

# PACTS

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## Portland Area Comprehensive Transportation System

### **PACTS Executive Committee Meeting Notice**

October 6, 2009  
8:00 a.m.

GPCOG, 68 Marginal Way, Portland

#### **Agenda**

1. Call to order
2. Public Comment
3. Minutes of August 4<sup>th</sup> meeting
4. Policy Topics
  - A. September 14<sup>th</sup> meeting on PACTS roles in articulating regional needs
  - B. September 30<sup>th</sup> meeting of MPO's in Auburn
  - C. October 1<sup>st</sup> meeting with Commissioner Cole and his staff
  - D. TIP Policy and Procedures
  - E. Select new appointees to Planning, Technical and Transit Committees
5. Project Funding Topics
  - A. Action on Old Orchard Beach substitution proposal
  - B. Confirm September 1<sup>st</sup> vote to support Yarmouth substitution proposal
  - C. Other updates
6. Updates from Committees and Staff
7. Adopt October 22<sup>nd</sup> Policy Committee meeting agenda
8. Adjourn

*Next meeting: November 3<sup>rd</sup> at 8:00 a.m.*

***The Metropolitan Planning Organization for the Portland Urbanized Area***

**68 Marginal Way • Portland, Maine 04101**

**Telephone: (207) 774-9891 • Fax: (207) 774-7149 • [www.pactsplan.org](http://www.pactsplan.org)**

## Minutes of August 4<sup>th</sup> Meeting

**Attendance:** John Bubier, Chair; Bob Burns; Ed Clifford; Judy Harris; Greg Tansley; John Duncan, Paul Niehoff, Maddy Adams

1. **Call to Order.** John Bubier called the meeting to order at 8:23 a.m.
2. **Public Comment.** None.
3. **Minutes of July 7<sup>th</sup> meeting.** *Ed Clifford moved to accept the July 7<sup>th</sup> minutes. Bob Burns seconded the motion and all were in favor.*
4. **Committee Updates.** Ed reported that the Regional Map and Timetable should be going to the printer in the next week or so. A subcommittee meeting on the 5307 allocation formula has been scheduled. The next large effort that the PTC will be tackling is the coordination of ITS among the providers.

At the last joint meeting of the PACTS Planning/Technical Committees, the Bike/Ped plan was reviewed. Judy mentioned that Portland is putting in an application to be a bike-friendly community; they are hoping for a bronze award. The application is due on Friday.

The Peninsula Transit Plan was accepted last night by the Portland City Council. Unfortunately, there isn't funding behind it.

The *Destination Tomorrow* group met last Thursday.

TIP Process Committee – John B. reviewed the recommendations. Collector paving will probably receive a lot of attention by the Policy Committee. John B. provided an example of how the credit system might work. Mike L. said that his take on this is that the credit money would come from the state and he doesn't know where that money could possibly come from. John B. explained that the idea was to attract more money; the town that does the work would get the credit. John B. recommended that MaineDOT do the bond so that towns would avoid local referendums. John D. asked about collectors that aren't state roads. Judy asked if anybody has looked into the excise tax issue.

Bob suggested having a discussion about the fuel tax. Is there any reason why we are shying away from this? John B. noted that the public will get behind putting money into roads but we need to work with the Legislature. Bob suggested working with other MPO's on the fuel tax idea and devise a plan. John D. suggested that this idea be brought to the Policy Committee.

5. **Other Topics.**
  - 5A. **Languishing projects.** Paul reported that there aren't that many languishing projects. OOB is going to propose using the money that was slated for the roundabout project that got dropped to fund three other projects in OOB. One of the projects was deferred and the other two are under funded. John D. reported that the Cape Council will be meeting in late August and they might proceed with their project. Paul reported that the \$15,000 pedestrian crossing project on Brighton Avenue in Portland is being looked into by Tom Errico.
  - 5B. **BACTS report on urban transportation finance and jurisdictional responsibilities.** John D. reviewed the recommendations from the BACTS study and explained what they meant. The BACTS Policy Committee has endorsed the study; they do not have an action plan. Regarding the

idea to shift to urban compact areas, John B. was concerned that this would just pit urban towns against rural towns; some rural towns only get URIP funding.

**5C. PACTS Planning Contingency Budget.** John D. explained. The state is looking for a \$6,400 match for our regional travel demand simulation model. We will move this question to the Policy Committee.

**5D. Completion of TIP for 2010 to 2013.** John D. provided an update. The Policy Committee will need to endorse this TIP Amendment. *Bob Burns made a motion to recommend to the Policy Committee the addition of the following bridge projects to the TIP pending public comment – PIN(s) 16725.00, 16726.00, 016729.00, 16730.00, 16737.00 and 016738.00. The motion was seconded by Ed and all were in favor.*

**5E. Other.** None.

6. **Adopt August 13<sup>th</sup> Policy Committee meeting agenda.** Discussion of the fuel tax should be added to the agenda. Regarding the Mountain Division ARRA application, John D. will get more information on this. The megaberth project is being taken out of the Mountain Division application and is now a stand-alone project.
7. **Adjourn.** The meeting adjourned at 9:50 a.m.

## **Agenda Item 4: Policy Topics**

### **A. September 14<sup>th</sup> meeting on PACTS roles in articulating regional needs**

Staff Resource: John Duncan

Recommendation: Forward report to Policy Committee

#### Background

At the August Policy Committee meeting, John Duncan suggested a more assertive role for PACTS members and staff on the topic of increasing the funding for transportation. Several members agreed to meet to discuss this, so John met with Mike McGovern, Bob Burns and Kathi Earley. Joe Gray and several others wanted to attend, but had conflicts.

The participants reviewed a 3-page description of what we are and could be doing. The consensus of the discussion was:

1. Continue to focus on articulating our region's needs and priorities, and highlighting it to the media et al.
2. Don't get involved in a serious effort to raise the fuel tax – a non-starter at this time.

3. Try to give recognition to our Delegation people whenever we can for their work to bring federal resources to our region, such as at a future traffic signal coordination milestone.
4. Continue our past practice (on rare occasions) of seeking Policy Committee endorsement of bills.
5. Invite a Delegation Member to a Policy Committee meeting each year. (*John sent an email to Cheryl Leeman inviting Olympia Snowe.*)

Note that we will continue to respect the important rule that PACTS staff cannot advocate to state and federal elected officials for specific solutions unless we are charging our time to our locally-funded contingency budget. John discussed this with Kat Fuller two weeks ago, and then again with Kathi Earley and John Bubier at our meeting last week with Kat and the Commissioner.

## **B. September 30<sup>th</sup> meeting of MPO's in Auburn**

Staff Resource: John Duncan and Paul Niehoff

Recommendation: Forward report to Policy Committee

### Background

On September 30<sup>th</sup> the four MPO's hosted a statewide meeting of 40 people in Auburn to discuss urban transportation funding policy (and the recent BACTS study on this by John Melrose) and a MaineDOT proposal to revise the traffic movement permit process.

John Bubier facilitated the session. Senator Alford and Representative Cohen from our region attended. Several other area legislators wanted to attend, but had conflicts. Kathi Earley, Bill Shane and five other members of the Policy Committee attended. Highlights include:

- Overview of the upcoming Highway Classification Simplification Study being organized by MaineDOT (Bruce Van Note) and MMA – and an expectation that the meeting's ideas will be incorporated into the "Simplification" study process.
- PACTS will host a follow up session to fine-tune the recommendations and ideas offered that day.
- Great support for the traffic movement permit proposal

**C. October 1<sup>st</sup> meeting with Commissioner Cole and his staff**

Staff Resource: John Duncan

Recommendation: Forward report to Policy Committee

Background

John Bubier, Kathi Earley and John Duncan met in Augusta with Commissioner Cole, Kat Fuller, Joyce Taylor and six other MaineDOT staffers to discuss these topics:

- Funding topics including the session before in Auburn (see above)
- Smart development and stormwater policies
- Increased PACTS visibility in the Legislature
- The PACTS “credit concept”...see next agenda item.
- Flexibility in the design of roadway improvements...see Agenda Item 6
- Three-party agreements...see next agenda item.
- Staffing changes in the Bureau of Project Development
- The York County Corridor Study
- Freight planning and development

This was the first PACTS leadership meeting with MaineDOT leadership. Similar sessions during the past three years have included the other MPO’s.

## D. TIP Policy and Procedures

Staff Resource: John Duncan

Recommendation: Accept report, and comment on credit concept proposal, and the Three Party Agreement template

### Background

On August 13<sup>th</sup> the Policy Committee tabled endorsement of the TIP Process Committee's recommendations until the October meeting. The members voted in support of the items immediately below, and asked for more time to consider the items listed further below.

### Items supported on August 13<sup>th</sup>

1. Use our Collector Roads Set Aside funding to preserve the 83 miles in good condition *until sufficient funding becomes available from the federal and state governments to meet their obligation as a partner with local municipalities to adequately repair and maintain the entire collector road system.*

*Staff to contact Tom Hall to be sure that he is aware of implications of this proposed policy for Scarborough (which has the most miles of PACTS collectors "in bad condition".)*

*Staff will report on recent conversation with Jim Gailey on this subject.*

2. Change our Set Aside funding policy as follows. *See August 13<sup>th</sup> changes in bold print.*

	<u>Existing</u>	<u>Proposed</u>		
	<u>%</u>	<u>%</u>	<u>\$\$</u>	<u>Notes</u>
Collectors	40%	57%	\$8,550,000	A major increase in response to Collector Study.
Intersections	20%	20%	\$3,000,000	Primarily to relieve bottlenecks. Urban oriented.
Rebuild Roads	10%	10%	\$1,500,000	Arterial paving is done by MaineDOT.
Transit	7%	<b>9%</b>	<b>\$1,350,000</b>	A statement for sustainable transportation policy.
Bike/Ped	3%	<b>4%</b>	<b>\$600,000</b>	A statement for sustainable transportation policy.
Widen Roads	<u>20%</u>	<u>0%</u>	<u>\$0</u>	A statement for sustainable transportation policy.
Total	100%	100%	\$15,000,000	

3. Stick with our policy to cap PACTS funding at 125% of the cost estimates of “one biennium” projects (except transit) at the time of programming by the Policy Committee, and stick with our similar policy on our “two biennia” projects.
4. Stick with our policy to fund our STP-funded projects (except transit) at 25% local, 10% state and 65% federal.
5. Adopt the proposed changes to our Project Substitution policy – *except for the proposal to set a time limit on substitution requests to four years after initial programming.*

Nathan Poore also suggested that all substitution proposals go to the Policy Committee for action – a change from our current policy that authorizes the Executive Committee to make those decisions. No action was taken on this. *Any thoughts on this? Staff will contact Nathan to discuss.*

6. Add two elements to our proposal scoring procedures that increase regional emphasis in our project selection: a “multi-municipal” factor, and “public-private” factor.
7. Change the weights from 80/20 to 50/50 given our two primary scoring tools: the PACTS Roadway Formula and the Destination Tomorrow Score, respectively.
8. Make our TIP Policies Document more user-friendly by shortening it.

#### Four Remaining Topics after August 13<sup>th</sup> Policy Committee Meeting

1. John Bubier and John Duncan met with Conrad Welzel recently to discuss the idea of the Turnpike Authority serving as an agent for PACTS to float bonds to finance collector road projects. (This is a concept discussed initially at TIP Process Committee meetings.) Conrad thought that the idea deserved further discussion with his colleagues at the Authority.
2. Several Policy Committee members offered some clarification edits to the draft TIP Policies and Procedures document. Staff will incorporate them.

3. The members voted to “strike for now” the proposal to incorporate MaineDOT’s new Three Party Agreement into our project management process, and to bring it back for review at a later date. Staff is comfortable with the agreement template and will encourage support on October 22<sup>nd</sup>.

A copy of the *final* agreement template was emailed with this agenda packet. Please remember that Kat Fuller considers it a “*living document*”. We also attach a city/state agreement for comparison purposes.

The following is an excerpt on this subject from the draft minutes of the August Policy Committee meeting.

“There was discussion regarding Recommendation #8 – three party agreements. It is an extension of the current city/state agreement. The overall intent is for all three parties to discuss the project and discuss the payment schedule, plans, etc. at the beginning of the project (from design to construction). This would replace current city/state agreements. It would need to be spelled out in the three party agreement what will happen in the public process. It was asked why we need to bring the MPO into it. Mike L. explained that MaineDOT wants MPO’s to be a full partner on the projects. It was asked what specifically the MPO would do. Mike L. explained that the idea would be to follow the project and as issues come up for funding, the PACTS staff would work to resolve those issues with the community. It was asked what would happen if there were differing opinions between the MPO and MaineDOT or the municipality about a project. Mike L. responded that the MPO staff would serve as mediator of the process. David C. said that he was struggling to grasp why the MPO would be a party to the agreement since they probably mediate on projects already. He would like to see the wording on the agreement. Mike M. asked if we could strike this as part of the agreement today; it could be brought back as a draft. ***Joe Gray made a motion to strike #8 and bring it back for review at a later date.*** Mike B. explained that we were trying to have projects move forward faster; this idea came from MaineDOT. Judy said it sounded like it was workload or cost shifting from MaineDOT to PACTS and asked what it would cost the municipalities. Paul explained that PACTS staff are becoming more involved in the projects; the three-party agreement is a template. Mike L. added that it is essentially a communication tool. John B. concluded that a draft of the three-party agreement would be sent out and the Committee will revisit it. **All were in favor of the amendment to remove Recommendation #8 at this time.”**

4. PACTS staff has fleshed out a proposal for a “PACTS Credit Program”. The TIP Process Committee conceived this. The proposal below was sent to the TIP Process Committee and MaineDOT recently – and got good reviews.

*A PACTS Credit Program for Local Capital Investments in Collector Roads*

*Context: Future PACTS policy will be to program PACTS funds to preserve the 83 miles of collector roads which are in good condition. Our municipalities have been spending 100% local funds to rehabilitate and reconstruct some of our 121 miles of collector roads in bad condition – and they are likely to continue to do so.*

*Goal: To compensate our members for using local funds spent (without federal or state help) to rehabilitate or reconstruct collector roads which are in bad condition. (We also could expand this to work done to preserve roads in good condition.)*

*Proposal Overview: **To provide \$10,000 in federal and/or state funds to a municipality for every \$100,000 in local funds spent by the municipality.** The money can be used to reduce the local match on an existing or future PACTS project, or on another federally eligible transportation project. The municipality would have to use the “credit” funds during the next biennium.*

*Proposal Details*

*PACTS provides a municipality with \$10,000 in federal and/or state funds for every \$100,000 in local funds spent by the municipality. For example, a \$500,000 local project produces \$50,000 from PACTS. The “credit” money can be used to reduce the local match on an existing or future (limited to next biennium) PACTS project or on another federally eligible transportation project in the PACTS Funding Area.*

*Under this program a municipality must spend at least \$500,000 in local funds on one or more of our collectors that need rehabilitation or reconstruction (see list of 121 miles of collector miles in bad condition in the PACTS Regional Collector Road Assessment Study). This minimum enables PACTS and MaineDOT to avoid having to deal with small projects.*

*The rehabilitation or reconstruction project has to be done to State standards, with the intent that the roadway section will be added to our PACTS “83-miles in good condition preservation list” for future PACTS collector road preservation funding.*

*We propose to cap the potential PACTS credit to each municipality in each biennium at \$250,000 – which would be based on a \$2.5 million 100%-local-*

*funds collector rehabilitation/reconstruction project(s). For example, the Town of Cumberland, which might spend \$3 million on Route 88 next year, would get a maximum \$250,000 credit from PACTS.*

*We propose that PACTS program the credit dollars every two years when we program our \$15 million MPO Allocation funds, and that the eligible locally-funded projects must have been completed that year or in the prior calendar year. For example we would do this in the fall of 2010, and we would consider locally-funded projects that have been completed in 2009 or 2010. Staff also suggests that we initiate this proposed program this year and compensate municipalities for locally-funded projects done this year.*

*We propose to finance the PACTS contribution from our Holding PIN which now has more than \$600,000 federal and state funds, and might soon have \$1,000,000 based on funds from the OOB and Cape Elizabeth projects which are scheduled to be withdrawn. We could also increase the budget for this Credit Program by setting aside additional funds from our 2012/2013 MPO Allocation.*

#### Two comments

*We think that the existence of this Credit Program will be only a minor incentive in a municipality's decisionmaking about using local funds to fix collector roads. Conversely, the 10% return might seem low, but it's better than nothing when a municipality has done what it has decided it needs to do in the first place.*

*If this Credit Program is adopted and works then we could encourage MaineDOT to adopt a similar statewide program or to add funding to the PACTS MPO Allocation.*

### **E. Select new appointees to Planning, Technical and Transit Committees**

Staff Resource: John Duncan

Recommendation: Appoint four new members

#### Background

There are six "Policy Committee Appointee" positions on our committees: two each on Transit (currently both open), Technical (currently one open seat) and Planning (currently one open seat). *Our bylaws give the Executive Committee the authority to make the appointments.*

We thank Tom Gorrill, John Bubier, Gary Guerette and Jack Berman for their service as Appointees in the past.

Staff recommends the following criteria for making the appointments:

- Depth of knowledge of the topics covered by each committee
- Regional interest of the candidate
- Add a new dimension/perspective to a committee
- Understanding of the PACTS process
- PACTS geography balance
- Level of interest in serving

We are fortunate to have received a considerable amount of interest in serving: 10 candidates for 4 seats. Staff recommends Tom Errico for the Technical Committee seat, Elizabeth Trice for the Planning seat, and Hilary Frenkel and Mark Nahorney for the Transit seats.

#### Candidates for Transit Committee

Susan Davis...attends already...Executive Director of the Maine Narrow Gauge RR  
Tony Donovan...attends from time to time...rail advocate, regional planner, realtor  
and economic development specialist  
Hilary Frenkel...League of Young Voters...advocate for alternative modes  
Peggy Killmer...currently represents Yarmouth on the Planning Committee  
Bob Martin...Biddeford redevelopment, and rail advocate  
Mark Nahorney...Assistant Dean of Students at UNE...administers their bus  
service...UNE is doing good transportation work...has raised student fees for  
having a car on campus...has 6 Zip cars...bought 200 bikes

#### Candidates for Technical Committee

Tom Errico...served when City employee...works for T.Y. Lin in Falmouth...has  
done work for PACTS as a consultant many times.  
Andrew Manning...Freeport...Chair of Planning Board...consultant who does work  
for us also – Andrew also would be willing to serve on the Planning Committee  
Judy Reidman...realtor...lives in Westbrook...married to Ed Reidman (on Policy  
Committee) – Judy also would be willing to serve on the Planning Committee  
Note: Our other “Appointee” on the committee is a consultant.

#### Planning

Elizabeth Trice...works for Cumberland County...Muskie School graduate.  
Note from above: Andrew and Judy are also interested in Planning Committee.

## **Agenda Item 5: Project Funding Topics**

### **A. Action on Old Orchard Beach substitution proposal**

Staff Resource: Paul Niehoff

Recommendation: Support the proposal pending resolution of exact dollars

The Town of Old Orchard Beach is proposing to withdraw the Roundabout project. See letter on next page. This request is being made under the PACTS project substitution policy. This policy in essence means a municipality can request a project within their town be withdrawn and the remaining funds be transferred to other municipal projects which are funded through the MPO and are in need of additional funds. The Executive Committee must approve such a request. The committee approved such a request from the City of Portland in March of 2009 and from the Town of Yarmouth last month.

Old Orchard Beach retained Sebago Technics to review, re-estimate and make recommendations for three other Old Orchard Beach PACTS funded projects. Please note Sebago completed EPS reports for two of the three projects before the projects were programmed in the 2010/2011 TIP. The third project had been deferred from the 08/09 TIP. Sebago has also been retained by the MaineDOT for design the intersection project; one of the three projects requiring additional funds.

As outlined in Sebago's letter, PACTS would reprogram an estimated \$852,000 in state and federal funds apportioned between the three remaining projects – leaving a balance of approximately \$361,000 which would be transferred to the PACTS Holding PIN.

Mary Ann Conroy will attend today's meeting.



1 Portland Avenue  
Old Orchard Beach, ME.  
04064  
(ph) 207-934-2250  
(fax) 207-934-5323

Old Orchard Beach –  
Public Works Dept.

September 24, 2009

Portland Area Comprehensive Transportation System  
Attn: John Duncan  
68 Marginal Way  
Portland, Maine 04101

RE: OOB Roundabout Project  
Request for Project Substitution

Dear John;

I am submitting a formal notice to PACTS that the Town of Old Orchard Beach would like to withdraw the Route 5 – Roundabout Project Pin #14813.00. Furthermore, we would like to make the formal request to the Executive Committee for consideration of the attached project substitution plan.

Steve Sawyer has worked with the Town of Old Orchard Beach to clarify each of the remaining projects currently in the approved MDOT work plan. His short memo dated August 11<sup>th</sup> along with the attached Tables detail the request as a total plan. We have also attached more detailed descriptions of the Intersection project at Saco Ave/EE Cummings Blvd. (Pin #17334.00) and the sidewalk projects on both sides of Saco Avenue, from the Fire Station to Old Orchard Street (Pin #17333.00 and #17335.00) to assist with a better understanding of our other projects.

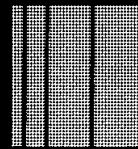
According to the current PACTS Tip Policy and Procedures document, we are with the understanding that the Executive Committee will make this determination, the Town of Old Orchard Beach may not submit this project for four or more years and that it does not have any future funding guarantee.

Thank you for consideration of this request. If I am invited to attend this Executive Committee meeting, please let me know.

Sincerely,

Mary Ann Conroy  
Director of Public Works

Cc: Louise Reid, Acting Town Manager; Gary Lamb, Town Planner; Mike Laberge, MDOT; Shawn Smith, MDOT



August 11, 2009  
09241

Ms. Mary Ann Conroy  
Public Works Director  
Town of Old Orchard Beach  
1 Portland Avenue  
Old Orchard Beach, ME 04064

**Funding Reallocation Analysis for Intersection Improvements  
Saco Avenue/Union Avenue/E.E. Cummings Boulevard (PIN 17334.00) and  
Sidewalk Reconstruction on Saco Avenue (PIN 17333.00 and PIN 17335.00)**

Dear Mary Ann:

Thank you for inviting me to meet with you and Steve Landry of MaineDOT a couple of weeks ago to discuss the proposed scopes of work for both the intersection project at E.E. Cummings/Union/Saco Avenue and the sidewalk reconstruction project on the south side of Saco Avenue. As you know we met last fall to discuss both of these projects as part of a PACTS Enhanced Scoping Process (EPS). I developed recommendations at that time for both projects that were included in letters to PACTS, with copies to you, dated September 30 and October 1. See attached.

With the recent local decision to not go forward with the roundabout at Saco Avenue and Ocean Park Road (PIN 14813.00), the Town has asked that the two subject projects be re-examined along with the sidewalk project on the north side of Saco Avenue (PIN 17335.00) to make certain that the funds currently programmed will be sufficient for their full completion.

Because of the complexity this analysis, I have attached separate narrative summaries for each project, i.e. the intersection improvement at E.E. Cummings/Union/Saco Avenue, and the two sidewalks from Union to Staples Street, along with a financial summary spreadsheet outlining all the associated monetary information in tabular form.

**Conclusions**

The fact that the town has decided to withdraw the roundabout project affords an opportunity to reexamine three other projects in town on Saco Avenue to insure that they all are properly scoped and adequately funded based on the most current information available. After performing this task, we are suggesting the following scope modifications be incorporated into the various projects:

Intersection at Saco Ave and EE Cummings

- Extend two sidewalks from Saco Ave to Ball Park Way to match the new sidewalks being constructed as part of a Safe Routes to School project.
- Conduct an ESA of the former gas station property prior to any land acquisition on this corner for the new traffic signal.
- Provide appraisal and negotiation time for MDOT to acquire the additional land that will be necessary for the reconfigured intersection

Sidewalk on east side of Saco Avenue

- The town recently TV'd the existing storm drainage on Saco Avenue and discovered that much of it was in need of replacement, so this additional work should be added to this project with the Town picking up the full cost of the storm drain piping replacement just as they will for the sanitary sewer replacement.
- In an effort to save money the town has decided to construct bituminous sidewalks in lieu of the concrete walks that were originally proposed.

Sidewalk on west side of Saco Avenue

- In an effort to save money the town has decided to construct bituminous sidewalks in lieu of the concrete walks that were originally proposed.
- Because the town would like to do both sidewalks at the same time to take advantage of the economies of scale, and replace the deteriorated storm drainage and sewer lines in this section of Saco Avenue at the same time, we have suggested that an overlay be added to this project to restore the finished street surface to an acceptable condition after all the underground and sidewalk work is completed.

Financially speaking, Table 1 summarizes where things stand today without any reallocation of funding. Table 2 provides updated estimates of each project based on the above suggested scope modifications, and reallocates cost sharing to be consistent with typical PACTS policy on this matter for eligible costs, i.e. 65% federal, 10% state, and 25% local. Table 3 compares data in Table 1 with that in Table 2 and illustrates the differences in cost sharing among the various parties from what was originally programmed. You can see from Table 3 that with this proposal a net total of \$361,223 in state/federal funding can be returned to PACTS for use elsewhere. It is also important to note from Table 3 that:

1. the town and MaineDOT will end up with a new signalized intersection on Saco Avenue and 3,700 feet of rebuilt street, with updated underground infrastructure and sidewalks on a major arterial in town;
2. by doing all this work at one time (the intersection and Saco Avenue sidewalks) the town and MaineDOT can take advantage of the economies of scale in both construction (about \$75,000) and engineering (\$5-10,000);

Ms. Conroy

-3-

August 11, 2009

3. with the approach described herein, all work will be completed in 2010, and no further funding will be necessary in the next MaineDOT Biennium Budget for construction, as would have been the case if the roundabout had not been withdrawn. The \$1.6 million in the 2010-2011 Work Plan for the roundabout was for engineering and ROW acquisition only, and did not cover construction which we think was estimated to be another \$2 million.

I hope this information is helpful to you as you partition PACTS to reallocate the current funding that has been designated for Old Orchard in the 2010-2011 Work Plan. Should you have any questions or comments, please give me a call.

Sincerely,

SEBAGO TECHNICS, INC.



Stephen S. Sawyer, Jr., P.E.  
Vice President, Transportation Services

SSS:sss/dlf.

Enc.

**B. Confirm September 1<sup>st</sup> vote to support Yarmouth substitution proposal**

Staff Resource: Paul Niehoff

Recommendation: Confirm email vote taken on September 1<sup>st</sup>

Background

The Policy and Executive Committees have taken email votes numerous times. Our policy is to confirm those votes at the next meeting. Here is the September 1<sup>st</sup> email to the Executive Committee on this. Four members responded – all in support. We conveyed the action taken to MaineDOT on September 2<sup>nd</sup>.

Dear Executive Committee Members,

This is a request for your vote in support of Yarmouth's request for a "project substitution". The Executive Committee has the authority to do this and did so at least once during the committee's first year. Please reply ASAP so that MaineDOT and Yarmouth can proceed.

Yarmouth is seeking your support to move approximately \$99,000 in state and local funding programmed for a Route 88 sidewalk project to an adjacent Route 88 pavement preservation project whose recently revised budget is \$1,300,000. PACTS support per this substitution request for the road project will enable MaineDOT to go out to bid. In the event that the road project low bid comes in lower than budget then Yarmouth and MaineDOT will restore the funding for the sidewalk project.

Kathi Earley supports this request. She and I were in Yarmouth this morning for a Destination Tomorrow meeting. Nat explained the situation in detail to us after our Destination Tomorrow meeting. MaineDOT and Yarmouth reduced the length of the road project in early August in order to live within an increased July MaineDOT estimate. In late August MaineDOT increased the budget again.

**C. Other Updates on Project Funding Topics**

Staff Resource: Paul Niehoff

Recommendation: Accept report

Background

1. MaineDOT has recently requested that PACTS fund an additional \$100,000 for the PACTS Brackett Street project in Gorham to install rip-rap along the stream to alleviate an undermining of the embankment. Although the project has been substantially complete for a year, this situation was just recently discovered.

2. We are glad to report that MaineDOT has decided to cover expenditures to date on the following projects which have been withdrawn: Yarmouth, Cousins Street; Freeport, Desert Road; Biddeford, Jefferson Street.
3. The Cape Elizabeth Town Council has voted to withdraw the PACTS intersection project. Staff will administer a TIP amendment with MaineDOT, and add the remaining federal and state funds from that project to our Holding PIN.
4. In February 2009 staff briefed the Executive Committee that the Town of Scarborough was considering a significant cost-saving change to the scope of the Dunstan Corner intersection for which we programmed design funds last fall – and thereby committed approximately \$2 million for construction in our FY 2012/2013 program. The current status is that the Town has nearly completed the locally-funded study started in February – and it might turn out that the cost savings envisioned in February may not materialize. *More on this at your November meeting when we have more conclusive information from Scarborough.*

## **Agenda Item 6: Committee and Staff Updates**

- Agenda for October 13th Technical Committees
  - *Staff will invite Policy Committee members to attend this meeting at which MaineDOT will be presenting on the following topics.*
    1. Jeff Tweedie, will review the *utility accommodation policy* which now includes a requirement to obtain additional right-of-way in certain instances.
    2. Brad Foley will discuss the *requirements for capital improvement projects done by Municipalities on State-aid roads.*
    3. Duane Brunell and Jeff McEwen will discuss *design guidelines and the design exception process.*
- Joint meeting of Planning and Technical Committees
  - PACTS Regional Bicycle and Pedestrian Plan Update
  - Update on work of TIP Process Committee
- Joint meeting of Planning and Transit Committees
  - Update on transit planning work underway
  - Presentation by vendor on transit and emergency/municipal vehicle priority and pre-emption at traffic signals.
- Planning Committee's October Meeting
  - Destination Tomorrow update briefing...provided good input to staff.

- The *Destination Tomorrow* Update Subcommittee will meet tomorrow
  - Has met three times, and has decided to keep the effort to a “minor update” – and do a major update in 2014. Great participation by several Policy Committee members.
  - Fourth meeting is tomorrow.
  - Currently identifying the major recommendations for this update, and updating the existing plan’s 90 strategies (and eliminating many).
  
- Transit Committee Recent Work
  - Printed regional map and timetable – a great job done!
  - Work on regional route study, regional pass system, and transit in comprehensive planning
  - Work on regional automatic vehicle location project
  - Worked on FTA Section 5307 sub-allocation topics. This topic is particularly important as the member municipalities and other funding sources grapple with shrinking tax revenues with which to support public transportation services.
  
- Other Updates
  1. The Gorham East-West Corridor Study:
    - Steering Committee has met six times, and has already reached a major milestone in the adoption of the study’s “purpose and need” statement.
    - Advisory Committee has met three times.
    - *PACTS staff attended six meetings for this study just in September – and will attend three this week.*
    - Public meeting this Thursday in Gorham
    - A land use scenario workshop (30 participants) will be held next month.
  
  2. Personnel Changes
    - 20 people recently retired from MaineDOT’s Bureau of Project Development! They have lost 40 people to retirement during the past 12 months – a loss of 1,000 years of experience. Chief Engineer, John Dority, was a big loss.
    - Ray Faucher has also retired from the Bureau of Planning. He now works at HNTB and is involved in the Gorham East-West study
    - Project Manager Shawn Smith has been reassigned out of our region. Shawn was very well liked and respected.
  
  3. Other Topics
    - Paul Niehoff will soon distribute the **application forms for TIP proposals** for the next biennium.

- Paul is organizing a regional multi-organization collaboration to finance an **aerial flight** for the PACTS area-plus.
- MaineDOT might do a “**context sensitive solutions**” **pilot project** for the design of improvements to an 8-mile section of River Road in Windham.
- Our **Regional Bike and Pedestrian Plan** is almost done. The Technical and Planning Committees will meet again on this in November.
- Our study of bicycle travel **near Tukey’s Bridge** is almost done.
- Our **Regional Signal Coordination Study** is almost done – and a fair amount of the recommendations may get federal funding in the foreseeable future.
- The **Franklin Arterial Corridor Study** Phase I is almost done. Carl has attended many meetings and made other contributions.
- PACTS and GPCOG staff will attend a quarterly meeting with MaineDOT and other **MPO’s in Bangor** this month. Mike Laberge organizes these meetings which are usually very productive.
- John Duncan will attend later this month the annual meeting of the national **Association of MPO’s** in Savannah, Georgia.
- John is going to serve on the **Legislative Committee** of the Maine Better Transportation Association.
- MaineDOT, Carl Eppich and area staff will soon rank the proposals for the design-build of a replacement for the **Veterans Bridge**.
- Carl will attend the **Railvolution** annual conference in Boston later this month.
- Carl and GPCOG’s Rebecca Schaffner organized the very successful annual meeting in Belfast last month of the **Northern New England Chapter of the American Planning Association**.
- **Eben Marsh** is the new GPCOG representative on the Technical Committee.

4. Executive Committee draft agenda for November 3<sup>rd</sup>

- Report on proposal to expand the scope of the \$400,000 Franklin/Marginal intersection design project to the entire Franklin Street Arterial – and to incorporate the \$100,000 in our UPWP into that effort.
- Report on proposal to change the scope of the recently approved Portland-South-Portland fixed guideway study to a broader *regional transit oriented strategic initiative*
- Next steps on getting into freight planning
- Review staff proposal to expand the responsibilities of the Exec Committee?

## **Agenda Item 7: October 22<sup>nd</sup> Policy Committee Agenda**

1. Adopt TIP Policy and Procedures Document, including the following:
  - PACTS Credit Program
  - Three Party Agreement template, and authorization for staff to sign them
2. Reports on other transportation funding topics:
  - MPO's meeting in Auburn on September 30<sup>th</sup>
  - PACTS leadership meeting at MaineDOT on October 1<sup>st</sup>
  - PACTS staff roles in articulating regional needs (UPWP-funded), and advancing projects and policies (staff work funded from our municipally-funded contingency account) to our Congressional and Legislative leaders
3. Endorse the addition of three projects to the PACTS 2010-2013 TIP in order to be consistent with MaineDOT's addition to the State TIP (aka STIP) after our August 13<sup>th</sup> action to adopt the TIP. The three projects – all ARRA proposals – are the Portland megaberth two Downeaster capital improvements and the Veterans Bridge replacement
4. Consent Agenda:
  - Annual report from the Transit Committee
  - List of PACTS work-in-progress in the coming months
  - Other

### **Noon on October 22<sup>nd</sup>**

We will host a lunch session overview of the PACTS model for all committee members. Eight people have signed up so far. Kevin Hooper, our consultant on this, will present.