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**DOVER/KENT COUNTY MPO TECHNICAL ADVISORY COMMITTEE**  
**SEPTEMBER 1, 2010 MINUTES**

**Purpose:** Special meeting to discuss amendments to the FY2011-2013 Transportation Improvement Program and DelDOT's programming of federal funds

**Technical Advisory Committee Representatives attending:**

Scott Koenig, City of Dover/Public Works (Chair)  
David Edgell, Office of State Planning (Vice-chair)  
Anne Marie Townshend, City of Dover/Planning/Insp.  
Greg Oliver, DelDOT Planning  
Mary Ellen Gray for Sarah Keifer, Kent County Planning  
Phil Wheeler, DNREC  
Cathy Smith, Delaware Transit Corporation  
Joe Zilcosky, DE Economic Dev. Office  
Byard O'Neal, DE Motor Transport Assoc.  
Terry Reilly, Transp. Mgmt. Assoc. DE

**Members not attending:**

David Hugg, Town of Smyrna	Tim Riley, Kent Conservation District
Milton Melendez, DE Dept. of Agriculture	Tricia Faust, Dover Air Force Base
Rick Crawford, Norfolk Southern	Keith Lynch, Federal Transit Admin.
Kris Riesenber, Federal Highway Administration	Gary Norris, City of Milford

Theon Calendar for Mayor Jeannette Williams, Cheswold, municipal rep.

**Non-members attending:**

Juanita Wieczorek, MPO Staff	Earle Timpson, DelDOT Finance
Karen Brittingham, DelDOT Planning	Kate Layton, MPO Staff
James Galvin, MPO Staff	Julie Wheatley, Sussex County

1. Introduction of Members & Guests

2. Public Comments

3. ***ACTION ITEM:*** Approval of Agenda

MOTION By Ms. Townshend to approve the agenda. Seconded by Mr. Oliver. Motion carried.

4. ***ACTION ITEM:*** Proposed Amendment to the FY 2011-2013 Transportation Improvement Program to agree with the FY 2011 Bond Bill – J. Galvin

Mr. Galvin reviewed information received from DelDOT. The MPO received no request from DelDOT to amend the TIP to align with the Bond Bill. Ms. Townshend why that was. There were also some questions about whether recent amendments to 2010-2013 TIP also had to be amended in the 2011-2014 TIP.

Ms. Wieczorek said that the reason the MPO did not receive a request from DelDOT was because DelDOT Finance was short-staffed. Ms. Wieczorek spoke to Kathy English, Director of Finance, and it was agreed that the MPO's list of proposed amendments were necessary for the TIP to agree with the Bond Bill as well as what DelDOT submits to the Federal Highway administration. Ms. English will send a letter to the MPO Council.

In terms of the 2010 TIP, Council is only addressing the downstate rail study item.



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Mr. Timpson, arriving late, addressed Ms. Townshend's question as to why DelDOT did not respond to the MPO's e-mail regarding projects that needed to be amended in the TIP. He explained that he had asked for a list of what needed to be done and discussed it with Mr. Galvin – including what should be modifications and what should be amended. This conversation took place at a Council meeting. He also affirmed that DelDOT Finance is working at half-staff at this time and did not have the resources to get all the paperwork to the MPO on time.

Mr. Koenig asked, "Where does that leave us? I'm a little confused."

Ms. Wieczorek answered that it leaves the TAC with the information Mr. Galvin provided at the August meeting as an explanation of which projects need to be amended and why they are amendments as opposed to administrative changes.

Mr. Edgell asked what action was required on this item; a recommendation to Council to amend the TIP based on a request from DelDOT?

Ms. Wieczorek replied that the TAC would take action based on Mr. Galvin's list and Mr. Timpson's input on the projects. Council would receive a written request from DelDOT prior to the September 8<sup>th</sup> meeting.

Staff and committee reviewed the list with Mr. Timpson to clarify what was needed. There was disagreement concerning the bridge project on Little Hope Road over Gravelly Run (BR2-143A). Mr. Timpson felt that an amendment was not needed, because projects funded out of the bridge preservation program are handled through administrative modifications. Ms. Wieczorek felt this would need to be clarified, as the project is listed as an addition to the TIP and in prior years has been handled as an amendment.

There was also disagreement over the Transit Vehicle Expansion project. Mr. Timpson believed it only required an administrative modification; Ms. Wieczorek felt that changing the year of procurement required an amendment. This would also have to be clarified.

Regarding the US13 and Roosevelt Avenue pedestrian improvement project that was dropped from the TIP, Mr. Timpson reported that the work is being as part of the US13 pavement and rehab program, and not a separate project.

The Bombay Hook project is being funded with federal funds. The funds were originally granted to DelDOT in the amount of \$5M; however, US Fish and Wildlife patrols the Bombay Hook roads and did not have match funding. Congress reduced the funds to \$1.2M and transferred the money to US Fish and Wildlife. Because the money is not going through DelDOT's accounting system, this project is an administrative change, not an amendment.

Wyoming Mill Road was amended in May 2010, but did not include the higher funding level that was adopted into the 2010 TIP.

There was discussion regarding the Clarence Street project in Dover. The project has been removed from the TIP. Mr. Timpson explained that much of the federal funding for the project was provided through TCSP grants. Another grant application is pending for addition funding. There is no additional money for the project at this time. Mr. Koenig noted that the TCSP grant is \$400,000, and another \$1M earmarked for the project separate from the TCSP. Ms. Townshend asked for clarification, that the Clarence Street project funding that is part of the TCSP and the earmarked funds are not affected by changes to the TIP. Mr. Timpson said that was correct.

The Dover Transit Center project did not go out for advertising as early as planned under the ARRA program. It is now under construction, to be completed in February. Bus service is supposed to start in December. DelDOT is looking to start the second phase of the project.

The Motor Fuel Tax amendment: This project did not go away. The State went to a new accounting system. The



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new system cannot currently handle salaries charged against federal funds. The MFT position is one of two that were funded through federal funds and are now being funded with State money. Ms. Wieczoreck asked where the federal money went when it was removed from MFT; Mr. Timpson said that the \$125,000 went “back into the pot.” The position will be funded out of flexible funds. Ms. Wieczoreck asked how the flexible funds are determined for use. Mr. Timpson said they are used to cover unexpected needs and emergencies.

**MOTION** By Ms. Townshend to recommend Council approve the amendments to the ITP based on the understanding that DelDOT will provide documentation to better explain the amendments and that the documentation will include a reference to DelDOT making the Roosevelt Avenue pedestrian improvements as part of the US13 Paving and Rehab project and that the removal of the Clarence Street project from the TIP does not affect the ability for the project to use the TCSP and earmarked funding already allocated to the project. Ms. Townshend noted that Mayor Carey specifically asked about the Clarence Street project. Seconded by Mr. Oliver. Motion carried.

Mr. Koenig then asked about the Downstate Rail Study. Specifically, he asked who made the written request for the study and asked why \$900,000 is necessary, and who is driving the study? He also noted that he was not the only person in Dover who wonders why \$900,000 is needed for this project. Ms. Smith said that the focus is that since there are federal funds, to use State funds for the match. Further discussion questioned the value of doing the study when there was no way to continue the project and the money will have been spent for no purpose. Comments were also made questioning the value to the State, when the terminal destination is in Maryland. DelDOT representatives argued that, in the long view, it would connect the State to Amtrak’s northeast corridor. It is not repeating the prior commuter rail study; this is an inter-city rail line that would run twice a day. Ms. Wheatley noted that there is a lot of demand from downstate to get people to work, and that there was support, need and benefit to downstate users.

Ms. Wieczoreck wrapped up the discussion by noting that TAC members still had questions about how the study was being funded when other projects were being cut without consultation with the sponsoring agency or the MPO, as in the case of the Roosevelt Avenue project.

Mr. Koenig and Ms. Townshend both noted that while they received information on the Roosevelt Avenue at this meeting, the City of Dover has not received any communication from DelDOT directly. Ms. Wieczoreck felt the lines of communication needed to open more. Ms. Townshend felt the lack of communication underscored why the TAC needed documentation on TIP amendments. She said that she understood DelDOT was short-staffed, but it creates problems for the TAC members and the agencies they represent.

### **5. ACTION ITEM: DelDOT Letter Suggesting Federal Fund Programming – DelDOT**

Ms. Wieczoreck noted that TAC members asked for a list of project that would be done under the DelTRAC program. DelDOT sent the list to the MPO, and it was distributed to the committee members. The TAC also asked for, and received, a list of the Transportation Enhancement projects.

She informed Mr. Timpson that the request for clarification on CMAQ funds was due to the understanding that CMAQ rules state the money cannot be used for the same activity more than three years in a row. Staff and committee members required some assurance that the use of funds was allowable. Mr. Timpson said that the rule pertains to operating assistance. Buses could be purchased four years in a row for an expanding fleet using CMAQ funds. The restriction is for operational funds. He also noted that when DelDOT programs CMAQ funds, the information is given to DelDOT Planning. Planning staff perform an air quality analysis and list the benefits and detriments for the project. Documentation is produced on the effect the project has on air quality. Ms. Smith noted that at least seven passengers are needed on a bus at all times to get air quality emissions benefits from a 40-foot fixed route transit bus.

**MOTION** By Ms. Townshend recommending Council approve the federal allocation of funding as it related to Kent County in the letter provided by DelDOT. Seconded by Mr. Wheeler. Motion carried.



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Ms. Wieczorek noted that MPO staff will report to Council that the TAC objects to the use of CMAQ funds for paratransit buses, and that Council relay that information to DelDOT.

At this time, Ms. Wieczorek presented an additional item for discussion. She noted that at the last Regional Bicycle Plan meeting, the committee endorsed a change to US13 as part of a paving project. It was recommended that when US13 is repaved, the lanes be slightly narrowed toward the center, leaving room to stripe bike lanes. She said that this was not an action item, but asked for comments.

There was discussion concerning encouraging bikes on a high speed road; it was noted that bicycles were already out on the highway, and that only children are legally allowed to ride on sidewalks. Mr. Edgell, a member of the RBP committee, noted that while US13 may not seem conducive to bike riding, it is where services and jobs are located. He reported that the committee felt that striping the road would make biking a safer activity in the area.

There was further discussion concerning safety and speed limits.

The general consensus of the committee was in support of striping bike lanes along US13.

### **13. Next Meeting: October 13, 2010, Regular Bi-monthly meeting**

MOTION By Mr. Wheeler to adjourn the meeting at approximately 11:21 AM. Seconded by Ms. Townshend. Motion carried.