

Southwestern Pennsylvania Commission
Minutes of the Meeting of
December 5, 2005
Regional Enterprise Tower – 425 Sixth Avenue, 31st Floor – Pittsburgh, PA 15219
4:30 p.m.

The fifty-second meeting of the Southwestern Pennsylvania Commission was called to order by Chairman, Dave Coder.

Commission members present were: Andrew Boni, Bracken Burns, Charles Camp, Eric Carlson, H. Daniel Cessna, Dave Coder, Steven Craig, Robert DeLotto, David Johnston, James Kennedy, Larry King, Allen Kukovich, Phil Light, Scott Lowe, Larry Maggi, Kevin McCullough, Terry McMillen, David Miller, Larry Morris, Henry Nutbrown, Dan Onorato, Andrew Quinn, Carmen Rozzi, James Scahill, Michael Silvestri, Bernie Smith, Pam Snyder, Joe Spanik, Gealy Wallwork, Joseph Widmer and Norma Wintermyer.

Commission members absent were: Glenn Anderson, Tom Balya, Karen Bennett, Susan Borinsky, Orlando Capretto, Tom Ceraso, James Cheatham, Dan Donatella, Richard Fink, Edward Fosnaught, David Frick, James Gagliano, Jr., John Gardner, Susan Golomb, Joseph Hardy, Dana Henry, Richard Hogg, C. L. Jabbour, Ellen Kight, Patricia Kirkpatrick, Robbie Matesic, Tom Murphy, William Peduto, Rodney Ruddock, Daniel Santoro, Mark Schneider, Richard Shaw, Mark Snyder, Byron Stauffer, Jr., Anthony Spossey, Joe Szczur, Sala Udin, Dennis Veraldi, Port Authority; Vince Vicites, Daniel Vogler, Charles Zappala and Angela Zimmerlink.

Others: Shawn Fox, Allegheny County; Lynn Heckman, Allegheny County Department of Economic Development; Bill Hunt, Elmhurst Group; Tara Aiello and Adam McGurk, Moon Transportation Authority; Marilyn Skolnick, Sierra Club; Jon Smith, Allegheny County Transit Council; Matt Smoker, FHWA and John Verbanac, SPC Consultant.

Staff: Jim Hassinger, Kirk Brethauer, Chuck DiPietro, Chuck Imbrogno, Vince Massaro, Marge Nalesnick, Shannon O'Connell, Dee Pamplin, Tom Straw, Kay Tomko, Debbie Tritsch and Carol Uminski.

1. Action on Minutes of the October 24th Meeting

The minutes of the October 24, 2005 meeting of the Southwestern Pennsylvania Commission were approved on a motion by Commissioner Scahill which was seconded by Commissioner Kennedy. The affirmative vote was unanimous.

2. Public Comment

None.

3. SPC Audit Report

The SPC audit report was presented by Mr. Tim Morgus, CPA, from the accounting firm of Maher Duessel, CPA's. Mr. Morgus stated that their audit of the financial records of the SPC, for the period ending June 30, 2005, was conducted in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States. He stated that, in their opinion, the financial statements of the SPC present fairly, in all material respects, the financial position of the SPC. He further stated that during the year, the ARC/RLF program wrote-off three uncollectible loans totaling \$356,767. Also, the business activities of the SPC, relating to the operations of the Regional Enterprise Tower, reflected a net decrease in the change in net assets of \$842,336. This net loss included depreciation/amortization charge of \$1,411,435 plus transfers-in of \$461,358. In conclusion, Mr. Morgus stated that there were no matters of internal control to report nor any findings and questioned costs for federal awards. The audit report as presented was unanimously accepted by the Commission Members.

4. Action on Resolution 21-05 to Ratify the Emergency Vote by PennDOT for the 31st Street Bridge 2005-2008 Transportation Improvement Program Amendment in the City of Pittsburgh

Chuck DiPietro reported that this action is to reaffirm the recent Commission TIP amendment by fax vote that was completed consistent with SPC Bylaws Section 13.12, "Informal Action by the Commissioners", in between meetings. This request was brought to the Commission by PennDOT District 11-0 and Central Office for immediate action because they were working on a tight deadline to award the project.

Commissioner Widmer moved:

WHEREAS, PennDOT District 11-0 requests a cost increase from \$22.62 million to \$29.54 million for the construction phase of the 31st Street Bridge in the City of Pittsburgh (\$5.584 million federal and \$1.396 million State) in FFY 2006 on the region's 2005-2008 Transportation Improvement Program (TIP); and

WHEREAS, the source of funds for this cost increase to cover the low bid are from additional spike funds to the region;

WHEREAS, the proposed amendment was reviewed by the Transportation Technical Committee and forwarded with a recommendation for Commission approval via a vote on October 28, 2005; and

WHEREAS, the proposed amendments maintain overall TIP fiscal balance; and

WHEREAS, the proposed amendments will not interfere with the implementation of any STIP project; and

WHEREAS, approval of this amendment to the 2005-2008 TIP will not alter the finding of conformity between 2005-2008 TIP and the Clean Air Act Amendments of 1990.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission approves this amendment to the 2005-2008 TIP.

Commissioner Maggi seconded and the affirmative vote was unanimous.

5. Action on Resolution 22-05 to Modify the 2000 Small Urban Area Boundary in Greene County

Chuck DiPietro reported that the Greene County Board of Commissioners has requested an expansion of the Waynesburg Small Urban Area Boundary consistent with recent findings from development of the County's Comprehensive Land Use Plan. SPC's Transportation Technical Committee has reviewed this request and recommends Commission approval. This action is consistent with federal Urban Boundary Guidelines.

Commissioner Camp moved:

WHEREAS, the Southwestern Pennsylvania Commission approved the region's revised urban area boundaries and functional classification system based on the 2000 Census and in accordance with federal regulations on July 28, 2003; and,

WHEREAS, Greene County is currently in the process of developing its County Comprehensive Land Use Plan; and,

WHEREAS, the area east of Waynesburg in Franklin and Jefferson Townships is the home of EverGreene Technology Park, Greene County Airport, Airpark 1, the Waynesburg Interchange Retail Center, and has been identified in the County Comprehensive Plan as a future growth area in the County; and,

WHEREAS, the Greene County Board of Commissioners request an expansion of the Waynesburg Small Urban Area Boundary in Franklin and Jefferson Townships to include the area generally bounded by State Route 188 in the north, State Route 2026 in the south, and the Franklin Township-Jefferson Township Municipal Boundary in the east, consistent with the findings of the County Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission approves the revision to the Waynesburg Small Urban Area Boundary and authorizes the Executive Director to transmit maps showing these revisions to PENNDOT and FHWA.

Commissioner Craig seconded and the affirmative vote was unanimous.

6. Action on Resolution 23-05 to Conditionally Approve the Moon Transportation Authority's Moon-Clinton Transportation Development District to be advanced under the Pennsylvania Transportation Partnership Act

Chuck DiPietro noted as background that the Pennsylvania Transportation Partnership Act has been in place since 1986 and the Moon Township Transportation Authority has set the model statewide over the past 20 years for effective use of the Partnership Act. The Moon Transportation Authority has identified nine transportation projects in their Multi-year Transportation Improvement Program that the Authority plans to advance as part of their proposed Transportation Development District. This proposed action will allow the Moon Transportation Authority to continue to advance the various Transportation Partnership Act steps. The recommended action before the Commission is for conditional approval of the Moon Transportation Authority's Moon-Clinton Transportation Development District as noted in the resolution. PennDOT has already given conditional approval for the creation of this Transportation Development District. SPC's Transportation Technical Committee has reviewed this request and recommends Commission approval.

Mr. Cessna moved:

WHEREAS, Moon Transportation Authority (MTA) in Moon Township, Allegheny County desires to establish a Transportation Development District pursuant to the authority of the Pennsylvania Transportation Partnership Act (amended by Act 75 of 1986); and,

WHEREAS, Moon Transportation Authority has identified the following list of roadway projects in their Multi-year Transportation Improvement Program (MYTIP) that MTA plans to advance as part of the proposed Transportation Development District;

1. Cargo Interchange and International Drive
2. Flaugherty Run Flyovers
3. International Drive Extension/Foxwood Drive or Moon-Clinton Relocation
4. Cargo Interchange Ramp D
5. Moon-Clinton/International Drive Intersection Upgrade
6. Moon-Clinton-McLaughlin/Stevenson Mill Intersection Upgrade
7. Moon-Clinton Widening – Becks Run/Moon-Enlow Road
8. Moon-Clinton Widening – McCutcheon Road/International
9. Cherrington Parkway Extension (Thorn Run District)

WHEREAS, Moon Transportation Authority has or is proceeding to satisfy the various requirements of the Transportation Partnership Act (Pennsylvania Act 75), including development of a fair and reasonable assessment mechanism, development of a financial plan specifying total and constituent cost of the projects and all sources of funding, and development of a process to address the other mandated public participation, planning, and coordination requirements; and,

WHEREAS, the Allegheny County Department of Economic Development has approved the nine above referenced Moon-Clinton Transportation District projects and that Allegheny County Ordinance No. 23636 will be amended to also include these nine above referenced projects; and

WHEREAS, the Pennsylvania Department of Transportation has given conditional approval for the creation of this Transportation Development District; and,

WHEREAS, SPC has reviewed the proposed Transportation Development District, and in comparing the MYTIP with the SPC Transportation Improvement Program (TIP) and Long Range Transportation Plan has noted a number of financial and timing inconsistencies regarding the availability of federal and state funds in the region's overall transportation program.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission conditionally approves the creation of the Moon-Clinton Transportation Development District as developed under the Transportation Partnership Act, such approval being contingent upon MTA working to adjust their MYTIP project schedules to more closely reflect the staging in SPC's 2030 Transportation and Development Plan for Southwestern Pennsylvania; and,

RESOLVED FURTHER that this action is contingent upon Moon Township fully satisfying the planning requirements of the Pennsylvania Transportation Partnership Act cited above; and

RESOLVED that this action does not commit the federal, state, or county implementing agencies to funding the Moon Transportation Development District or any of its elements, and that financial participation is subject to further discussions with and actions by the appropriate implementing agencies; and,

RESOLVED that this action does not amend SPC's current 2005-2008 TIP or 2030 Transportation and Development Plan.

Commissioner Scahill seconded and the affirmative vote was unanimous.

7. Action on Resolution 24-05 and 25-05 to amend the 2005-2006 Unified Planning Work Program: SPC's Safety and Security/ITS Project and Completion of the Transit Visioning Study.

Chuck Imbrogno noted that Resolution 24-05 would amend the current UPWP to add a planning project requested by the CommuteInfo Program to demonstrate ITS applications for the Region's vanpool fleet. This project would respond to the increased emphasis on ITS and Safety and Security issues in the new SAFETEA-LU federal legislation and it would also facilitate fleet management and monitoring of fleet condition.

Commissioner Kennedy moved:

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorizes funding and support of transportation planning, research and demonstration activities; and

WHEREAS, the following new transportation planning project is proposed for funding in the 2005-2006 Program:

1. "Vanpool ITS / Safety and Security Planning Project" at a total cost not to exceed \$375,000 (\$300,000 Federal Section 5307 Formula Program funds; \$75,000 non-federal match). In its role as the regional rideshare program, CommuteInfo plans to administer studies to coordinate the efforts of its partners to better utilize funds and materials. To begin addressing and responding to SAFETEA-LU's increased emphasis on ITS and Safety and Security initiatives, the SPC CommuteInfo Program will conduct this project to study, design and implement the deployment of various ITS technologies and systems on commuter vanpool vehicles operated by the CommuteInfo Program.

WHEREAS, the Transit Operators Committee acted at their November 9, 2005 meeting to include the project on the 2005-2008 Transportation Improvement Program for FY 2006 funding; and

WHEREAS, planning projects must also be included on an approved Unified Planning Work Program before federal funding can be approved.

NOW THEREFORE BE IT RESOLVED that the Southwestern Pennsylvania Commission approves revisions to the 2005-2006 UPWP to include the planning project "Vanpool ITS / Safety and Security Planning Project".

Commissioner Coder seconded and the affirmative vote was unanimous.

Chuck Imbrogno noted that Resolution 25-05 is a request to amend the current UPWP to fund completion of the Strategic Regional Transit Visioning Study. The funds will be used by the study consultant to complete edits to the draft report and publish the final report and related material. This effort is being jointly managed by SPC and the Port Authority of Allegheny County with support from the Transit Operators Committee and is expected to be completed in the first quarter of 2006.

Commissioner Burns moved:

WHEREAS, the Transit Operators Committee acted at their November 9, 2005 meeting to include the project on the 2005-2008 Transportation Improvement Program for FY 2006 funding; and

WHEREAS, planning projects must also be included on an approved Unified Planning Work Program before federal funding can be approved.

NOW THEREFORE BE IT RESOLVED that the Southwestern Pennsylvania Commission approves revisions to the 2005-2006 UPWP to include the planning project "Strategic Regional Transit Visioning Study - Completion".

Commissioner Spanik seconded and the affirmative vote was unanimous.

8. PM2.5 Air Quality Conformity Status Report

Chuck Imbrogno reminded the Commission that information about the PM2.5 Conformity purpose, process and schedule was presented at the October 24th Commission meeting. Since then, SPC's modeling procedures and techniques have been modified to provide information needed for the PM2.5 Conformity Analysis. The technical analysis has been completed, and model results show that PM2.5 Conformity can be demonstrated for the Region. SPC shares one PM2.5 nonattainment area with the Johnstown MPO. Coordination and data sharing has been ongoing between the two MPOs throughout the conformity analysis. SPC's draft report is being prepared and will be completed in a couple of weeks. A public review and comment period will be held from December 27 through January 26. SPC action on the PM2.5 Conformity finding is scheduled for the January 30 Commission meeting.

9. Report on the Nominating Committee and Action on Resolutions 26-05 and 27-05 to Elect an Executive Committee and Officers of the Commission

Commissioner Pam Snyder, Chair of the Nominating Committee, presented a list of the Committee's recommendations for SPC Executive Committee.

Commissioner Wallwork moved:

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to elect the following members to the Executive Committee for calendar year 2006.

Allegheny County, Dan Onorato
Armstrong County, James Scahill
Beaver County, Joseph Spanik
Butler County, James Kennedy
Fayette County, Vincent Vicites
Greene County, Pam Snyder
Indiana County, Bernie Smith
Lawrence County, Steve Craig
Washington County, Bracken Bums
Westmoreland County, Tom Balya
City of Pittsburgh, Bob O'Connor
PennDOT, Larry King
Governor's Appointee, Allen Kukovich
Department of Community and Economic Development, Ellen Kight
SPC Executive Director, James Hassinger, ex officio

and

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to elect Officers for calendar year 2005.

NOW, THEREFORE, BE IT RESOLVED that the following persons be and the same hereby are elected to serve as Officers of the Commission in the capacity set forth opposite their

name below, from the date hereof until their successors are elected and qualified by the Commission:

Bracken Burns, Chairman
Dan Onorato, Vice Chairman
Charles Camp, Secretary-Treasurer

Commissioner Scahill seconded and the vote was unanimous.

Commissioner Burns commented that he has asked staff to develop a Bylaws Resolution for your consideration at the next meeting to consider expanding the Executive Committee so that we might address a problem that we have had in terms of diversity and through that amendment we can address that issue. With your consideration that will be brought before you next month.

10. Appoint Nominating Committee for 2006

Commissioner Burns appointed the following members to the 2006 Nominating Committee:

Charles Zappala, Allegheny County
Patricia Kirkpatrick, Armstrong County
Joe Widmer, Beaver County
Glenn Anderson, Butler County
Angela Zimmerlink, Fayette County
Dave Coder, Greene County
Rodney Ruddock, Indiana County
James Gagliano, Lawrence County
Michael Silvestri, Washington County
Robert DeLotto, Westmoreland County
To be named in January, City of Pittsburgh

11. Other Business/Announcements

None.

Next Meeting Date – January 30, 2006.

12. Action on Resolution 28-05 to Honor the services of Outgoing Chairman Dave Coder

Commissioner Burns moved:

WHEREAS, Dave Coder has served with distinction as a Greene County representative on the Southwestern Pennsylvania Commission since 1996; and

WHEREAS, he has served commendably as Chairman in 2004 and 2005; and

WHEREAS, he has furthered the Commission's role as a forum for cooperative planning and decision making in Southwestern Pennsylvania; and

WHEREAS, he has been instrumental in the creation of the Intergovernmental Affairs Committee and its charge of continuous improvement of our region's process and position in getting resources needed from state and federal sources; and

WHEREAS, during his tenure the region has reaped the benefits of increased levels of state discretionary funding and federal appropriations funding; and

WHEREAS, his good judgment and unassuming style of leadership have been influential factors in shaping agreeable decisions on difficult regional issues; and

WHEREAS, he has championed the cause of regionalism as the cornerstone of the region's health and prosperity; and

WHEREAS, his commitment to regionalism and partnerships between the public, private and civic sectors formed the foundation for the development of Project Region; and

WHEREAS, he worked tirelessly on behalf of the Commission in numerous other roles and gave unstintingly of his time and experience.

NOW, THEREFORE, BE IT RESOLVED that the Officers, Members and Staff of the Southwestern Pennsylvania Commission express their appreciation for his years of service and look forward to working with him in the years ahead.

Commissioner Kennedy seconded and the affirmative vote was unanimous.

13. Adjourn

There being no further business to come before the Commission the meeting adjourned at 5:15 p.m.

Respectfully submitted,

Charles Camp
Secretary-Treasurer