns noted that the City of Pittsfield has been heavily involved with the DPCS project from the outset. Jon Dietrich said that the DPCS recommendations will be presented to Pittsfield City Council – but that they wanted to bring it to the MPO first – but that no date to present to Pittsfield City Council had been set yet.

Nat Karns noted that, from a regional perspective, the proposed improvements are an improvement over no-build, but that the improvements are not a silver bullet to the problem of north-south travel through Pittsfield.

Joseph Dean inquired whether the DPCS improvements would be done as one complete project in one year or if it would be staggered. Mark Guenard noted that it was a three-tiered phased improvement package. Mr. Guenard then noted that all the MPO likely needs to do right now in terms of proceeding is accept the DPCS plan findings and then allow the Pittsfield City Council and public process to play out.

Jack Hickey asked Bruce Collingwood about encouraging traffic to be diverted from southbound North Street (Route 7) to Wahconah Street – because it was not evident from the DPCS presentation. Bruce noted that it was a desire of the City to do that, but the Wahconah/North Street intersection was outside of the DPCS study area. Nat Karns noted that the DPCS report does discuss the need for signage on the northerly section of North Street to alert and divert drivers who wish to head west out Route 20 to take Wahconah Street.

Chris Irsfeld inquired whether MPO vote on DPCS report would lend credence to its recommendations in the future. Mark Guenard replied that ultimately it will be the MPO who will be responsible for programming recommended improvements in the future, but that presently, it may well be best for the MPO to take time to review the DPCS report and then make a more definitive statement on it at the next MPO meeting.

Nat Karns noted that he hoped (by March when the 2007 Regional Transportation

Plan update was being finished) that DPCS recommendations would be at a place where they could be included in the RTP – that final DPCS recommendations would have been approved or disapproved by the MPO.

Joseph Dean made a motion to endorse the recommendations of the DPCS report so that it could move forward. Gordon Bailey asked for clarification of what that entailed and expressed concern that the MPO should not tell the City what to do in terms of this project. Bruce Collingwood noted that the City of Pittsfield has been heavily involved in the project and is well aware of the recommendations and would like to move forward. Nat Karns asked for explicit clarification on exactly what the MPO was “accepting” in terms of the DPCS recommendations. Ross Dindio inquired whether the City of Pittsfield had actually accepted the recommendations of the DPCS report yet, because he would like to first see the City Council vote up or down on the recommendations before the MPO took any action. Jack Hickey asked Bruce Collingsworth how he thought the MPO should proceed, because he felt the City should endorse the recommendations before the MPO endorsed them. Mr. Collingwood noted that he would like to see MPO endorse the DPCS report, noting that it wouldn’t have much bearing on the to-be-scheduled City Council discussion of whether to approve the DPCS report recommendations. Chris Irsfeld noted that if an MPO approval of some sort would give the DPCS more heft, he would like to see that approval given. Mr. Dindio suggested the MPO accept, not endorse, the draft findings of the report, subject to approval by Pittsfield. Mr. Karns made a suggestion for an amended motion to accept the preliminary findings of the DPCS report subject to consideration by the City of Pittsfield. Joseph Dean then made a formal motion for the MPO to accept the preliminary findings of the DPCS report subject to consideration by the City of Pittsfield. Chris Irsfeld seconded the motion. An aye/nay vote was taken. The motion passed unanimously.

#### Agenda Item 6: 2007 Regional Transportation Plan (RTP) Update

Michael Hoffmann spoke about and provided a hardcopy of the revised RTP Goals and Objectives. Mr. Hoffmann noted that an electronic copy would be provided, via email, to all MPO members so that MPO members not in attendance would have a chance to comment if they wished. Mr. Hoffmann noted that any feedback in regard to the revised Goals and Objectives was requested to be provided to BRPC staff by Friday, July 7<sup>th</sup>.

#### Agenda Item 7: Transportation Advisory Committee (TAC)

Michael Hoffmann discussed the BRPC’s recent efforts to assemble a Transportation Advisory Committee (TAC) to the MPO. Mr. Hoffmann noted that regional interest groups had been contacted individually by phone and that new letters had been sent out to all Select Chairpersons in Berkshire County, requesting that they nominate a representative to the TAC.

#### Agenda Item 8: Southeast Sub-Regional Alternate Position

Gordon Bailey noted that the Southeast Towns MPO alternate was not re-elected

to serve on Town of Lenox Select Board. Nat Karns responded that the BRPC would set up another sub-caucus for the purpose of electing another alternate for the Southeast Towns.

Joseph Dean noted his current situation – serving as an MPO member representing both the BRTA and North Towns Alternate Representative, and suggested that a new North Towns alternate be sought out. Nat Karns noted he will look addressing this matter.

Agenda Item 9: Status Reports on Planning & Design Projects of Member Agencies and Others

Mark Moore discussed current status of MassHighway District 1 projects and provided a summary handout to MPO members.

Andrew Lenton noted that the South Street Alternatives Study Final Report will be presented at the August MPO meeting.

Ross Dindio announced that he will be retiring from MassHighway in January of 2008.

Agenda Item 10: Other Business

No remarks.

Agenda Item 9: Next Meeting Date

The MPO agreed to meet next on Tuesday, August 8, 2:00 PM to 4:00 PM.