

DELAWARE VALLEY REGIONAL PLANNING COMMISSION

BOARD COMMITTEE

Minutes of Meeting of December 8, 1997 - 9:30 a.m.

Location: The Union League of Philadelphia
140 South Broad Street
Philadelphia, PA 19102

Membership Present

Representative

New Jersey Department of Community Affairs

Joyce Paul

New Jersey Department of Transportation

John H. Moore

Governor of New Jersey's Appointee

Raymond F. Akers, Jr.

Governor of Pennsylvania's Appointee

Timothy J. Carson

Pennsylvania Governor's Policy Office

Charles Bohnenberger

Pennsylvania Department of Transportation

Larry M. King

Bucks County

Charles H. Martin

Chester County

Colin A. Hanna
Charles Coyne

Delaware County

John J. McFadden
John E. Pickett

Montgomery County

Arthur F. Loeben

Burlington County

Ridgeley P. Ware
Carol Ann Thomas

Camden County

J. Douglas Griffith

Gloucester County

John R. Maier
Charles Romick

Mercer County

Donna Lewis

City of Chester	William Payne
City of Philadelphia	(not represented)
City of Camden	(not represented)
City of Trenton	Andrew Carten
<u>Non-Voting Members</u>	
Federal Highway Administration Pennsylvania Division New Jersey Division	Robert Hall Lloyd Jacobs
U. S. Department of Housing and Urban Development, Region III	(not represented)
U. S. Environmental Protection Agency, Region III	Daniel Ryan
U. S. Environmental Protection Agency, Region II	(not represented)
Federal Transit Administration, Region III	John Garrity
New Jersey Office of State Planning	Herbert Simmens Charles P. Newcomb
Southeastern Pennsylvania Transportation Authority	Richard G. Bickel
New Jersey Transit Corporation	James Redeker
Port Authority Transit Corporation	Robert G. Schwab Joyce C. Gallagher
Delaware River Port Authority	(not represented)
New Jersey Department of Environmental Protection	(not represented)
Pennsylvania Department of Environmental Protection	Carol Collier Louis Guerra
Pennsylvania Department of Community and Economic Development	Ronald K. Bednar

Regional Citizens Committee Chairman

Dennis Winters

DVRPC Co-Counsel

Pennsylvania Co-Counsel
New Jersey Co-Counsel

David Garrison
Thomas J. Coleman, III

DVRPC Staff: John J. Coscia, John B. Claffey, William Greene, Barry Seymour, Thabet Zakaria, Donald Shanis, Candace Snyder, Charles Dougherty, Ronald Roggenburk, Jerry Gray, ML Wernecke, Michael Ontko, Stanley Platt, John Coscia, Jr., Michael Boyer, Michael Gatti, and Jean McKinney.

Guests

Pennsylvania Department of Transportation

Robert Hannigan
Andrew Warren (Dist. 6)
Greg Brown (Dist. 6)

New Jersey Department of Transportation

Jerry Mooney
All Prant

Chester County Planning Commission

William Fulton
Lee Whitmore
Wayne Clapp

Delaware County Planning Department

Gene Briggs
Susan Hauser
Thomas Shaffer

Montgomery County Planning Commission

Kenneth Hughes

Camden County

Gail P. Elbert

Gloucester County

Morris Bayer

Philadelphia City Planning Commission

Barbara Kaplan

City of Philadelphia

Larry Wilson

City of Camden

June Morton

Federal Highway Administration (PA Div.)

Joe Werning
Kevin L. McLauray

New Jersey Governor's Office

Cynthia Covie

Southeastern Pennsylvania Transportation Authority	Richard Burnfield
Wilmington Metropolitan Area Planning Commission	Alexander Taft
Representative from Congressman Bob Borski's Office	Karen Peck
Representative from Happy Fernandez' Office	Nicole Seitz Miles Day
Delaware County Transportation Management Association	Jill Welch
Bucks HUB Transportation Management Association	Arthur Shenefeldt
Cross County Connection Transportation Management Association	William Ragazine
Partnership Transportation Management Association	Karen Gelman
PECO Energy	Nancy Smith
The PEW Charitable Trusts	Mary Ann Stover
Regional Citizens Committee	Pat Horrocks William Rafsky Lorraine Brill
Philadelphia Inquirer	Jere Downs

Call to Order

Chairman Ridgeley P. Ware, called the meeting to order at 9:34 a.m.

Public Comments

Comments from the public were invited to be heard on non-agenda items. No comments were stated.

1. Minutes of the Meeting of October 23, 1997

On a **motion** by Mr. Akers, seconded by Ms. Paul; the minutes of the meeting of October 23, 1997 were approved as distributed.

2. FY 1997-2000 Transportation Improvement Program (TIP) Modification

John B. Claffey, DVRPC Staff, briefed the Board on the TIP Modification as follows:

Modification 9734 - Subway/Surface Signal Improvements

SEPTA has requested that the TIP be modified to advance the Subway/Surface Signal Improvement project (TIP #S067) from FY 2000 to FY 1998. This modification will also change the programmed amount from \$2 million (\$1.934 million State funds, \$66,000 local funds) to \$23.578 million.

This TIP modification is being proposed to comply with a requirement by the Federal Transit Administration (FTA) as part of its approval in a settlement between SEPTA and ABB-Daimler-Benz Transportation (Adtranz) regarding liquidated damages for the Market-Frankford car contract. As part of this settlement, a no-cost change order to the Adtranz contract will provide subway/surface signal system improvements in lieu of Adtranz paying SEPTA liquidated damages. The FTA requires the State Transportation Improvement Program (STIP) to be modified to move this project to Fiscal Year 1998.

This modification will not alter the TIP's conformity finding since all of the projects are exempt from the regional air quality conformity analysis.

After favorable recommendation from the Planning Coordinating Committee/Regional Transportation Committee (PCC/RTC), the Board unanimously adopted the following **motion**:

MOTION by Mr. Akers, seconded by Mr. McFadden that the Board approves TIP Modification 9734; SEPTA's request to modify the continuing 1997-2000 TIP for Pennsylvania to advance the construction phase of the Subway/Surface Signal System Improvement project (TIP #S067) to FY 1998 as Adtranz, a SEPTA contractor, will complete this project in lieu of penalty payments on the Market-Frankford Car Acquisition project.

3. New Jersey Congestion Management System (CMS)

Mr. Coscia stated that DVRPC is required to adopt a CMS for both the Pennsylvania and New Jersey counties. The Pennsylvania CMS was adopted by the Board in October and, in order to create a regional system, a similar approach has been used for the New Jersey CMS.

Donald Shanis explained that a CMS is a systematic process that provides information on transportation system performance and alternative strategies to alleviate congestion and enhance the mobility of persons and goods. The New Jersey CMS is the cumulation of a multi-year cooperative effort by NJDOT, NJ Transit, and the three New Jersey Metropolitan Planning Organizations (MPOs). Descriptions within the CMS document detail how DVRPC and NJDOT will use the CMS to rank corridors and identify future single occupant vehicle capacity projects and complementary traffic management strategies.

Favorable recommendation was received from the PCC/RTC.

The RCC accepts the New Jersey CMS findings as presented thus far. However, the document does not put the data in a useable form that the committee can examine and apply to specific community projects. Methods should be devised to resolve this issue.

The Board unanimously adopted the following **motion**:

MOTION by Mr. Maier, seconded by Mr. Griffith; that the Board adopt the New Jersey Congestion Management System document as presented with minor revisions which will not affect the policies or procedures of the CMS by passing Resolution No. B-FY98-009.

4. Draft Fiscal Year 1999 DVRPC Planning Work Program

John J. Coscia, Executive Director, reported that authorization is being requested by the Board to distribute for review the Draft Fiscal Year 1999 DVRPC Planning Work Program consisting of: (1) DVRPC's Regular Work Program, (2) Supportive Regional Highway Planning Program (SRHPP), and (3) Transit Support Program (TSP). The DVRPC portion of the program was developed based on guidance provided by the Board's Work Program Committee. If the Draft is approved for review, the Work Program Committee will schedule a meeting before the regular January Board meeting to consider and incorporate any revisions being recommended to the Work Program document.

After favorable recommendation from the Board Work Program Committee, the following **motion** was unanimously adopted:

MOTION by Mr. Carson, seconded by Ms. Paul; that the Board authorizes staff to distribute for review the Draft Fiscal Year 1999 DVRPC Planning Work Program consisting of: (1) DVRPC's Regular Work Program, (2) Supportive Regional Highway Planning Program (SRHPP), and (3) Transit Support Program (TSP).

5. **Approval of Board Meeting Schedule for Calendar Year 1998**

On **motion** by Mr. Maier, seconded by Mr. Loeben; the Board unanimously approved the meeting schedule for Calendar Year 1998 (copy attached) and authorized the staff to advertise the schedule in accordance with the provisions of the Commission bylaws.

January 22, 1998
February 26, 1998
March 26, 1998
April 23, 1998
May 28, 1998

June 25, 1998
July 23, 1998
September 24, 1998
October 22, 1998
December 4, 1998

(Combined with Board Retreat, time and location to be determined.)

6. **Proposed Pennsylvania Legislation - Local Option Highway Maintenance Act**

Mr. Coscia briefed the Board on Senate Bill 992, Local Option Highway Maintenance Act (distributed to the Board). If passed, this act would authorize the counties in Pennsylvania to assume responsibility for maintenance of certain highways and provide for funding of maintenance costs.

Mr. Coscia highlighted several options from the Bill as follows:

- (1) Option (a) Election. -- A county may elect to assume responsibility for maintenance of highways within its borders. An election shall be made by notifying the department (PennDOT) in the case of State-designated highways. Upon receipt of notice, the department and affected municipalities shall transmit to the county a description and a map for each highway that is transferred.
- (2) Option (c) Restoration. -- The county and the department and affected municipalities shall jointly determine whether any rehabilitative work is required to put a highway in a satisfactory condition. If rehabilitative work is required, it shall be performed by the department or the affected Municipality, as the case may be. Transfer of a highway shall not take effect until all agreed upon rehabilitative work has been completed.
- (3) Option (d) Public Liability.-- Upon transfer of a highway, the county shall assume public liability for the transferred highway.

- (4) Option (e) Funding. -- The Department (PennDOT) shall make an annual maintenance payment to the county for each highway that is transferred.
- (5) Option (f) Lump sum payment of maintenance money. -- A county may elect to receive a lump sum payment of maintenance moneys. The Commonwealth shall issue revenue bonds through the Pennsylvania Economic Development Financing Authority on behalf of counties electing this option.

Mr. Coscia also pointed out to the Board Secretary Mallory's letter dated October 31, 1997 (distributed to the Board) and read the following paragraphs:

"I am writing regarding Senate Bill 992, authorizing counties to assume responsibility for maintenance of certain highways and providing for funding of maintenance costs.

In the ensuing months, as this follow-up work has been undertaken, attention increasingly focused on a central element of the bill - bond financing based on lump sum maintenance payments. This Administration has not favored widespread bond financing for highway programs. In fact, fiscal conservatism has given Pennsylvania the reputation for being one of the few states in the nation with a sustainable road program.

Because Commonwealth debt financing is under the purview of the Office of Budget, we consulted with that office regarding this potential new category of borrowing. The Budget Secretary has indicated that he does not favor a legislative initiative that could have such a large impact on Commonwealth debt. Consequently, I must respectfully decline the opportunity to collaborate further with you to advance this legislation."

Commissioner Hanna, Chester County, offered his support for the Bill and believes the concept would benefit both PennDOT and the counties. He encouraged the five southeastern counties in Pennsylvania to discuss the issues of the Bill. He suggested a forum for these discussions could be coordinated with the DVRPC Board meetings within the ensuing year.

After several positive comments from other Board members in favor of the Bill, it was decided that a Pennsylvania Caucus meeting would be scheduled to discuss the issues pertaining to Senate Bill 992.

7. Executive Director's Report

a. PennDOT/MPO Meeting in Harrisburg, November 6-7, 1997

Mr. Coscia reported on the PennDOT/MPO meeting in Harrisburg conducted to review PennDOT's Value Added Management system approach to changing the TIP process in Pennsylvania.

The new TIP process does the following: (1) recommends that a Statewide Facilities Plan is developed, (2) would list projects from the new Facilities Plan, and (3) examine the State Transportation Commission and its functions and the 12-year capital program for consistency with the new Federal requirements.

b. National Freight Summit held in Philadelphia on November 17-19, 1997

Mr. Coscia reported that DVRPC hosted a very successful National Freight Summit at the Doubletree Hotel in Philadelphia from November 17-19. The event was sponsored by the Federal Highway Administration and it attracted more than 100 goods movement professionals from all over the country.

The conference theme *One System, Many Partners* was reflected in the diversity of the speakers and the audience. Mayor Rendell and Congressman Borski provided updates on the Kvaerner deal at the Philadelphia Navy Base and ISTEA reauthorization. Representatives from Walmart, DuPont, CSX and Norfolk Southern offered perspectives on shipper needs and railroad consolidations.

c. New Jersey FY 1998 Transportation Enhancement Program

The Board was provided with a memorandum which analyzed the Transportation Enhancement Program for New Jersey.

d. First Quarter FY 1998 Results of the Mobility Alternatives Program (MAP)

Mr. Coscia reported that to date there is almost 7,000 commuters in the Pennsylvania portion of the region participating in travel demand management programs as a result of MAP efforts. With the commencement of Route 202 construction in Chester and Montgomery Counties, as well as the addition of the Commonwealth Breeze, the number of participating commuters is expected to grow significantly in FY 1998.

e. Route 29 (Mercer County, New Jersey) Litigation

Mr. Coscia reported that along with NJDOT and FHWA, DVRPC is being sued in District Court. The contention is that, as the MPO, DVRPC should have required NJDOT to perform a Major Investment Study (MIS) and perform a Congestion Management System (CMS) study before construction begins of Route 29, Sections 10C and 11B, in the City of Trenton, Mercer County, New Jersey.

The principal in the law suit is FHWA who is responsible for deciding whether DVRPC performed the necessary studies. Mr. Coscia also noted that the Plaintiffs have requested award of attorneys' fees. This subjects the defendants to a financial responsibility which could be costly.

f. Route 202, Section 700 (Buckingham Township, Bucks County) Litigation

The United States District Court has issued a subpoena to DVRPC to give a deposition in the Buckingham Township vs. United States of America litigation. This suit is being filed in an attempt to block the Route 202, Section 700 project. DVRPC is not a defendant in this litigation, however, as the MPO under ISTEA, we are responsible for the Congestion Management System study. Therefore, we are being requested to provide various data sets and documents deemed to be relevant in this case.

8. Committee Reports

a. Planning Coordinating Committee/Regional Transportation Committee

In addition to the PCC/RTC recommendations previously reported with appropriate agenda items, Mr. Claffey reported the TIP Administrative Modification actions taken between October and December 1997 (report distributed to the Board).

b. Regional Citizens Committee

In addition to the RCC recommendations previously reported with the appropriate agenda items, Dennis Winters, RCC Chairman, reported RCC recommendations as follows:

- (1) Public Outreach Liaison: the RCC requests that a staff person be added to assist the Public Affairs office with more extensive public participation efforts,

- (2) Access-to-Jobs: the RCC asks that DVRPC explore the possibility of **decent affordable housing for those** returning to work, as part of the proposed demonstration grant on access-to-work issues and,
- (3) Traffic Mitigation Techniques: the RCC believes that DVRPC should require all proposed highway projects to creatively examine alternative solutions to reduce or calm traffic and to eliminate these methods before approving capacity increases.

c. Regional Housing Committee

Barry Seymour, DVRPC Staff, reported the activities of the Regional Housing Committee meeting (report distributed to the Board).

d. Board Policy Analysis Committee

Mr. Seymour reported the activities of the Board Policy Analysis Committee meeting (report distributed to the Board).

There being no further business, the meeting was adjourned at 10:32 a.m.

Attachments:

- (1) Resolution No. B-FY98-009
- (2) PCC/RTC Recommendations to the Board for December 8, 1997
- (3) RCC Recommendations to the Board for December 8, 1997
- (4) Proposed Schedule of DVRPC Board Meetings for Calendar Year 1998

Additional Documents Distributed to the Board:

- (1) Freight Lines, November 1997
- (2) Alert, November 1997
- (3) TravelSmart, December 1, 1997

Resolution

by the Board of the Delaware Valley Regional Planning Commission

**CONGESTION MANAGEMENT SYSTEM (CMS)
FOR THE NEW JERSEY PORTION OF THE REGION**

WHEREAS, the Delaware Valley Regional Planning Commission is the designated Metropolitan Planning Organization (MPO) for the Philadelphia Urbanized Area; and

WHEREAS, the DVRPC region is designated a Transportation Management Area in accordance with Title 23 CFR 450 Subpart A Section 450.104; and

WHEREAS, the New Jersey portion of the region is designated as nonattainment for ozone; and

WHEREAS, the Metropolitan Transportation Planning and Programming regulations, Title 23 CFR 450 Subpart C Section 450.320, require MPOs in Transportation Management Areas designated as being in nonattainment for ozone or carbon monoxide to develop a congestion management system that meets the requirements specified in the transportation Management and Monitoring Systems, Title 23 CFR 500 Subpart E; and

WHEREAS, performance indicators were selected, locations of current and future congestion and their causes of congestion have been identified in a systematic manner, potential improvement strategies have been evaluated in terms of their effectiveness and feasibility, and procedures to update the Congestion Management System have been identified;

NOW, THEREFORE, BE IT RESOLVED on this 8th day of December 1997, that the governing body of the Delaware Valley Regional Planning Commission adopts the CMS for the New Jersey Portion of the Region and certifies that the New Jersey portion of the DVRPC region has a fully operational congestion management system that meets the requirements of Title 23 CFR 500 Subpart E.

Adopted this 8th Day of December 1997
by the Board of the Delaware Valley
Regional Planning Commission.

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Delaware Valley Regional Planning Commission at a meeting duly held on December 8, 1997.


Jean L. McKinney, Recording Secretary

**PLANNING COORDINATING COMMITTEE/
REGIONAL TRANSPORTATION COMMITTEE**

**RECOMMENDATIONS TO THE BOARD FOR
DECEMBER 8, 1997**

**BOARD
AGENDA ITEM**

2. FY 1997-2000 TIP MODIFICATION

a. TIP Modification 9734

The PCC/RTC recommends:

That the Board approve TIP Modification 9734 , SEPTA's request to modify the continuing 1997 - 2000 TIP for Pennsylvania to advance the construction phase of the Subway/Surface Signal System Improvement project (TIP#SO67) to FY 1998 as AdTrans, a SEPTA contractor, will complete this project in lieu of penalty payments on the Market-Frankford Car Acquisition project.

3. NEW JERSEY CONGESTION MANAGEMENT SYSTEM

The PCC/RTC recommends:

That the Board approve the New Jersey CMS.

In Other Business

1. The RTC agreed that TIP Modification 9802, NJ DOT's request to advance the construction phase of the Enhanced Inspection and Maintenance Program (TIP # X095) can and should be approved under the Memorandum of Understanding regarding administrative action and therefore does not require Board action.
2. The RTC approved the schedule of meetings for Calendar Year 1998; meetings will be held on January 6, February 3, March 3, April 7, May 5, June 2, July 7, September 1, October 6, and November 17. The Committee will not meet in August or December.

DVRPC REGIONAL CITIZENS COMMITTEE

RECOMMENDATIONS TO THE BOARD FOR DECEMBER 8, 1997

BOARD AGENDA ITEM

3. NEW JERSEY CONGESTION MANAGEMENT SYSTEM (CMS)

The RCC accepts the New Jersey Congestion Management System (CMS) findings as presented thus far. However, the document does not put the data in a useable form that the committee can examine and apply to specific community projects. Methods should be devised to resolve this issue.

IN OTHER BUSINESS:

TIP Amendment: The RCC recommends that the DVRPC Board authorize the Executive Director to send a letter to the New Jersey Department of Transportation allowing the use of advanced construction procedures.

Public Outreach Liaison: In compliance with the federal mandate that citizen outreach be all inclusive, the RCC requests that a staff person be added to assist the Public Affairs Office with more extensive public participation efforts.

Access-to-Jobs: The RCC asks that DVRPC staff explore the possibility of decent affordable housing for those returning to work, as part of the proposed demonstration grant on access-to-work issues. Possible locations for housing for these individuals should not involve using automobiles to commute between home and job.

Traffic Mitigation Techniques: The RCC believes that DVRPC should require all proposed highway projects to creatively examine alternative solutions to reduce or calm traffic and to eliminate these methods before approving capacity increases.

DELAWARE VALLEY REGIONAL PLANNING COMMISSION

CALENDAR YEAR 1998

BOARD AND EXECUTIVE COMMITTEE MEETINGS

PROPOSED SCHEDULE

Board to meet at 10:30 a.m., Executive Committee immediately following. Meetings held at DVRPC unless otherwise noted.

January 22, 1998

February 26, 1998

March 26, 1998

April 23, 1998

May 28, 1998

June 25, 1998

July 23, 1998

September 24, 1998

October 22, 1998

December 4, 1998 (Combined with Board Retreat,
time and location to be
determined)