

COMMONWEALTH OF MASSACHUSETTS

MASSACHUSETTS SENATE

STATE HOUSE, ROOM 112, BOSTON 02133-1053

SENATOR THOMAS M. McGEE THIRD ESSEX AND MIDDLESEX

THIRD ESSEX AND MIDDLESEX
DISTRICT

Tel. (617) 722-1350 FAX: (617) 722-1005 Thomas.McGee@MAsenate.gov

April 11, 2011

COMMITTEES:

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PERSONS WITH DISABILITIES
VICE-CHAIR - FINANCIAL SERVICES
JUDICIARY
TRANSPORTATION

Jeffrey B. Mullan, Secretary & CEO Massachusetts Department of Transportation 10 Park Plaza, Suite 3170 Boston, MA 02116

Dear Secretary Mullan:

I have reviewed the draft Memorandum of Understanding by and among the members of the Boston Metropolitan Planning Organization and submit for your consideration my input as this governing document is updated to meet the evolving needs of the region's transportation planning and programming. Subsequent to major reform in the Commonwealth's transportation organization over the past two years, it is my hope that the MPO will take this opportunity to embrace a regional focus that strives to be more inclusive, accessible and transparent to all stakeholders.

The size and diversity of the Boston MPO region will always dictate that there are competing transportation needs within the region for a limited amount of funding. However, it has been my experience, over the past few years specifically, that the system for planning and prioritizing projects and funding is not meeting the criteria set by the federal government in the 3-C process. In fact, it is my belief that the current system is severely lacking in outreach and inclusiveness to the extent that the MPO's ability to ensure regional equity is compromised. Both in the face of budget cuts and during the influx of one-time federal stimulus funds, I have experienced frustration in trying to work within the current structure of the MPO. I would respectfully suggest that the revised MOU is an important opportunity to correct many issues that make the transportation planning process of the Boston MPO a complex and frustrating process for stakeholders at both the state and local levels. I make the following suggestions based on close observation and continual participation in the MPO's current planning practices:

- In Section 2, I would recommend that a member of the Legislature whose district is part of the Boston MPO region be added to the list of entities comprising the voting membership of the MPO. The current membership includes members of the executive branch and a cohort of municipal officials but does not allow for participation by officials elected to the Legislature. I would suggest that having a Legislator on the MPO would enable greater transparency into the programming and planning of transportation projects within the region.
- I would amend Section 2, subsection C1 to state that the timely dissemination of information to members of the MPO and the public requires that all materials to be considered at a meeting of the MPO or any subcommittee thereof be made available online 48 hours in advance of said meeting.
- 3. The election process by which municipal members of the MPO are selected should be amended to require that "the process for nominating and electing the six other municipal members shall be approved by the Boston Region MPO to fulfill the objective of having a geographically diverse membership..." which may necessitate additional municipal seats on the MPO to ensure equitable representation across the region and among cities and towns.
- 4. In Section 2D, I would further suggest including language that limits the number of consecutive terms for which a municipality may serve as a voting member of the MPO.
- 5. In Section 2E, I would amend the principal mission of the Advisory Council to require that the council be responsible for "actively bringing together" the listed stakeholders and "to ensure broad and robust participation" such that if any sub-region or concerned group is not represented the Advisory Council would conduct outreach to the public and private entities that are underrepresented among the voting members of the Advisory Council.
- 6. In Section 4A, I would further require that the identified First Tier Projects list and the Universe of Projects list be maintained and made available to the public online. Similarly, in Section 4C, I would require that the prioritization criteria be maintained and made available to the public online.
- 7. In Section E1, I would clarify that the detailed future federal aid payments for the Central Artery/Tunnel project as specified be made available online to members of the public.
- 8. Lastly, I would put forth a new requirement that the MPO meet at least once quarterly in a location other than Boston and that the meetings outside of Boston rotate around the region to provide greater access to the work conducted by the MPO.

It is my strong belief that these recommendations would result in a more transparent and inclusive 3-C planning process for the entire region as required by the federal government. It is my sincere hope that adopting these recommendations will allow us to move forward in a very positive direction to meet the challenges of planning and programming that considers "all transportation modes and supports metropolitan community development and social goals" throughout the region. Thank you in advance for your consideration of these suggested amendments to the Draft Memorandum of Understanding. If I may provide further information or answer any questions, please do not hesitate to contact me.

Sincerely,

Thomas M. McGee

State Senator

Third Essex and Middlesex District



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON, MA 02133-1054

CAROLYN C. DYKEMA STATE REPRESENTATIVE

8_{TH} MIDDLESEX DISTRICT ROOM 473F, STATE HOUSE

TEL: (617) 722-2210 Rep.CarolynDykema@hou.state.ma.us Committees:

Environment, Natural Resources & Agriculture Community Development & Small Business Veterans & Federal Affairs

April 12, 2010

Jeffery B. Mullan
Secretary and CEO
Massachusetts Department of Transportation
10 Park Plaza, Suite 3170
Boston, Massachusetts 02116

Dear Secretary Mullan:

I write today in support of the letter written by my colleagues of the MetroWest Caucus commenting on the Boston Region Metropolitian Planning Organization (Boston MPO) new memorandum of understanding (MOU) among the member entities of the Boston MPO. That letter is enclosed.

Thank you for your consideration in this matter. Should you have any questions, please do not hesitate to/contact me.

Sincerely,

Carolyn C. Dykema

8th Middlesex District



COMMONWEALTH OF MASSACHUSETTS

THE GENERAL COURT

STATE HOUSE, BOSTON 02133-1053

OF TRANSPORT

April 12, 2010

Jeffery B. Mullan Secretary and CEO Massachusetts Department of Transportation 10 Park Plaza, Suite 3170 Boston, Massachusetts 02116

Dear Secretary Mullan

We, as elected officials representing communities in the MetroWest/Greater 495 region, have long had an interest in the transportation infrastructure programming process as determined by the Boston Region Metropolitan Planning Organization (Boston MPO). As such, we have examined the proposed new draft of the memorandum of understanding (MOU) among the member entities of the Boston MPO. As we feel that the MetroWest/Greater 495 region is in danger of being hamstrung by the antiquated infrastructure planning system that the Boston MPO represents, we wish to take this opportunity to encourage you to go beyond your stated objective of updating the existing MOU to "reflect the reorganization of the state's transportation agencies" and build a new MOU based on a vision similar to the one that created MassDOT.

The recent transportation reform legislation, *Chapter 25 of the Acts of 2009*, was a dramatic restructuring that introduced accountability as well as efficient, effective coordination of all surface transportation activities. Under your leadership, Mass DOT has embraced the vision of that landmark legislation and created a unified, independent and successful agency that we can all be proud of. A new memorandum of understanding to guide the work of such a large Metropolitan Planning Organization as the Boston MPO should be equally bold and transformative.

In the years since 2001, the last time the MPO redrafted its MOU, many of the 101 towns and cities which comprise the region have experienced dramatic changes in their need for and use of transportation assets. The area that we represent—the MetroWest/Greater 495 Region—now has the second largest employment base in the Commonwealth, with 1 out of every 11 jobs in the state and a

payroll approaching \$18 billion. Many of the Commonwealth's major businesses have established headquarters here. In addition, as of 2007 a full 78% of all Framingham residents commuted to jobs within this region, a trend that is echoed throughout other MetroWest/ Greater 495 cities and towns. This is a clear change from the 'hub and spoke' model that the Boston MPO was set up to program for. Despite these changing circumstances—and the clear emergence of our region as an economic powerhouse—the Boston MPO is designed to apply old-fashioned formulas to determine how infrastructure dollars are distributed.

As the Commonwealth climbs out of this terrible recession and into a broad-based recovery, it must rely on the economic vitality of this region. Other suburban regions of the Boston MPO have similarly become home to emerging industry clusters. If existing businesses are to be retained or grown, and new businesses are to be established, the strengths of all the 101 cities and towns in the MPO must be relied upon.

Transportation infrastructure investments will play a crucial role in our economic recovery. The planning and programming that guides those investments must rely on a comprehensive vision of the entire region that reflects existing reality. Creating that vision and doing that work requires that we bring together the diverse voices that exist throughout the region. Those voices must be empowered with the responsibility to carry out the vision. They must be voting members of the MPO.

Again, we believe that the best course would be to build a new MOU based on a new vision rather than use the existing MOU as a baseline document that merely needs amendment. However, we have specific concerns with the text of that document which need to be addressed in any MOU adopted:

Draft MOU Part 2. Composition and Roles of the Boston Region MPO.

Voting Membership for Towns.

The current agreement specifies the members shall include three towns and three cities, plus the City of Boston. The draft proposes to change this to six municipalities, plus the city of Boston. The unique perspective of small and large towns is potentially diminished without the certainty of three reserved seats. Without that guarantee, cities with larger centrally controlled staffs will likely get more representation.

→ We urge you to maintain the requirement that three seats be held by towns.

Voting Membership for the MetroWest Regional Transit Authority (MWRTA).

In 2007 the largest area of the state without any regional public transportation formed the MWRTA. In less than 4 years, communities with a combined population of 240,000 have joined and another town of 28,000 may join in the near future. The need for public transit in the region remains acute. The MWRTA's vision for providing that service is innovative and unique,

as is necessary to provide public transportation in a job-rich suburban environment. The MWRTA should therefore be a voting member of the MPO.

The voting membership of every other MPO in Massachusetts includes the regional transit authority that serves the region. The wisdom of this representation is widely acknowledged, even required by the federal government for some MPOs since 1992. The creation of a vision for regional transit and the establishment of priorities for investment in public transportation are unnecessarily limited when certain RTAs are excluded from the discussion. While the draft MOU continues voting representation for both the MBTA and its Advisory Board, it fails to provide for voting participation by either of the two regional transit authorities centered in the region.

→ We urge you to include a voting membership for the MWRTA.

Draft MOU Part 3. Functions and Roles of the Boston Region MPO and its Communities.

State, local and regional participation.

The existing membership is heavily weighted to entities with either a statewide or inner core focus. This may have been appropriate when the Boston Region MPO was first founded, but for the reasons stated above it is no longer the best way to ensure that we meet the goals of the 3C process, as required by federal statutes and articulated in the *whereas* clauses of the draft MOU.

One of the aspects of greatest concern in the draft MOU is the call for a process that is cooperative—"requiring effective coordination among public officials at all levels of government, and inviting the wide participation of all parties, public or private, at all stages of the transportation planning process"—but also includes language describing the City of Boston as having a "unique and essential" role in transportation planning and programming decisions, and "general purpose local governments" with an "important" role in the same decisions.

→ If "general purpose local governments" is meant to describe the other 100 cities and towns then the clause should acknowledge that they too have an essential role in planning and programming decisions.

The stated goal of a process that is "comprehensive, including ... planning and programming for the entire Region and examining all modes so as to assure a balanced planning effort" would undoubtedly be better served with more representation from the broad range of stakeholders in the community. The draft MOU does not expand the diversity of voices on the MPO. The existing MOU had seats for three agencies which were consolidated by transportation reform;

the draft MOU merely provides the secretary of DOT with the power to name three representatives.

→ A more forward thinking choice that we urge is to require the appointment of a representative from the business and/or employer community.

Draft MOU Part 4. Transportation Improvement Program.

Prioritization Criteria to be Used when Constructing the TIP.

The draft states that the MPO and its planning and programming committee have developed criteria for evaluation, but the criteria are neither appended to nor described in the document. We have often advocated for geographic equity to be considered when making programming decisions.

→ The document would be improved by including the general factors to be considered, such as geographic equity, when establishing prioritization criteria.

The only specific statement identifying the content of prioritization criteria in the entire document is the following statement:

"The fact the that the central artery is located in the City of Boston shall not be used as an equity criterion."

The inclusion of this statement, just one of what should be numerous and comprehensive evaluation criteria, is inappropriate.

→ This sentence should be stricken, or the full criteria should be enumerated.

Road and Bridge Program.

The draft removes the requirement of a minimum of \$400 million "exclusive of the Central Artery-Tunnel Project" on a statewide road and bridge program. This program is an essential commitment to the municipalities outside of the inner core that the MPOs will retain the capacity to plan and invest in transportation infrastructure throughout the Commonwealth.

→The requirement of a minimum of \$400 million "exclusive of Central Artery-Tunnel Project" on a statewide road and bridge program should be retained.

In closing, we agree that the economic vitality and quality of life of each of the 101 cities and towns that make up the Boston Region is inextricably bound to a strong transportation infrastructure. The substantial investments that such infrastructure requires must be carefully and fairly made. We understand the importance of the memorandum of understanding as a governing document which will guide the work of the MPO and its staff and we urge you to reassess the proposed draft to take into consideration the concerns expressed in this letter.

Sincerely,

Senator Karen Spilka

2nd Middlesex and Norfolk

Representative Jennifer Benson

37th Middlesex

Representative David Linsky

5th Middlesex

Senator Richard Ross

Norfolk, Bristol and Middlesex

Representative Thomas Sannicandro

7th Middlesex

Senator Jennifer Flanagan

Worcester and Middlesex

Representative Chris Walsh

6th Middlesex

Senator James Eldridge

Middlesex and Worcester

Representative Cory Atkins

14th Middlesex

Representative Steven Levy

4th Middlesex



Denis C. Fraine Town Administrator

TOWN OF BELLINGHAM

Bellingham Municipal Center 10 Mechanic Street Bellingham, Massachusetts 02019 Tel: 508-657-2802 Fax: 508-966-4425

April 28, 2011

Ms. Pam Wolfe CTPS/Transportation Building 10 Park Plaza – Suite 2150 Boston, MA 02116-3968

Dear Ms. Wolfe:

I'm writing on behalf of the Town of Bellingham to support the practice of the existing Memorandum of Understanding among the communities which comprise the Metropolitan Planning Organization as it relates to representation. Specifically, we believe our community has been well served by having three individuals elected to represent cities and three to represent Towns. Our community has been actively involved in the work your organization provides and we are quite pleased with the existing policy.

Thank you for your consideration of our input with regard to proposed changes.

Sincerely,

Denis C. Fraine

DCF/cfc

NASSAC STREET, STREET,

MILFORD BOARD OF SELECTMEN

Room 11, Town Hall, 52 Main St. (Route 16), Milford, Massachusetts 01757-2679 508-634-2303 Fax 508-634-2324

Dino B. DeBartolomeis, Chairman Brian W. Murray, Esq. William D. Buckley

Louis J. Celozzi Town Administrator

April 29, 2011

Ms. Pam Wolfe CCTPS, Suite 2150 Transportation Building 10 Park Plaza Boston, MA 02116-3968

RE: BOSTON REGION MPO

Dear Ms. Wolfe:

It has come to my attention that the Boston MPO election process is due for renewal this year. As you know, for the past fourteen (14) years, the election consisted of three (3) cities and three (3) towns. After discussing the new proposals with various professional in the area, I would respectfully request that the practice of three (3) cities and three (3) towns be continued.

Thank you for your consideration.

Louis J. Celozzi

Very truly yours

Town Administrator

LJC/jmd

cc: Files



TOWN OF IPSWICH

25 Green Street IPSWICH, MASSACHUSETTS 01938

ROBERT T. MARKEL

Town Manager

(978) 356-6609 -Office (978) 356-6616 -Fax

April 29, 2011

Pam Wolf 10 Park Plaza Suite 2150 Boston, MA 02116-3968

Dear Ms. Wolf:

It has come to our attention that there is a proposal to modify the makeup of the Metropolitan Planning Organization to eliminate the three cities/three towns allocation of seats. Ipswich has had an excellent experience with the current board as it is configured, and we are concerned that opening up the board to many more members would create a chaotic situation.

Please keep us updated on any meetings to consider changing the makeup of the MPO Board.

Machel

Thank you.

Very truly yours,

Robert T. Markel Town Manager

TM@Ipswich-MA.gov



COMMUNITY DEVELOPMENT

BUILDING

PLANNING

ZONING

CONSERVATION

Jeffrey Mullan, Secretary

Massachusetts Dept of Transportation

120 Park Plaza, Suite 3170

Boston, Ma 02116

May 2, 2011

Dear Secretary Mullan:

Thank you for accepting comments regarding the composition of the Boston MPO and the newly proposed Memorandum of Understanding. First and foremost, we'd like to underscore the official comments made in April by our elected delegation of Senators and Representatives in their letter to you regarding this topic.

We have often reviewed approved TIP projects within the Boston MPO District and made note of what we consider to be a general under-investment in transportation by the State within the MetroWest region. This inequity has occurred while employment, commercial expansion and residential development have continued to strongly occur here in spite of static growth elsewhere. We believe a reformation of the existing MPO would better represent our portion of the region and eventually lead to improved transportation commensurate with the level of travel demand generated by business and commerce in the MetroWest, as well as our growing residential population.

Specifically regarding the MPO Memorandum and its reconsideration, we offer the following suggestions that we trust will be fully considered and implemented as part of the MPO restructuring:

- We urge you to maintain the requirement that three seats be held by towns
- We request that the MWRTA be made a standing member of the MPO with full voting stature
- We request that the "other" 100 communities in the MPO region too have an essential role in transportation planning and programming decisions
- We recommend that the State have one vote on the MPO considering the three State transportation agencies were recently consolidated into one agency
- We suggest that a representative from the business/employer community be added to the MPO

phone: 508-647-6450 / fax: 508-647-6444

website: www.natickma.org

- We recommend that competitive evaluation criteria for TIP funded projects be created and adhered to as all TIP lists are constructed. As part of the TIP restructuring we also ask that geographic equity be legitimately included within the TIP decision making process
- The requirement of a minimum of \$400 million (to be exclusive of the Central Artery Tunnel Project) should be retained on a statewide road and bridge program

In conclusion, Chapter 25 of the Acts of 209 created a thoughtful and appropriate coordination structure for transportation in the Commonwealth. Accordingly we believe that a reformation of the existing MPO MOU is necessary and a new MPO should be reformed which follows the points raised in the preceding text.

Thank you again for the opportunity to comment upon the structure of the Boston MPO.

Sincerely,

Patrick Reffett

Community Development Director

cc: Martha White, Town Administrator

Comment Card

Boston Region Metropolitan Planning Organization

Proposed Memorandum of Understanding

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Comment Card

Boston Region Metropolitan Planning Organization

Proposed Memorandum of Understanding

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Please return to:

Chair
Transportation Planning and Programming Committee
Metropolitan Planning Organization, Suite 2150
10 Park Plaza
Boston, MA 02116

7 Independence Lane Medway, MA 02053

April 27, 2011

Mr. Jeffery B. Mullan Secretary and CEO Massachusetts Department of Transportation 10 Park Plaza, Suite 3170 Boston, MA 02116



RE: Boston MPO Memorandum of Understanding

Dear Secretary Mullan:

I would like to take this opportunity to share some thoughts with you and the members of the Boston Metropolitan Planning Organization (MPO) regarding the draft changes to the memorandum of understanding (MOU).

My comments are offered based upon my experience and participation for approximately the past 20 years as a representative from Medway to the Southwest Area Planning Committee (SWAP) a sub region of the Boston Metropolitan Area Planning Council.

- Voting Membership The proposed changes to the voting membership, eliminating the three (3) towns, is simply unacceptable. I have stated publicly many time that the Boston MPO's current membership structure gives far too much weight to Boston and the inner core and this change would further exacerbate that problem.
- 2. GATRA Membership Several communities within the Boston MPO have service from GATRA including Medway, Franklin, and Bellingham. Has consideration been given to GATRA having a seat on the Boston MPO?
- 3. Transportation Improvement Program I have great concerns about the TIP process.
 - a. What are the criteria? Who establishes the criteria? Is there any opportunity for public comment regarding the criteria? Most important, who applies the criteria?
 - b. Federal Funding from non formula sources. I clearly understand that federal funding as a result of formulas does not provide the Commonwealth in general and the Boston MPO in particular with sufficient funds to address all of the transportation needs. Unfortunately, this has resulted in a process that does not take into consideration the acquisition of funds from non formula sources including earmarks. The TIP process needs to be changed to allow for the approval of projects and the expenditure of funds from non formula sources.
- 4. Shovel Ready Projects It seems to me that the Boston MPO has established a process for considering projects that harms the Boston MPO region, harms Governor Patrick's goal of job creation, and

discourages good planning. Let me explain. You, the Boston MPO, the state legislature, and those in the federal government cannot predict when federal funding as a result of stimulus funding, transportation reauthorization legislation, or earmarks within other legislation becomes available. It seems to me that it is in the Boston MPO Region's best interest to have a large number of projects at the 'shovel ready' stage so that when funding does become available those projects can come off the shelf, go out to bid, and move forward.

If there are federal rules, regulations, or legislation that somehow makes this impractical, then efforts should be made to work with the appropriate federal appointed officials or the Massachusetts Congressional Delegation to work to the changes that are necessary.

The process should allow for and encourage transportation planning to reach the shovel ready point regardless of the source of the funds.

- 5. The Highway Planning Process The Boston MPO must change how it looks at highway planning. When the Boston MPO looks to improve the a Green Line route it correctly does not ask each community on that route to submit a proposal for the portion of the project in the community. However, when the Boston MPO looks at improving Route 126 for an example, the procedure is to have each community that Route 126 passes through to propose a project for that community's portion. This simple does not make sense. In the SWAP area and in other Metrowest areas Route 126 serves the same purpose as a light rail or heavy rail or bus route corridor (Silver Line). The thinking regarding highway funding needs to be changed and the process and criteria need to be changed to recognize that good highway transportation planning needs to look at the highway not the individual towns.
- 6. Regional Funding Equity I would strongly encourage you and the Boston MPO to add as a criteria for overall funding the need to fund projects and expend dollars on a regionally equitable basis. The western portion of the Boston MPO needs to be considered when it comes to jobs, population growth, and business expansion. I clearly understand that funding at this time is limited but I also understand and believe that more equitable allocation of funds helps the entire region.

Thank you very much for your exceptional leadership of Mass DOT and thank you very much for your consideration of the above comments. I would be happy to discuss any and all of the comments with you and others involved with the Boston MPO.

Sincerely,

Paul G. Yorkis

Medway SWAP Representative

CC: Congressman James P. McGovern

Senator Karen Spilka