

PACTS Policy Board

September 22, 2022

11:00 am–1:00 pm

Meeting Minutes

| Municipal Members | | |
|-------------------|-------------------------|---|
| Arundel | VACANT | |
| Biddeford | Jim Bennett | |
| Cape Elizabeth | Matt Sturgis | |
| Cumberland | Bill Shane | |
| Falmouth | Hope Cahan, chair | |
| Freeport | Jake Daniele | |
| Gorham | Ephrem Paraschak | ✓ |
| North Yarmouth | Diane Barnes | ✓ |
| Old Orchard Beach | Diana Asanza | |
| Portland | Keith Gray | ✓ |
| Portland | Nell Donaldson | ✓ |
| Raymond | Nathan White | |
| Saco | Patrick Fox, vice chair | ✓ |
| Scarborough | Angela Blanchette | |
| South Portland | Kate Lewis | ✓ |
| Standish | Michael Delcourt | |
| Westbrook | Eric Dudley | |
| Windham | Barry Tibbetts | |
| Yarmouth | Scott LaFlamme | ✓ |

| Non-municipal Members | | |
|---------------------------|------------------|---|
| MaineDOT | Dale Doughty | ✓ |
| Maine Turnpike Auth. | Erin Courtney | ✓ |
| Active Transp. Specialist | Kara Wooldrik | ✓ |
| Environmental Specialist | Allen Armstrong | ✓ |
| Transp. Equity Specialist | Andrew Blunt | |
| Transp. Equity Specialist | Yura Yasui | ✓ |
| RTAC Liaison | Tom Milligan | ✓ |
| BSOOB Transit | Chad Heid | ✓ |
| Casco Bay Lines | Hank Berg | ✓ |
| METRO | Greg Jordan | ✓ |
| NNEPRA | Patricia Quinn | ✓ |
| Reg. Transp. Program | Jack DeBeradinis | |
| So. Portland Bus Serv. | Donna Tippet | ✓ |
| York Co. Comm. Action | Tom Reinauer | ✓ |

| Non-voting Members | | |
|------------------------|------------------|--|
| SMPDC | Stephanie Carver | |
| Federal Highway Admin. | Rachel Levee | |
| Federal Transit Admin. | Leah Sirmin | |

1. Welcome

Pat Fox opened the meeting and welcomed the attendees.

2. Public Comment

Todd Morse expressed his support for the Regional Complete Streets Policy.

Myles Smith of Portland expressed his support for the Regional Complete Streets Policy and encouraged the board to continue to support multimodal safety and connectivity.

3. Approval of the July 28 Policy Board Meeting Minutes

Allen Armstrong moved to approve the July 28 meeting minutes as written; Scott LaFlamme seconded. All were in favor. (Weighted vote: 46–0; standard vote: 17–0)¹

4. Chair's Report

There was no report from the chair.

5. Regional Transportation Advisory Committee (RTAC) Report

Tom Milligan noted that RTAC has recently received presentations on Collector Paving projects, the Regional Complete Streets Policy, the Ride with Me event, and a Transit Together project update.

6. Staff Report

Competitive grant programs available through FHWA are shown at [fhwa.dot.gov/bipartisan-infrastructure-law/grant_programs.cfm](https://www.fhwa.dot.gov/bipartisan-infrastructure-law/grant_programs.cfm). Staff recently submitted a grant application under the [Safe Streets for All](#) program to support the development of a Regional Vision Zero Policy. Staff also created a video to highlight the human impacts of car crashes. View the video at vimeo.com/745505384.

7. Funding Deficit for South Portland Projects

In Summer 2019, PACTS assessed funding deficits in the 2019 Transportation Improvement Program (TIP), and allocated funding to several projects to cover anticipated deficits. South Portland's Cottage Road Sidewalk Project, which did not have a known deficit at the time, did not receive additional funding. The project has also been delayed a year. The project now has a funding deficit of \$388,150. South Portland's Cottage Road Paving Project—now delayed because the sidewalk project was delayed—has a funding deficit estimated to be \$329,700. The total requested additional federal funds for the two projects is \$377,764. Meeting this request for would require PACTS Holding WIN balance to go below the minimum reserve.

Staff has developed the following recommendations:

- Allocate \$388,150 in capital funding—of which 75 percent (\$291,112) will come from the Holding WIN and 25 percent (\$97,038) will be local match—to the South Portland Cottage Road Sidewalk Project (WIN 24101)

¹ Per PACTS Bylaws, Policy Board votes are weighted by municipal population.

- Allocate \$115,536 in capital funding—of which 75 percent (\$86,652) will come from the Holding WIN and 25 percent (\$28,884) will be local match—to the South Portland Cottage Road Paving Project (WIN 24585)

Pat Fox asked for public comment. Justin Gove, South Portland engineer, stated that the City has done extensive utility work within the corridor and has made efforts to reduce the scope for this project. He added that the funding—though initially sufficient for the project several years ago—now will not be enough given higher construction costs. Pat closed the public comment period.

Kate Lewis commented that this corridor is a priority for the city given its use by children to get to school and as a gateway to Fort Williams Park in Cape Elizabeth.

Allen Armstrong asked what the ramifications of going below the MaineDOT-recommended minimum Holding WIN balance would be. Staff answered that PACTS would need the approval of MaineDOT to proceed. Dale Doughty indicated that MaineDOT would grant this approval.

Kate Lewis moved to approve the funding allocations as presented; Patricia Quinn seconded. All were in favor (Weighted vote: 47–0; standard vote: 18–0)

8. Approval of Complex Projects Task Force Recommendations

At its July 28 meeting, the Policy Board reviewed the recommendations from the Complex Projects Task Force. The board directed staff to reconvene the task force to discuss 1) the proposed 50 percent local match requirement on any cost overrun funding and 2) the possibility of rewarding municipalities that fund PDR locally. The task force met in August and unanimously reaffirmed their recommendations:

- Regarding a 50 percent local match on construction overrun funding, the recommendation is intended to stretch PACTS' funding further.
- Regarding the possibility of rewarding municipalities that fund PDR locally, the group discussed incentivizing or requiring municipalities to fund their own PDRs. However, the group agreed these options would put smaller municipalities at a disadvantage. The group recommended instead that, beginning with the Fall 2023 call for projects, all applicants be required to complete preliminary Horizontal/Vertical Alignment Compete (HVAC)—at approximately 25 percent design—before applying for PACTS funding.

Pat Fox asked for public comment. Eamonn Dundon, a member of the Complex Projects Task Force, stated that cost overruns are not guaranteed to be funded by PACTS. The recommendations ensure that this process is more equitable for municipalities and that there is funding available for municipalities when there are overruns.

Ken Capron of Portland suggested sharing equipment between municipalities to combat cost overruns. He also suggested that bulk purchasing could help bring down costs. Staff noted that GPCOG facilitates cooperative purchasing for paving projects and other items. Pat closed the public comment period.

Dale Doughty noted that, regardless of PACTS' local match policies, MaineDOT maintains a fixed federal-local split over the life of a project, so variable local percentages can create challenges.

Nell Donaldson asked whether the task force considered deterrents against municipalities requesting construction overage funding too often. Staff replied that PACTS will not fund any scope creep and that requiring HVAC should result in better cost estimates.

Tom Milligan stated that the task force voted unanimously with the understanding that this process can be reviewed and revised as necessary.

Keith Gray moved to approve the recommendations from the Complex Projects Task Force, except to maintain PACTS' current policy of 25 percent local match for construction overage funding; Diane Barnes seconded. Tom Milligan was opposed, all others were in favor. (Weighted vote: 47–1; standard vote: 18–1)

9. Adoption of a Regional Complete Streets Policy

In July 2019, the former Policy Committee directed staff to develop a Regional Complete Streets Policy to increase bicycle and pedestrian safety across the region. Staff began work on this policy in Summer 2021. The policy is intended to serve as a uniform guide for PACTS investments and as a model for member municipalities. The policy does not prescribe specific design choices, but rather acknowledges that Complete Streets accommodations will vary by context. Staff are prepared to provide technical assistance to project sponsors in determining appropriate treatments. Additionally, adopting a Complete Streets policy will unlock new funding opportunities for the region.

The policy as proposed applies to PACTS-funded projects beginning with the Fall 2023 call for projects. In the interim, staff will provide orientation and trainings to municipalities, and develop implementation guidance and a regional database for benchmarking and reporting on progress.

Pat Fox asked for public comment.

- Mireille Kabongo, GPCOG Community Transportation Leader and a member of RTAC, expressed that not all places in the region are accessible due to her disability. She acknowledged a Complete Streets approach can be one way to help make streets more accessible and safe.
- Ken Capron, Portland, encouraged continued investment in ADA compliance.

- Josh Caldwell, National Resource Council of Maine (NRCM), highlighted the benefits of Complete Streets for Maine’s environment and economy. Pat closed the public comment period.
- Written comment (see Attachment 1) was provided by Sarah Cushman of Portland, Tom Lane of Portland, and Keenan Weischedel of Disability Rights Maine.

The group was generally supportive of the proposed policy. Many noted the potential impacts of the policy on PACTS MPI and Collector Paving programs, particularly increased costs and delays, and felt the policy should not apply to those programs. Several others, however, felt there were costs associated with not adopting a comprehensive approach, including increased maintenance costs from continued wear-and-tear of vehicular traffic and safety concerns.

Staff noted that additional implementation work remained to be done—including identifying impacts to other PACTS programs and policies, refining the composition and role of the advisory team, etc.—but the adoption of the policy was a critical first step.

The group discussed the importance of gaining a better understanding of the implementation of the policy.

Scott LaFlamme moved to postpone approval of the Regional Complete Streets Policy, to establish a working group as appointed by the Chair and Vice-Chair, and to refer to the working group the issues related to implementation of the policy; Tom Milligan seconded. With no objection, the motion carried.

10. Update: GPCOG's Gorham-Westbrook-Portland Rapid Transit Study and MTA's Proposed Gorham Connector

With no objection, this item was postponed.

11. Other Business

There was no other business discussed.

12. Adjourn

Patricia Quinn moved to adjourn; Scott Laflamme seconded. With no objection, the meeting was adjourned.