

Bangor Area Comprehensive Transportation System

Policy Committee Meeting Minutes

March 21, 2006

PRESENT:	Bill Reed, Veazie	Jonathan Daniels, EMDC
	Duane Scott, MDOT	Sharon Anderson, EMDC
	David Struck, Orono	Rob Kenerson, BACTS
	Jim Ring, Bangor	Don Cooper, BACTS
	Frank Higgins, Brewer	Jaci Hancock, EMDC
	David Pardilla, Penobscot Nation	

1. Call to Order

The Bangor Area Comprehensive Transportation System Policy Committee met on Tuesday, March 21, 2006 in the EMDC Boardroom, 40 Harlow St, Bangor, Maine. Bill Reed called the meeting to order at 9:40 a.m. Those present introduced themselves. Rob Kenerson introduced Jaci Hancock, Administrative Assistant assigned to BACTS, to the committee and provided an overview of likely BACTS staffing levels (3 fulltime, 2 part time).

2. Approval of January 17, 2006 Meeting Minutes

Jim Ring made a motion to approve the January 17, 2006 Policy Committee meeting minutes. David Struck seconded the motion. The meeting minutes were unanimously approved.

3. Approval of EMDC/BACTS Contract with discussion of changes in the indirect language

Rob Kenerson, with the assistance of Jonathan Daniels and Sharon Anderson, presented the draft EMDC/BACTS contract for the committee's consideration. He pointed out that most of the proposed changes were technical in nature, reflecting the current relationship between the parties. The one substantive change (set forth at paragraph 3 of page 4) would revise Indirect Charges. It was noted that the EMDC/BACTS contract is different than any other EMDC service agreement with respect to Indirect Charges; and that the conditions necessitating this variance no longer exist. The proposed revision would remedy this discrepancy by providing that "[t]he total annual indirect rate billed to BACTS shall not exceed 55%". It was recommended that the proposed language be revised to clarify that the "indirect rate . . . shall not exceed 55% of the base (salary and fringe)".

Jim Ring made a motion to approve the draft contract as revised. Frank Higgins seconded the motion. The contract between EMDC and BACTS as proposed and further revised amended was unanimously approved.

4. **Transit TIP Revision**

Don Cooper presented a proposed amendment to the 2006-2008 TIP to allocate carry-over funds from prior years as follows:

- (a) Transit Capital 2006, BAT Support Equip. – Increase “total costs” to \$27,250, using \$21,800 federal and \$5,450 state funding; for purchase and installation of a bus shelter at UMO.
- (b) Preventative Maintenance Program 2006, Fixed Route “BAT” – Increase “total costs” to \$231,000, using \$184,800 federal and \$46,200 state funding; for preventative maintenance (replacement of wheels).

Don noted that carry-over moneys were allocated at the January 17th meeting to fund the Short-term Transit Study. The proposed TIP revisions would provide funding for bus shelter and preventative maintenance projects in addition to the Transit Study.

David Struck made a motion to approve the proposed TIP revision. Jim Ring seconded the motion. The proposed TIP revision was unanimously approved.

5. **Construction Project Funding Changes**

- (a) Rob Kenerson presented Ted Trembley’s request, on behalf of Bangor, to transfer \$100,000 in funds from the Stillwater/Howard PIN 10023.00 to the State Street III project, PIN 11573.00. The committee engaged in a lively discussion on the appropriate amount of excess funds that should be transferred. It is estimated that \$147,445.94 remains in PIN 10023.00. Frank Higgins raised a concern about the appropriateness of transferring all of the excess funds to any one project. He noted that in the current environment (rising costs and diminishing funding) every community will likely have to further cut back the scope of their priority projects to assure that available funds are “fairly allocated” among all communities.

In the context of the discussion, Rob Kenerson advised the committee that, while meeting with Congressional staff as part of EMDC’s delegation to Washington D.C. last week, he was advised of the possibility of utilizing earmarks (in other, non-budget, legislation) to fund transportation projects. This mechanism might provide sufficient funds to fill the funding gap so that approved projects that are currently under funded can be completed. (See item #8, Other Business, for additional information on Washington, D.C. trip, including earmarks)

It was generally agreed that each pending 2006-2007 project will have to be carefully reviewed. Further reductions in scope might be required to assure that all projects receive a “fair share” of the limited funds available. There was also discussion of the uncertainty of funding estimates and the inaccuracy of outdated project estimates as well as of the actual funding needs of the State Street III project. It was the consensus of the committee that \$87,120 was the appropriate amount to transfer to that project PIN at this time.

Following a thorough discussion of this matter, Jim Ring made a motion to transfer \$87,120 from PIN 10023.00 to PIN 11573.00. Frank Higgins seconded the motion. The motion was unanimously approved.

(b) The committee took up the request by Janice Piper of Me DOT to approve the transfer of \$25,000 from PIN 13078.00 to PIN 10034.00 (Center Street) for work on Route 2 in Old Town. Duane Scott, Me DOT advised the committee that both PINS represent BACTS projects on Center Street in Old Town. The transfer was made by Me DOT on February 28, 2006.

David Struck made a motion to approve the re-designation of funds from PIN 13078.00 to PIN 10034.00. Frank Higgins seconded the motion. The motion was unanimously approved.

6. **Approval of Traffic Signal Policies and Procedures**

Rob Kenerson presented a draft of the Traffic Signal Policies and Procedures, approved by the Traffic Signal Committee, for Policy Committee approval.

Frank Higgins made a motion to approve the Traffic Signal Policies and Procedures. David Struck seconded the motion. The motion was unanimously approved.

7. **Approval of BACTS '06-'07 Capital Works Program**

Rob Kenerson reported that, as a result of federal budget cuts, the Technical Committee has recommended reductions in the scope of the Stillwater Avenue Preliminary Engineering and Ohio Street Highway Resurfacing projects. These recommendations must be approved by the Policy Committee. John Ring wanted assurance that it was clear that this represented a postponement in the planned projects, to provide a "band-aid" fix until funds are available for the projects. It was the consensus of the committee that this was accurate. There was a brief discussion of the financial dynamics between the state and federal Transportation Departments and the reality that it is difficult for the state to accurately estimate future funding levels as the feds (not the state) hold the purse strings.

John Ring made a motion to approve the Technical Committee's recommendations. Frank Higgins seconded the motion. The motion was unanimously approved.

8. **Other Business**

(a) Rob Kenerson initiated continuation of the discussion about federal earmarks. He solicited the committee for input on the amount of money that should be sought through this mechanism. He advised the committee that Congressional staff made it very clear that earmarks with high price tags would not move forward. Staff recommended that proposed earmarks be in the \$200,000 to \$400,000 range. Therefore, returning to the original budget/project scope is not an option. The committee discussed several ideas to determine the best way to approach this opportunity. It was decided that each community should review their projects to determine current cost estimates and submit earmark funding requests to Rob by Friday, March 24th at the latest. The focus should be on funding shortfalls due to increased costs for projects as currently scoped. The following 5 projects were selected

for potential submission: PIN 13071, 13074, 13077, 13072 and 13069. Rob believes that each earmark should be filed separately, but will check with Congressional staff on the best way to submit earmark requests. He pointed out that it is ultimately staff's decision as to what earmarks to submit.

(b) Rob reported that when he was in Washington D.C. he was frequently asked about the Orono Bicycle/Pedestrian Bridge project, particularly by Congressman Michaud's staff. The current cost estimate for this project is \$1.8 million. A stakeholder's meeting is scheduled for the week of March 27th. At present nothing has been settled on this project, all aspects are being discussed, including funding sources and location.

(c) Rob reported that the Brewer Main Street Study is in process. A Public Meeting is scheduled for the week of March 27th.

(d) Rob reported that he and Don Cooper are reviewing a draft of the DOT/MPO guide. A meeting is scheduled for the week of March 27th to discuss the proposal.

(e) Duane Scott provided information about the focus of the Competitive Community Programs; the subject of a recent Me DOT mailing. He indicated that municipalities can apply directly or through their MPO. He suggested that a BACTS sponsored application might provide greater support for the projects proposed in the application. Duane also cautioned those present that budget cuts will affect the amount of funds available. Under those circumstances he recommended that it would be best to focus applications on restoring funding for '06-'07 projects that have been deferred, and/or renewing applications (with revised cost estimates) of quality projects that were unsuccessful or under funded in the recent past. Duane advised that although he wants to encourage applications, he does not want municipalities to invest significant time and money in this process, considering limited funding availability.

(f) Rob provided an update on the PVPILOT project. There is approximately \$12,000 remaining of the \$150,000 EMDC grant. Consideration is being given to using the remaining funds to study the pedestrian corridor from Bangor to Old Town. This effort could be the start of efforts to connect Old Town's waterfront attractions to Bangor, and perhaps, ultimately, Brewer. This use of funds must be formally submitted to the federal DOT for approval.

There being no further business, the meeting was adjourned at 11:30 a.m.

Respectfully submitted,
Jaci S. Hancock