



# Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 760-2713 FAX: (302) 739-6340

<http://doverkentmpo.org>

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## DOVER/KENT MPO COUNCIL

### Minutes of September 2, 2009

#### Dover/Kent MPO Council Members and /or Representatives thereof attending:

Brad Eaby, for Brooks Banta, President, Kent County Levy Court, Chairman  
Robert Mooney, Mayor, Town of Camden, for Kent County Municipalities, Vice-Chairman  
Carleton E. Carey, Sr., Mayor, City of Dover  
Kennard Potts for Stephen Kingsberry, Director, Delaware Transit Corporation  
Michael Strange for Ralph Reeb, for Carolann Wicks, Secretary, DeDOT

#### Members not attending:

Elizabeth Olsen, DE Dept. of Safety & Homeland Security, for Governor Markell, State of Delaware  
Letitia A. Thompson, Regional Administrator, Region III, Federal Transit Admin. (FTA)  
Hassan Raza, Division Administrator, Federal Highway Admin. (FHWA)

#### Non-members attending:

Secretary Collin O'Mara	James Merriweather, The News Journal
William Osborne, TMA DE	Dave Fry
Connie Holland, Office of State Planning	Dave Edgell, Office of State Planning
Julie Wheatley, Sussex County	Juanita Wiczoreck, MPO Staff
Kate Layton, MPO Staff	Jim Galvin, MPO Staff
Catherine Samardza, MPO Staff	

The meeting was called to order without a quorum, and began with non-action items, including Item 6, Secretary O'Mara's presentation.

1. Introduction of Members & Guests
2. Public Comments
3. **PRESENTATION:** Collin O'Mara, Secretary, DNREC

Secretary O'Mara talked about how Delawareans needed to look at how we use energy. There are a lot of pieces to being "green" – land use, sustainable practices, conservation, mass transit and others. All of these pieces must fit together, and there is a growing consensus that these things are important. He felt that a massive educational campaign would be required for the public, as well as coordination between government agencies.

There was a quorum present after Secretary O'Mara's presentation.

#### 4. **ACTION ITEM: Approval of Agenda**

MOTION By Mayor Carey to approve the agenda with the change in order. Seconded by Mr.Potts.  
Motion carried.

#### 5. **ACTION ITEM: Approval of Minutes/July 1, 2009**

MOTION By Mayor Carey to approve the minutes. Seconded by mayor Mooney. Motion carried.

#### 6. **ACTION ITEM: Annual Meeting**

Ms. Wiczoreck took over as chair for the elections.

##### 6.1 Elections

MOTION By Mayor Mooney nominating Mr. Eaby as chair. There was no second and the motion failed.



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MOTION By Mr. Eaby nominating Mayor Mooney as chair. Seconded by Mayor Carey. Motion carried.

MOTION By Mr. Potts to close the nominations. Seconded by Mr. Eaby. Motion carried.

Mayor Mooney was elected by acclamation.

MOTION By Mayor Mooney nominating Mayor Carey as vice-chair. Seconded by Mr. Eaby. Motion carried.

MOTION By Mr. Potts to close the nominations. Seconded by Mr. Eaby. Motion carried.

Mayor Carey was elected by acclamation.

## 6.2 FY 2009 Completion Report

Ms. Wieczorek reviewed the completion report.

MOTION By Mr. Eaby to accept the completion report. Seconded by Mr. Potts. Motion carried.

## 7. ACTION ITEM: Proposed Amendment to the FY 2010 Unified Planning Work Program Budget – J. Wieczorek

Ms. Wieczorek explained that funding was needed to complete public outreach activities for certain FY09 projects. She proposed moving \$4,500.00 out of 10-07 Transportation Studies and into 10-03 Public Participation. When FY09 is closed out, money will be available to replace the funds for Transportation Studies. This will not immediately impact Transportation Studies because currently there are no studies to be funded. She reported that the TAC and PAC recommended that Council approve this change.

MOTION By Mayor Mooney to approve the adjustment to the budget. Seconded by Mayor Carey. Motion carried.

## 8. PRESENTATION and DISCUSSION: FY 2010 Bond Bill and Changes to the FY 2010-2013 Transportation Improvement Program

Mr. Galvin reviewed the changes in the absence of a representative from DelDOT Finance. Council members followed the review in the materials distributed to them.

## 9. ACTION ITEM: Proposed Amendment to the FY2010-2013 Transportation Improvement Program

Ms. Wieczorek suggested taking action on the amendments by category.

Prior to voting, there was discussion concerning the projects and process. Due to federal deadlines, DelDOT required action on these amendments prior to October 1, 2009, or funding for the State would be delayed. A 30-day public comment period was required for the MPO approvals, and would not expire until the end of September. Ms. Wieczorek suggested that Council adopt the amendments pending the outcome of the comment period.

Ms. Wieczorek reported that while the PAC recommended approval of the amendments, the TAC declined to take action on these amendments. The committee members had serious concerns about the lack of notice given for them to review the projects.

MOTION By Mayor Mooney to adopt the two TIP amendments for changing the construction years for the arterial projects SR1 grade separated intersections of SR1 at Little Heaven and SR1 at Frederica. Seconded by Mayor Carey.

Prior to voting there were more questions concerning the TAC's position on the amendments. In particular was the Forrest Street/Loockerman Street improvement project that had been dropped from the TIP due to lack of funds. Scott Koenig from the City of Dover discussed this project with DelDOT after the TAC meeting, requesting that it be put back into the TIP. The project was put back into the CTP, but not into the current TIP. Ms. Wieczorek explained that DelDOT is apportioning



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money to get projects finished with the money they have, rather than putting money into a project that will not be completed.

Mr. Osborne noted that there were concerns about the process; it was felt that DelDOT should discuss changes affecting municipal projects with those municipalities before making those changes.

Mayor Carey asked if Mr. Koenig was happy with how this project was now being handled; Ms. Wiczoreck reported that he was.

Mr. Ruane asked why this project was delayed and not the West Dover Connector; Ms. Wiczoreck said she believed that the West Dover Connector was given a higher priority than the Loockerman Street project. Mr. Ruane felt that the City of Dover might have some changes in priority if they were asked about these projects. Ms. Wiczoreck also noted that the funding comes from different federal programs and she was not sure if it was possible to move the funds between some of these projects because they were different categories.

Motion carried.

**MOTION** By Mayor Carey to amend the TIP to add the following four projects: the Harrington Truck Route; Bombay Hook Road; Clarence Street Extension; and Wyoming Mill Road re-alignment.  
Seconded by Mayor Mooney. Motion carried.

**MOTION** By Mayor Mooney to amend the TIP to include the listed Bridge and Pipe replacement projects: Bridge 2-012B, SR9 over Leipsic River; Bridge 2-040A, School Run over Duck Creek; Bridge 2-186A on Strauss Avenue in Marydel; and Bridge 2-429A Jackson Ditch Road over Brown's Branch Pipe replacements in Kent County: Bridge 2-033A Canterbury Road; Bridge 2-105B Peachtree Run Road; Bridge 2-254A Olive Cemetery Road; Bridge 2-275C Park Brown Road.  
Seconded by Mayor Carey. Motion carried.

**MOTION** By Mayor Carey to amend the transit projects, Dover Transit Center, eliminating building construction and changing the funding amount. Seconded by Mayor Mooney. Motion carried.

**MOTION** By Mayor Mooney to amend the TIP to include the two Statewide programs: Bicycle/Pedestrian Facilities Enhancement projects and Pedestrian Movement Enhancement program.  
Seconded by Mayor Carey. Motion carried.

## **10. ACTION ITEM: Proposed FY2010 Federal Fund Programming – J. Wiczoreck**

Ms. Wiczoreck reviewed the letter from DelDOT requesting concurrence with the use of federal funds for Congestion Mitigation Air Quality projects (CMAQ) and other federal programs.

**MOTION** By Mayor Carey to concur with the use of federal funds. Seconded by Mayor Mooney.  
Motion carried.

## **11. Municipalities Report – R. Mooney, Others**

Mayor Mooney reported that he met with Secretary Wicks and expressed his concern and disappointment at the loss of municipal street aid money. Mr. Strange noted that DelDOT is trying to allocate stimulus funds to paving projects; Mayor Mooney questioned whether it would be applied to municipal projects. Mr. Strange said that he would bring that message back to DelDOT.

## **12. TAC Report – J. Wiczoreck**

Ms. Wiczoreck noted that Mr. Osborne had already discussed the TAC concern with the TIP process. She reported that Scott Koenig was elected TAC chair and David Edgell was elected vice-chair. She also reported that Mayor Tinari of Cheswold was very concerned with the intersection of US13 and 42; there are safety issues with pedestrians crossing the highway to get to Royal Farms, and trucks driving over the curb to make turns. Ms. Wiczoreck said she spoke with Mark Lucsz at DelDOT but to date there was no solution to the problem. She also read the following statement by Ann Marie Townshend that the TAC



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asked to forward to Council:

“As a resident of a municipality and an employee of a municipality, I have issues with the State saying they want to promote growth in municipalities but then cutting the Municipal Street Aid to local governments. Municipalities provide routine maintenance of State roads running thorough their jurisdictions as well as all the local streets. For a subdivision built in unincorporated Kent County, in some cases where the State’s policy is to discourage growth, the State provides the street maintenance, including services such as snow removal. Taking away a source of funding for municipalities to maintain and improve streets within their jurisdictions goes counter to the State’s policy over the past ten plus years of supporting growth in municipalities.”

Mr. Eaby noted that Tony DePrima wrote an article for the newspapers about this issue as well.

### **13. PAC Report – K. Layton**

Ms. Layton reported that the PAC is reviewing the public participation policy. She expects to review the PAC comments at their next meeting in October, and it will be on the Council agenda for November or January. She also reported that she is still researching plaques for a memorial for Mr. Ornauer. MPO staff is also talking to Mark Lucsz at DeIDOT about placing some sort of memorial at the Mifflin Road roundabout or in the vicinity. DeIDOT has concerns about putting anything in the roundabout for safety reasons.

### **14. Project Update:**

- 14.1 Public Outreach – K. Layton**
- 14.2 Public Education – K. Layton**
- 14.3 Transportation Studies – J. Galvin**

### **15. Executive Director’s Report**

- 15.1 UPWP and Financial Reports**
- 15.2 Correspondence**

**Next Meeting: November 4, 2009 – Camden Town Council Chambers**