

# REGIONAL TRANSPORTATION ADVISORY COUNCIL

## Summary of October 14, 2009 Meeting

This meeting was held in Conference Room 4 of the State Transportation Building, 10 Park Plaza, Boston, MA.

### 1. **Introductions** – *Laura Wiener, Chair*

Laura Wiener, Chair, called the meeting to order at 3:00 PM. Members, guests, visitors, and staff introduced themselves (see the attached attendance list).

### 2. **Chair's Report** – *Laura Wiener, Chair*

L. Wiener made the following remarks in her report:

- The next meeting will be on November 18, rather than November 11, because of Veterans Day. The meeting will be in Conference Rooms 2 and 3.
- She attended the GO-21 breakfast in Boston on October 9. GO-21 is a national advocacy group for freight. Frank DeMasi, Advisory Council Freight Committee Co-Chair, presented on freight issues in the Boston metropolitan region.
- The MPO adopted the FFYs 2010-2013 TIP and Plan Amendment at the end of September.

She also asked members to sign up for Committees. She would like each member to serve on at least one committee.

### 3. **Approval of Meeting Minutes of August 12, 2009 and September 9, 2009** – *Laura Wiener, Chair*

Separate motions to approve the draft Meeting Minutes of August 12, 2009 and September 9, 2009 were made and both were approved unanimously.

### 4. **Briefing on Congressional Topics Including Reauthorization of the Federal Transportation Bill** – *John Lenicheck, District Director for Congressman Michael Capuano*

John Lenicheck manages transportation policy for the district office. He presented several topics to the Advisory Council including reauthorization of the federal transportation bill and the Freight Rail Capacity Expansion Act of 2009. His comments are summarized by topic below.

- Reauthorization of the surface transportation bill
  - The Surface Transportation Authorization Act of 2009 will likely become the Surface Transportation Authorization Act of 2011. It will not be passed in 2009.

- SAFETEA-LU, the bill that expired at the end of September, is on a 30-day continuing resolution.
- The President and Senate requested an 18-month extension in July. That would make it early 2011 before a new bill is in place.
- A 90-day extension was also proposed by House Transportation and Infrastructure Committee Chairman Oberstar, but the Senate is opposed.
- The biggest challenge is funding. There is no agreement in Congress or the Obama administration about how to fund the new bill. Secretary LaHood mentioned a VMT tax, but President Obama came out against it. The gas tax alone is not enough. Other options, such as public-private partnerships, do not raise enough revenue either.
- The House of Representatives is talking about a \$500 billion bill. SAFETEA-LU ended up at about \$268 billion, but was initially approximately \$350 billion.
- The Freight Rail Capacity Expansion Act of 2009 (HR 1806)
  - The bill would authorize a 25% tax credit for new freight rail infrastructure. There are two versions; Representative Capuano is a cosponsor of the version with Davis-Bacon wage provisions.
  - This bill is also stalled in the House. Congressman Capuano is a cosponsor and supporter.
- Handheld Devices
  - Two bills were introduced in the U.S. Senate.
  - Senator Schumer introduced a bill requiring states to ban the use of handheld devices by drivers, or face losing federal transportation funding.
  - Senator Rockefeller recently introduced a bill with a carrot approach. States that ban handheld devices would receive extra transportation funds.

**Members had the following questions:**

*What role will earmarks play in the next transportation bill? If they will play an important role, what should people in this room do to make sure Massachusetts gets its fair share? (Richard Canale, MAGIC)*

Members of Congress already had to submit earmark requests. The requests can be viewed on each member's website. There will not be another request for earmarks unless the bill goes into the next session. The role they play will probably not be different than previous authorizations. It will depend on the argument they can make for programs. It's advantageous to say there are particular projects and areas that are important. (J. Lenicheck)

*Cambridge is concerned that the current regional transportation plan does not generate much of a shift in modes to transit. The modeling of the plan shows a 50% increase in demand for transit services. The current system can't accommodate that demand and it's a concern to us. What are your thoughts? (Jeff Rosenblum, Cambridge)*

Congressman Capuano wants states to decide how to split transportation funds between highway and transit projects. There may be some limits, such as not allowing a state to spend 100% of its funds on highways. Different states have different needs. Massachusetts is more interested than many states in developing its transit system.

Ultimately the state DOT should have more discretion to make the decision within some boundaries. (J. Lenicheck)

**Members had the following comments:**

Support for maritime transportation and port access is important as an alternative to other modes. Demand for freight movement by sea is increasing and support from Congress is important. (Louis Elisa, Seaport Advisory Council)

It is disconcerting that the Freight Rail Capacity Expansion Act is not moving through Congress. This is an important bill, particularly for short line operators. Losing short line operators will make freight movements more dependent on trucks. (Frank DeMasi, Wellesley)

**5. Membership Committee Action Items – Laura Wiener, Chair**

**A summary of actions taken by the Advisory Council follows:**

- Added the following clause to the Membership Article of the Advisory Council's Bylaws: "Continuing membership shall depend on active participation, defined as attendance at the majority of council meetings in a federal fiscal year."
- Approved the application of the Massachusetts Motor Transportation Association to become a member of the Advisory Council. Anne Lynch will be the group's representative.

**A summary of the discussion follows:**

L. Wiener, Chair of the Advisory Council and Membership Committee, read the language of the proposed amendment to the bylaws. The purpose of the change is to encourage better participation of members.

L. Wiener also read the Membership Committee's recommended policy for implementing the amendment. This policy, if adopted, will be applied beginning with federal fiscal year 2010, which began October 1, 2009.

**Policy:** Staff will perform an annual attendance audit at the conclusion of the federal fiscal year (September 30) and report the findings to the Advisory Council in October. Letters will be sent in October to member entities that did not attend the majority of Advisory Council meetings during the previous federal fiscal year. The letter will instruct the member to inform MPO staff if they would like to remain a member of the Advisory Council. To retain membership, the member must demonstrate a commitment to participating on the Advisory Council by attending two of the next three meetings (typically November, December, and January). Failure to attend two of the next three meetings will result in dismissal from the Advisory Council upon review and approval of the Membership Committee.

Exceptions will be made for members who request a leave of absence for up to one year. Members can also meet the attendance requirement by sending an alternate representative who attends, combined with that of the regular representative, a majority of meetings in

the given federal fiscal year. Members must designate an alternate, or request a leave of absence, by sending a letter to MPO staff.

**Members had the following comments:**

- There may be better methods, such as changing the scheduled meetings times and locations, that may improve attendance. It can be difficult for members that are full time employees to attend the meetings.
- The chief executive of the respective organization should be contacted if there is an attendance issue. An option to select another representative should be granted.
- Any group is welcome to attend Advisory Council meetings, but membership is an important issue for voting.
- There should not be alternate representatives.
- Some member entities are run by volunteers and need the flexibility of sending an alternate.
- A termination policy should be included in the bylaws.
- The proposed language is sufficient and the Advisory Council should support it.

A motion to adopt the Membership Committee’s proposed amendment to the bylaws was made by J. Rosenblum of Cambridge and seconded by Kristina Johnson of Quincy. The motion was approved unanimously with J. Rosenblum and L. Elisa abstaining.

Members discussed the membership request of the Massachusetts Motor Transportation Association. L. Wiener said the Membership Committee recommends voting to accept the group as a member. F. DeMasi spoke in favor of the group’s application.

A motion to add the Massachusetts Motor Transportation Association as a voting member of the Advisory Council was made by R. Canale and seconded by L. Elisa. The motion was approved unanimously.

**Committee Reports** – *Laura Wiener, Chair of the Membership Committee*

**Freight:** The Freight Committee in September voted to approve, and submit to the full Advisory Council, a resolution in favor of expanding freight rail capacity. It is the Freight Committee Chairman’s hope that the resolution will be considered by the full Advisory Council and submitted to the MPO, if approved.

The Freight Committee also had a lengthy discussion about the need to integrate economic development, transportation, and freight planning at its meeting earlier in the day.

**Programs:** The group met prior to the Advisory Council meeting. A field trip to Alewife Station is scheduled for October 20. The purpose of the trip is learning about issues faced in the area and about the related studies that have been funded by the MPO. The results of the Statewide Freight Study and Rail Plan, climate change, and efforts to coordinate land use and transportation planning will be topics for future meetings.

**Members had the following comments about programs:**

- The Advisory Council should invite State Representative Frank Smizik to the meeting where the Statewide Freight Study and Rail Plan is discussed.
- The Freight Committee's proposed resolution should be addressed when the Advisory Council hears about the findings of the Statewide Freight Study and Rail Plan.
- A resolution coming from the Advisory Council should not appear on Advisory Council letterhead until the Advisory Council approves it.
- The only person to sign a resolution should be the Chair of the full Advisory Council.
- L. Elisa would like the Advisory Council to invite the new Secretary & CEO of MassDOT to speak at an upcoming meeting.

**6. Member Announcements**

E. Rothman would like the Advisory Council to consider sending a letter to the MPO urging them to support a ban in Massachusetts of the use of handheld devices while driving. There are bills in Congress that would address the issue, but nothing has been proposed in Massachusetts to his knowledge.

**7. Adjourn**

The meeting was adjourned at 4:17 PM.

**Attachments:**

Attendance List for October 14, 2009

**ATTACHMENT 1: Attendance List for October 14, 2009**

***Cities and Towns***

Lauren Rosenzweig, Acton  
Laura Wiener, Arlington  
Tom Kadzis, Boston  
Jeff Rosenblum, Cambridge  
Walter Bonin, Marlborough  
Kurt Mullen, Needham  
Kristina Johnson, Quincy  
Jon Squibb, Revere  
Marcy Crowley, Wayland  
Frank DeMasi, Wellesley  
Steve Olanoff, Westwood

***Agencies***

Jim Gallagher, MAPC  
Richard Canale, MAGIC  
Leon Papadopoulos, MassRIDES  
Louis Elisa, Seaport Advisory Council  
Ed Washburn, Seaport Advisory Council  
Chan Rogers, Southwest Advisory Planning Committee

***Citizen Groups***

John Kane, Access Advisory Committee to the MBTA  
Douglas Prentiss, APA Massachusetts Chapter  
Schuyler Larrabee, Boston Society of Architects  
Elliot Paul Rothman, Boston Society of Architects  
Malek Al-Khatib, Boston Society of Civil Engineers  
Jenna Venturini, Eastern Massachusetts Freight Rail Coalition  
David Ernst, MassBike  
Tom Yardley, Medical Academic and Scientific Community Organization  
Sue McQuaid, Neponset Valley Chamber of Commerce  
Chaz Merzbacher, Riverside Neighborhood Association

***Guests and Visitors***

John Lenicheck, Office of Representative Michael Capuano  
Ed Lowney  
Marilyn MacNab  
Stan Franzeen, MassCommute  
Janie Katz-Christy, Green Streets Initiative

***MPO Staff***

Mike Callahan