DELAWARE VALLEY REGIONAL PLANNING COMMISSION

BOARD COMMITTEE

Minutes of Meeting of September 25, 2003

Location: Commission Officer
The Bourse Building, 8th Floor
111 S. Independence Mall, East
Philadelphia, PA 19106

Membership Present

New Jersey Department of Community Affairs
Joyce Paul

New Jersey Department of Transportation
James Lewis

Governor of New Jersey's Appointee
Tracie Gelbstein

Governor of Pennsylvania’s Appointee
(not represented)

Pennsylvania Governor’s Policy Office
Joanne R. Denworth

Pennsylvania Department of Transportation
Thomas TenEyck

Bucks County
Charles H. Martin
Lynn Bush

Chester County
William H. Fulton

Delaware County
Thomas Shaffer

Montgomery County
Lewis F. Gould, Jr., Esq.
Kenneth Hughes

Burlington County
Jerald R. Cureton, Esq.

Camden County
Thomas J. Gurick
J. Douglas Griffith

Gloucester County
Charles E. Romick
Mercer County

City of Chester

City of Philadelphia

City of Camden

City of Trenton

Non-Voting Members

Federal Highway Administration
    New Jersey Division

    Pennsylvania Division

U.S. Department of Housing and Urban Development, Region III

U.S. Environmental Protection Agency, Region III

New Jersey Office of Smart Growth

Federal Transit Administration, Region III

Southeastern Pennsylvania Transportation Authority

New Jersey Transit Corporation

Port Authority Transit Corporation

Delaware River Port Authority

New Jersey Department of Environmental Protection

Pennsylvania Department of Environmental Protection

Pennsylvania Department of Community and Economic Development

Donna Lewis

(not represented)

Gary Jastrzab

(not represented)

Andrew Carten

Lawrence Cullari

Spencer Stevens

Laura Welsh

(not represented)

(not represented)

(not represented)

Janet Kampf

Christopher Patton

James Schwarzwalder

Linda Hayes

Anisah Abiola

William Purdie

(not represented)

Ronald K. Bednar
Regional Citizens Committee Chairman  Dennis Winters

**DVRPC Co-Counsel**

Pennsylvania Co-Counsel  Elizabeth Witmer, Esq.
New Jersey Co-Counsel  Thomas Coleman, Esq.

**DVRPC Staff:** John J. Coscia, Donald S. Shanis, Barry J. Seymour, William Greene, Richard Bickel, Elizabeth Schoonmaker, John Ward, Candace Snyder, Phyllis Robinson, and Jean McKinney.

**Guests**

Pennsylvania Department of Transportation  Greg Brown (Dist. 6-0)
New Jersey Department of Transportation  Brian Cuccia
Dana Hecht
Amy Kennard
Camden County  Eve Charles
Curt Noe
Federal Highway Administration (NJ Division)  Ron Bersch
Delaware River Joint Toll Bridge Commission  Roger Sager
Vollmer Associates  Jeremy Alvarez
10,000 Friends of Pennsylvania  Oliver Carley

**Call to Order**

Chairman Thomas J. Gurick called the meeting to order at 10:35 a.m.

Chairman Gurick presented former chairman Charles H. Martin with a plaque commemorating his able leadership, untiring contributions, and outstanding service to the region as DVRPC Board Chairman from July 1, 2002 through July 30, 2003.

Mr. Martin thanked the board members and the DVRPC staff.
Public Comments

Comments from the public were invited to be heard on non-agenda items. No comments were stated.

1. Minutes of Meeting of July 24, 2003

On a motion by Mr. Lewis, seconded by Mr. Cureton, the minutes of the meeting of July 24, 2003 were approved as distributed.

2. Transportation Improvement Program (TIP) Actions

Donald S. Shanis, DVRPC staff, briefed the Board on the following TIP Actions:

a. TIP Action PA03-33: Route 202 Section 300 and Section 400 Transit Related Congestion Mitigation Strategies (CMS), Chester County

Dr. Shanis stated that Chester County has requested DVRPC modify the FY2003-2006 TIP for Pennsylvania by increasing the FY04 and FY05 construction phases of the Route 202 (Section 402) reconstruction project in order to fund the continuation of transit services instituted as part of the Congestion Mitigation System (CMS) Strategies. The request is for an additional $700,000 in FY04 ($560,000 federal highway funds/$140,000 state match) and $690,000 ($552,000 federal highway funds/$138,000 state match) in FY05. In order to ease congestion during the construction process, various transit services have been operating as the CMS for the Route 202 Section 400 project since 1999. Section 400 is now nearing completion, and the next section to be undertaken will be Section 300 which will also require transit CMS services. It is anticipated that Section 300 (and therefore the ensuing CMS transit services) will not get started for approximately two years. In order to provide “seamless” service, the county is requesting that the additional funding be provided to continue three of the CMS transit services (SEPTA’s Route 204 bus, SEPTA’s enhanced R5 service, and Greater Valley Forge Transportation Management Association subscription bus service) during this interim period between the completion of Section 400 through the beginning of construction of Route 202 Section 300.

Financial Constraint will be maintained by making adjustments to other existing TIP projects whose schedules or costs have changed. The TIP’s conformity finding will not be impacted by this modification as this project has already been included in the region’s air quality analysis.
Favorable recommendation was received from the Planning Coordination Committee/Regional Transportation Committee (PCC/RTC) and the Regional Citizens Committee (RCC), that the Board adopt TIP Action PA03-33.

The Board unanimously adopted the following motion:

MOTION by Mr. Fulton, seconded by Mr. Gould, that the Board approve TIP Action PA03-33, Chester County’s request to modify the FY 2003 TIP for Pennsylvania (FY2003-2006) by increasing the FY04 and FY05 construction phases of the Route 202 (Section 402) project in order to fund transit related Congestion Mitigation System (CMS) strategies. This project would program $560,000 federal highway/$140,000 state match in FY04 and $552,000 Federal Highway/$138,000 state match in FY05.

b. TIP Action NJ04-01: Route 295 / 38 Missing Moves, Mount Laurel, Burlington County

Dr. Shanis stated that NJDOT has requested that DVRPC amend the FY2004-2006 TIP for New Jersey by adding the Route 295 / 38 Missing Moves project in Mt. Laurel (DB #191A) into the TIP with a $2.5 million PD (Preliminary Design) phase in FY04 using federal Interstate Maintenance funds. The project is programmed in the Study and Development section in the 2004 TIP which will take affect at the beginning of the new federal fiscal year on October 1, 2003. Adding a FY04 preliminary design phase will enable the project to be advanced. The interchange at Route I-295 and Route 38 in Burlington County currently does not provide direct traffic movements between the two roadways. Close proximity to the New Jersey Turnpike complicates the design and construction issues for completing the interchange.

Financial Constraint will be maintained by making adjustments to other existing TIP projects whose schedules or costs have changed. The TIP’s conformity finding will not be impacted by this amendment.

Favorable recommendation was received from the PCC/RTC and the RCC, that the Board adopt TIP Action NJ04-01.

The Board unanimously adopted the following motion:

MOTION by Mr. Cureton, seconded by Mr. Romick, that the Board approve TIP Action NJ04-01, NJDOT’s request to amend the FY 2004 TIP for New Jersey (FY2004-2006) by adding the Route 295/38 Missing Moves project
into the TIP with a $2.5 million preliminary design phase in FY04 using Interstate Maintenance funds.

3. DVRPC FY 2004 Planning Work Program Amendments

   a. Pennsylvania Route 113 Heritage Corridor Transportation Land Use Study, Tinicum Township, Bucks County and Upper Providence Township, Montgomery County

Dr. Shanis explained to the Board that the purpose of this study is to assess existing conditions, to define areas of the corridor which would be best served by context-sensitive design, to develop knowledge of future plans from local communities, to create future traffic forecasts, and to work with community leaders to develop appropriate transportation solutions and priorities. The concept of this study was developed through the PA 113 Heritage Corridor Partnership, a diverse group of local business, preservation, recreation and community leaders. The Partnership envisioned this study as a means to help them meet their goal of providing needed transportation improvements, while at the same time maintaining a “town and country” setting that is typical of the PA 113 corridor.

The Regional Improvement Consortium (RIC), a member of the group, has accepted the role of leadership in the project development. The RIC has been chosen to receive a federal grant for the project and the DVRPC will administer these funds, with representatives from the Montgomery and Bucks County Planning Commissions assisting as core group members.

The total cost of this project is $170,000 funded by PennDOT Public Lands Highway Discretionary Funds (PLHD).

After favorable recommendation was received from the PCC/RTC and RCC the Board unanimously adopted the following motion:

**MOTION** by Mr. Bednar, seconded by Ms. Denworth, that the DVRPC Board amend the FY2004 DVRPC Planning Work Program to include the Pennsylvania Route 113 Heritage Corridor Transportation Land Use
b. **Smart Growth Policy for Sewer and Water Infrastructure Analysis (Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties)**

Barry Seymour, DVRPC staff, explained that the Environmental Protection Agency’s *Making Smart Growth Work: Community Innovations and Responses to Barriers* grant program has funded a study “Smart Growth Policy for Sewer and Water Infrastructure”. The study area covers Bucks, Chester, Delaware, Montgomery and Philadelphia counties in southeastern Pennsylvania and will be managed by 10,000 Friends of Pennsylvania. Phase I of the project focused on sewer systems and growth patterns and was divided into 3 tasks over a one year time frame. DVRPC was subcontracted to perform 2 of the 3 tasks. Phase II of the study focuses on water systems and DVRPC will again be subcontracted to perform 2 of 3 tasks. The DVRPC analysis will provide a regional inventory of franchise and existing water service areas and their current permitted allocations, usage, and population served. DVRPC will also determine the degree of new housing constructed within existing water service areas, within newly expanded service areas, and within areas not served by public water.

This study will help to relate development patterns to the availability of public water service.

The funding for this project will be $20,000 from the U.S. Environmental Protection Agency, via a subcontract with 10,000 Friends of Pennsylvania.

John J. Coscia, Executive Director, stated that a similar study is needed in Southern New Jersey and urged the New Jersey Commissioners to consider this type of program.

After favorable recommendation was received from the PCC/RTC and RCC the Board unanimously adopted the following motion:

**MOTION** by Ms. Denworth, seconded by Mr. Fulton, that the Board amend the DVRPC FY 2004 Planning Work Program to include the Smart Growth Policy for Sewer and Water Infrastructure Analysis in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.

4. **DVRPC’s Disclosure of Public Records Policy**

Mr. Coscia pointed out to the Board the draft *DVRPC Disclosure of Public Records Policy* dated September 9, 2003 (distributed to the Board). The State of New Jersey
enacted PL 2001 c. 404, an Open Public Records Act, as of January 8, 2002. The Delaware Valley Regional Planning Commission (DVRPC) is subject to the provisions of this statute and the Act requires DVRPC to adopt a policy for the release of “Public Records” as defined in the Act and to prominently post such policy. It has been determined that DVRPC is not subject to the analogous statute in Pennsylvania (Right-to-Know (PL 390), however Mr. Coscia and the DVRPC staff recommends that a uniform policy be submitted for both Pennsylvania and New Jersey.

The Draft was reviewed by both Pennsylvania and New Jersey Co-Counsels and slightly revised. Mr. Coscia pointed out one revision of importance on page one, second paragraph of the Introduction as follows:

While it has been determined that DVRPC is not subject to the analogous statute in Pennsylvania (Right-to-Know Law) as amended with Act No. 2002-100 enacted June 29, 2002), the Delaware Valley Regional Planning Commission serves both Pennsylvania and New Jersey and will treat all requests for disclosure of public records uniformly. However nothing in the DVRPC Disclosure of Public Records Policy is intended to subject DVRPC to any statute or regulation which otherwise would not apply.

The Board unanimously adopted the following Motion:

MOTION that the Board authorize the Executive Director to implement the proposed Disclosure of Public Records Policy, to prominently post such policy, and to make such policy part of DVRPC’s Public Participation strategy.

5. Regional Citizens Committee (RCC) Report

Dennis Winters, RCC Chairman, reported on additional items from the RCC meeting held on September 16, 2003 as follows:

The RCC passed a motion recommending that the DVRPC Board forward the RCC’s analysis as the committees’ response to SEPTA’s request for the data used to compile the July RCC recommendations regarding efficiencies. A delegation of RCC members would be willing to meet with SEPTA officials to discuss this data. The RCC also asks that SEPTA provide a representative to meet with the RCC at a future time to discuss present plans for marketing rail service in the region. The analysis was distributed to the Board as part of the RCC recommendations to the Board for September 25, 2003 (attached as part of these minutes).
Mr. Coscia responded that the RCC’s comments would be forwarded to SEPTA.

Christopher Patton, SEPTA, also responded that SEPTA would take the RCC’s recommendations under advisement.

Mr. Coscia added that the next DVRPC FY 2005 Planning Work Program meeting is scheduled for October 9, 2003 and urged the RCC to submit their input for the Work Program by October 1, 2003.

6. Pennsylvania State Transportation Commission Public Hearing

Mr. Coscia reported that the Pennsylvania State Transportation Commission Public Hearing is scheduled for September 26, 2003. Encouraging the Board members to attend, Mr. Coscia stressed the importance of making the state commissioners aware of the region’s priorities.

Mr. Coscia informed the Board that he would be making a presentation to the commission. The main focus of the presentation will be an overview of the region and the importance of our five Southeastern Pennsylvania counties as an economic engine which drives Pennsylvania. Mr. Coscia will also stress the challenges facing the region.

7. Development of the DVRPC FY 2005 Planning Work Program

Mr. Coscia reported on the first DVRPC FY 2005 Planning Work Program which took place preceding the Board Meeting. The mandated FY 2004 projects were presented which are presently being worked on and need to continue or be phased into next year. The funding for these projects were subtracted from the total funding and approximately $.5 million is available for new projects from the regular program. Other sources of funding, such as supplemental PL, land use, TIP, etc. can also be obtained for high priority projects. Five letters were received from the counties; three from New Jersey (Burlington, Camden, and Gloucester Counties), and two from Pennsylvania (Montgomery and Chester Counties). Mr. Coscia urged the remaining counties to submit their letters stating their recommended projects.

The next Planning Work Program meeting is scheduled for October 9, 2003. At this meeting the recommended projects will be reviewed and ranked in priority order. Mr. Coscia stressed to the Board the importance of attending this meeting.

8. Executive Director’s Report

Mr. Coscia reported on the following:

Mr. Coscia pointed out the end of FY 2003 Report for the SRH Planning Program and the TSP (distributed to the Board) showing the allotted funding expended to date for their programs. Mr. Coscia explained that all the counties submitted their invoices and project reports and spent the total funds allotted for the SRH Planning Program. The TSP funding was also expended extremely well.

b. **DVRPC Comments on Pennsylvania Recommendation for Eight Hour Ozone Nonattainment Area**

Mr. Coscia pointed out the September 2003 *Alert* report (distributed to the Board). He commented that the Pennsylvania recommendation for eight hour ozone nonattainment is not consistent for New Jersey or the state of Delaware. Mr. Coscia then read the two paragraphs from the *Alert* report as follows:

*Pennsylvania’s proposal is very similar to the existing one-hour boundary. It includes thirteen counties in southeastern Pennsylvania, southern New Jersey, northern Delaware and northeastern Maryland. The only difference between the proposed eight-hour and existing one-hour boundary is the exclusion of Kent County, Delaware from the eight-hour proposal.*

*New Jersey has proposed a much larger nonattainment area for the eight-hour standard. New Jersey proposed splitting the state in half with the northern portion being part of the New York-Connecticut-Northern New Jersey nonattainment area and southern New Jersey being part of an expanded Philadelphia-Wilmington-Trenton nonattainment area. New Jersey’s proposal also recommends that the nonattainment boundary be expanded on the Pennsylvania side of the river to include Lehigh, Berks, Lancaster, and York Counties, as well as the entire state as Delaware.*

Mr. Coscia then commented on the letter sent to J. Wick Havens, Bureau of Air Quality, which stated DVRPC’s recommendations as follows:

*DVRPC supports Pennsylvania’s recommendation to the USEPA. The proposal follows logical boundaries based on government and planning jurisdictions as well as commuting patterns. Extending the nonattainment area under the eight hour standard, as New Jersey and Delaware have proposed, will make it much more difficult to achieve attainment. Specifically, the high-design value of the monitor in Ocean County, New Jersey will most likely mean that our nonattainment area will be*
reclassified to a higher nonattainment status if it is included in our nonattainment area.

Through our region’s TIP, we have the ability to impact our conformity status by programming projects with positive air quality impacts. However, we only have control over the TIP in our region. Ocean County is within the North Jersey Transportation Planning Authority MPO but would be in our nonattainment area, even though we would not have any input into the county’s transportation program. Pennsylvania’s proposed nonattainment area covers three MPO’s that have an existing working relationship. Alternative proposals would require coordination among nine or more MPO’s.

DVRPC would support the Pennsylvania proposal, however, if the New Jersey proposal becomes part of the law, DVRPC would have to deal with nine MPO’s and a much broader region.

Mr. Coscia requested that all Board members and alternates review the letter and that this issue be discussed further at the October Board meeting.

c. Central New Jersey Forum Meeting, September 12, 2003

Mr. Coscia reported that the Central New Jersey Forum meeting was well attended. A number of items were covered including presentations on the New Statewide Freight in New Jersey Study, the Lawrence/Hopewell Bike Trail Project, Connectivity Between Buses, the Northeast Corridor Rail Lines, and the South Jersey Light Rail, and an update on the Bus Rapid Transit (BRT).

d. Major Metro Area National Association of Regional Councils (NARC) Conference, Los Angeles, September 5-9, 2003

Mr. Coscia attended the NARC Conference in Los Angeles. At that conference, presentations were given on Regional Growth Patterns. A representative also presented President Bush’s views on the new legislation. Discussions took place on Income Distribution in the Region and the impact on housing and transportation, How to Transform Regional Actions into Local Implementation, Assessment, and Benchmarking State of the Region Reports. Finally, Best Practices Presentations were given by each attending Executive Director.

e. DVRPC Annual Board Retreat, December 3, 2003, Trenton Marriott

Mr. Coscia reported that the DVRPC Annual Board Retreat being be held on December 3, 2003 at the Trenton Marriott will include Larry Kane as the keynote
speaker and facilitator. Visioning sessions will be conducted in round table discussion on the following subjects: the economy, the environment, transportation facilities, transportation operations, urban revitalization, growth management, and equity and opportunity. Also, the new DVRPC video will be shown to the guests and a tour is being planned.

f. Reauthorization of TEA-21

Due to some financing and environmental issues that have not been resolved, Congress is proposing a five-month extension before voting on the Reauthorization of TEA-21. Mr. Coscia brought to the Board’s attention the two articles (distributed to the Board) entitled: Congress Postpones Highway Bill, and Six-Month and Five-Month Extensions for Funding of Federal Highway, Transit and Safety Programs Introduced in U. S. House.

g. Blue Ribbon Transportation Commission

Mr. Coscia reported that Governor James E. McGreevey issued Executive Order 43 establishing the Blue Ribbon Transportation Commission to examine and make recommendations on the pressing transportation issues facing New Jersey over the next ten years. The Commission is charged with providing a final report of recommendations to the Governor by the end of the year and the report will be made available to the public at that time.

9. Planning at the Edge

Richard Bickel, DVRPC staff, presented to the Board the Final Report entitled: Planning at the Edge - Communication, Coordination, Consultation to Address Common Issues Across Regional Boundaries. DVRPC coordinated with the six Metropolitan Planning Organizations (MPOs) that border the Delaware Valley (i.e., those in North Jersey, South Jersey, Wilmington, Lancaster County, Berks County, and the Lehigh Valley) to determine mutual plans, issues and projects that cross regional boundaries. Through a study advisory committee, including DVRPC’s county member governments, examples of successful inter-regional coordination activities were reviewed, as well as techniques to enhance communication, coordination and cooperation. The study effort will be continued in FY 2004.

10. Committee Reports

The following committee reports were distributed to the Board DVRPC for their review: (1) PCC / RTC; (2) Information Resource Exchange Group; (3) Regional Aviation Committee; (4) Regional Housing Committee; and (5) Regional Land Use
Roger Moog, DVRPC staff highlighted some items from Regional Aviation Committee Meeting of September 11, 2003.

Mr. Moog reported that Bucks County has acquired Vansant Airport from the private owners, and it will be operated as it currently exists by the Bucks County Airport Authority. However, Excelon, the owners of Pottstown/Limerick Airport in Montgomery County want to be relieved of ownership and sell it to a public or private organization. If a sale does not take place the owners want to liquidate the airport. Since this airport is important to the region, DVRPC is working with Excelon to locate other alternative owners.

Input to the PENNDOT request for an airport grant allocation model for the Pennsylvania portion of the region was solicited. In the future, tentative grant allocation totals will be conveyed to DVRPC annually to provide a realistic environment for regional project selection.

DVRPC has been requested to participate, with the Port Authority of New York and New Jersey and New York Department of Transportation, on a super-regional study of Air Service Demand and Capacity at nine commercial service airports including Atlantic City, Lehigh Valley International, Trenton Robbinsville, three New York metro airports and three southern New York state airports.

Mr. Seymour brought the Board’s attention to the Executive Summary Report entitled: *Linking Transit, Communities and Development: Regional Inventory of Transit-Oriented Development Sites (Volume 1)* (distributed to the Board).

11. **One Minute Reports**

(1) Lewis F. Gould, Jr., Esq., Montgomery County, reported that Lower Merion Township, Montgomery County was awarded a $50,000 Transportation and Community Development Initiative (TCDI) grant at the DVRPC Annual Dinner in June of 2002. These funds were to be used to repair the Ardmore Train Station. Mr. Gould was proud to say that through this grant and additional public/private partnerships a visioning process began which encompassed a much more comprehensive study (Hilliar Study) resulting in significant economic development in the community. A second stage of the study is also planned for the future.

(2) Mr. Gurick, Camden County Freeholder, reported that three years ago a Street Scapes beautification process was begun in Camden County’s first generation suburbs (Collingswood, Oaklyn, Gloucester City). These towns have taken steps to beautify the Main Streets in their communities similar to Manayunk’s Main Street.
OLD BUSINESS

No old business was stated.

NEW BUSINESS

No new business was stated.

There being no further business, the meeting was adjourned at 12:05 p.m.

Attachments:

(1) PCC/RTC Recommendations to the Board for September 25, 2003
(2) RCC Recommendations to the Board for September 25, 2003

Additional Documents Distributed to the Board:

(1) Alert, September 2003
(2) Freight Lines, September 2003
(3) TravelSmart, September 2003
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Delaware River Joint Toll Bridge Commission
Roger Sager

Vollmer Associates
Jeremy Alvarez

10,000 Friends of Pennsylvania
Oliver Carley

Regional Citizens Committee Chairman
Dennis Winters
Call to Order

Thomas J. Gurick, Chairman called the meeting to order at 12:06 p.m.

1. Minutes of Meeting of September 25, 2003

   On a motion by Ms. Denworth, seconded by Mr. TenEyck, the minutes of the meeting of September 25, 2003 were approved as distributed.

2. Contract Authorizations:

   a. Pennsylvania Route 113 Heritage Corridor - Transportation Land Use Study, Tinicum Township, Bucks County and Upper Providence Township, Montgomery County

      Mr. Coscia explained that authorization from the Executive Committee is needed for DVRPC to negotiate a contract with McMahon and Associates and the Regional Improvement Consortium for the Pennsylvania Route 113 Heritage Corridor - Transportation Land Use Study.

      The Executive Committee unanimously adopted the following motion:

      MOTION by Ms. Denworth, seconded by Mr. Martin, that the Executive Committee authorize the Executive Director to enter into a contract with McMahon and Associates and the Regional Improvement Consortium for the Pennsylvania Route 113 Heritage Corridor - Transportation Land Use Study.

   b. Smart Growth Policy for Sewer and Water Infrastructure Analysis (Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties)
Mr. Coscia explained that Executive Committee authorization is needed for DVRPC to enter into a contract with 10,000 Friends of Pennsylvania to undertake an analysis of the Water Infrastructure in Southeastern Pennsylvania.

The Executive Committee unanimously adopted the following motion:

**MOTION** by Ms. Denworth, seconded by Mr. King, that the Executive Committee authorize the Executive Director to enter into a contract with 10,000 Friends of Pennsylvania to undertake an analysis of the Water Infrastructure in Southeastern Pennsylvania.

**OLD BUSINESS**

No old business was stated.

**NEW BUSINESS**

No new business was stated.

There being no further business, the meeting was adjourned a 12:08 p.m.