

## **Exhibit 2**

**CENTRE COUNTY METROPOLITAN PLANNING ORGANIZATION (CCMPO)  
COORDINATING COMMITTEE**

**Tuesday, September 27, 2005  
6:00 pm  
College Township Municipal Building**

**Minutes**

**Voting Members Present:**

Dan Ring, Chair	Patton Township
Elizabeth Goreham, Vice-Chair	State College Borough
Chris Exarchos	Centre County
John Elnitski	Benner Township
Dan Klees	College Township
George Pytel	Ferguson Township
Barbara Spencer	Halfmoon Township
Chris Lee	Harris Township
Frank Royer	Spring Township
Jack Shannon	Moshannon Valley Region
John Yecina	Mountaintop Planning Region
Bob Corman	Penns Valley Region
John Spychalski	Centre Area Transportation Authority (CATA)
Ron Buckalew	Centre Regional Planning Commission (CRPC)
Tom TenEyck	PennDOT Central Office
Kevin Kline	PennDOT District 2-0 Office

**Non-Voting Members Present:**

Matt Smoker	FHWA
Rob Cooper	Penn State University

**Others Present:**

Bob Crum	Centre Regional Planning Agency (CRPA)
Tom Zilla	CRPA
Trish Meek	CRPA
Lori Shingler	CRPA
Chris Price	CCPO
Bob Jacobs	CCPO
John Knowles	Philipsburg
Cory Gehret	Stiffler, McGraw & Associates
Susy Krosunger	CCPO
Harold Nanovic	PennDOT Central Office
Karen Michael	PennDOT District 2-0
Marla Fannin	PennDOT District 2-0
Robert Baily	Philipsburg
Michele Barbin	People Protecting Communities (PPC)
Janet Barger	Moshannon
Laurie Barger	Snow Shoe Township
Harry Berlin	State College
Barry L. Bierly	Snow Shoe Township
Suzanne R. Bierly	Snow Shoe Township
Jaime Bumbarger	The Progress
Teresa Burbridge	Snow Shoe

**Others Present (Continued):**

**CCMPO COORDINATING COMMITTEE MEETING MINUTES**

**Tuesday, September 27, 2005**

**Page 2**

Bob Burbridge	Snow Shoe
Susan R. Campos	Ferguson Township
Leslie Carlson	Snow Shoe Borough
Ned Carlson	Snow Shoe Borough
Norma Carlson	Snow Shoe Borough
Patrick Couturiaux	Rush Township
Anne Danahy	Centre Daily Times
Cathy Dauler	State College Borough
Chester DeFurio	Moshannon Forest Property Association
Helen C. DeFurio	Association Land Holder
Jim Eckert	Senator Corman's Office
Darryl Farber	State College
Marian Freed	PPC
JoAnn Gillette	Snow Shoe Township
Ann Glaser	Citizen
Wes Glebe	Ferguson Township
Deb Gosa	Bellefonte
William Hechinger	Ferguson Township
Carolyn Holt	State College
Thomas Jech	State College
Ron Johnson	Huston Township
Judith Johnsrud	State College
Leif R. Jensen	Voices of Central PA
George Khoury	Citizen
Bert Kisner	Citizen
John Knowles	Philipsburg Borough
Steve Lachman, Esq.	PPC
Lori Lange	Moshannon
Kathi Lewis	Snow Shoe Township
Pat Lewis	Snow Shoe Township
Ann Mandel	Rush Township
John Mandel	Rush Township
Beverly Martin	Moshannon
Kate McGrail-Poasley	Boggs Township
Judy Mottin	Moshannon
Dan Mottin	Snow Shoe Township
Douglas W. Mottin, Jr.	Snow Shoe Township
Barbara Natalie	League of Women Voters of Centre County (LWVCC)
Ted Onufrak	Centre County Solid Waste Authority
Harry Pionke	PPC
John Patishnock, Jr.	Benner Township
Gary Pindelson	Weekly Reader
Linda Podisok	PPC
Calvin T. Quick	PPC
Nancy L. Quick	PPC
George Rettew	Rettew Associates, Inc.
Gabe Roy	State College
Kenn Shope	Snow Shoe Township
Peggy Shope	Snow Shoe Township
Barbara Shufuran	Rush Township
Gary Sinderson	WJAC

**Others Present (Continued):**

# CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 3

Stan Smith	Oak Hall
Pamela Steckler	Ferguson Township
Thomas Thwaites	MSTA
Rosemary Walsh	PPC
Ed Walsh	PPC
Cliff Warner	Harris Twp
Sandy Watson	Snow Shoe Township
M. A. Williams	PPC
Pat Vernon	College Township
Mary Vollero	PPC
Resident	Ferguson Township
Resident	Philipsburg
Resident	State College Resident

## 1. Call to Order

Mr. Ring called the meeting to order at 6:00 p.m. and led the Committee in the pledge of allegiance to the flag.

## 2. Approval of Minutes

*Mr. Klees made a motion to approve the minutes of the July 26, 2005 Coordinating Committee meeting. Mr. Corman seconded the motion, which passed unanimously.*

## 3. Citizens Comments

There were no citizen comments for items not on the agenda.

## 4. Interstate 99 Acid Rock Drainage (ARD)

Mr. Kline reported that PennDOT is on the same track as last month. There are three remediation options being reviewed at this time. A pilot test is under way with the Bauxol option. Mr. Pytel asked if the dry summer was delaying results. Mr. Kline said that it is not.

## 5. Transportation Enhancements (TE)/Home Town Streets (HTS) Program

Ms. Meek said that the Philipsburg Front Street Streetscape sponsor is requesting additional Transportation Enhancement money.

Ms. Meek reviewed the policy for approving/disapproving project cost increases that was approved by the MPO in February 2004:

- Prior to requesting additional funds, sponsors must consider revising the scope of the project and providing additional local funds.
- Project cost increases up to 20%, or a maximum of \$20,000, will be evaluated by a TE/HTS/Safe Routes to School (SR2S) Review Committee.
- Project cost increases over 20%, or greater than \$20,000, will require a formal presentation to the Review Committee and may require an additional local match.

The requested cost increase is more than \$20,000, so Philipsburg Borough gave a formal presentation to the Review Committee and is also providing an additional local match.

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 4

Ms. Meek stated that the original federal funding for the project was \$137,304. Ms. Meek reviewed the funding that is available in the Transportation Improvement Program (TIP) line items which includes funds from the last Home Town Streets and Safe Routes to Schools (HTS/SR2S) cycle. There is currently \$695,776 available for cost increases and future funding rounds. She noted that Philipsburg has requested that the Presqueisle Street Sidewalk project be deprogrammed and the funds (\$99,645) be transferred to the Front Street Streetscape project. The TE/HTS/SR2S Review Committee reviewed the request and recommended the approval of additional money for the Front Street Project to the Technical Committee. The Technical Committee made the following recommendation to the Coordinating Committee:

- Deprogram the Presqueisle Street Sidewalk project and shift \$99,645 in the HTS/SR2S funding to the Front Street Phase II project.
- Program an additional \$62,915 from the line item on the 2005-2008 Centre County TIP to the Front Street Phase II project.

Ms. Meek introduced John Knowles, Philipsburg Borough Manager and Cory Gehret the Front Street Streetscape Project Manager from Stiffler, McGraw and Associates.

Mr. Knowles noted that no matter what the Coordinating Committee decides, Philipsburg would like to deprogram the Presqueisle Street project. He stated that there are not enough funds to do both projects and the Presqueisle Street project is not far along in the planning process.

Mr. Gehret reported that the intent of the Front Street Streetscape project is to remove the overhead utilities from this downtown area. This involves removing the utilities, installing new curb and sidewalk and putting in lamp posts that resemble those that were present in the 1920's. The project has obtained environmental clearance.

Available funding for the project is \$379,212 and the current cost estimate for the project is \$541,772. The balance needed is \$162,560. Philipsburg is requesting that \$99,645 be shifted from the Presqueisle Street Sidewalk project and an additional \$62,915 be allocated to this project.

Mr. Gehret gave a brief history of the funding and the schedule for construction in April, 2006.

Mr. Klees said that Community Development Block Grant (CDBG) funds shown on one of the charts is \$180,000, but on another it shows \$127,108. He asked if this was the difference of what has already been expended. Mr. Knowles said that the figure of \$127,108 is strictly for construction. The balance will be used for design and inspection.

Mr. Klees said that the funding for all three programs is out of the same pot, but the competition for the funds went down different paths. He asked if it truly came from the same pot of funds. Ms. Meek clarified by saying that when the original Front Street project was approved, it was approved under the TE program. When the HTS/SR2S program was created, this project was technically converted to the HTS program. All the applicants that applied for HTS/SR2S funds in the last round were approved for funding. She said that by deprogramming Presqueisle Street, the question is whether it is fair to just shift it to another project. If it is not shifted, it would go back into the line item for other projects.

Ms. Meek said that normally there is a two-year cycle, but in order to bring the HTS/SR2S program into sync with the TIP process, there are two consecutive cycles. She said that staff has not been informed about what the allocation for the new round of funds.

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 5

Mr. Klees said that a lot of projects are running into cost overruns and he was not sure how this would end up if they all requested additional money. Ms. Meek said that there has been an escalation of costs recently. She noted that the MPO has been very good at holding the line items and having that funding available so that the projects previously approved can continue to move. She felt that sponsors are getting more versed in the process and the estimates coming in are higher from the start.

*Ms. Goreham made a motion to deprogram the Presqueisle Street Sidewalk project and shift \$99,645 in the HTS/SR2S funding to the Front Street Phase II project and program an additional \$62,915 from the line item on the 2005-2008 Centre County TIP to the Front Street Phase II project.*

*Mr. Spychalski seconded and the motion passed unanimously.*

### 6. Consistency Review for Proposed New Interchange on Interstate 80

Mr. Crum explained the process for making sure that everyone has a chance to be heard. He said that Mr. Zilla would be making a short presentation to review the review process and the action requested. Following that, the floor will be opened for public comment and each person will have three minutes to talk. The Coordinating Committee will then discuss the issue and vote on the action.

Mr. Zilla reviewed that the proposed interchange is on the northwest side of Centre County, in the northern corner of Rush Township. It is a result of an economic development initiative from Rush Township. The proposed interchange would be located about seven miles west of the Snow Shoe exit and seven miles east of the Kylertown exit of Interstate 80. Secondary access is being proposed via a relocated portion of Gorton Road in Rush Township to the intersection of Routes 53 and 144 in the village of Moshannon.

Mr. Zilla reviewed the approval process for a new interchange. Key points to the proposal include:

- FHWA must approve access to an interstate highway
- Both FHWA and PennDOT have policies and guidelines about new access to an interstate highway
- CCMPO and Centre County must determine consistency with land use and transportation plans
- The request to FHWA must come through PennDOT

Mr. Zilla reviewed the basic steps, starting with PennDOT submitting a Point of Access Study (POA) to FHWA. The POA must address consistency with land use and transportation plans. If a POA is submitted, FHWA may provide "conceptual approval." It would then go forward to be evaluated by the National Environmental Policy Act (NEPA) process. Final approval of an access point comes when FHWA approves that NEPA document. For final approval, the CCMPO must also include the project on its TIP and Long Range Transportation Plan (LRTP).

The MPO's role is to determine the consistency of the proposed interchange on I-80 in Rush Township with the MPO's adopted Long Range Transportation Plan. The MPO is not determining consistency with land use plans.

Mr. Zilla noted that the MPO Technical Committee voted unanimously to recommend to the Coordinating Committee that the proposed new interchange is not consistent with MAP-2015. Also, by a vote of 6-5, the Technical Committee recommended that the Coordinating Committee indicate that the POA should be submitted to FHWA for further evaluation.

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 6

He reviewed the reasons for these actions. Mr. Zilla said that one reason for forwarding the POA is that it will permit FHWA to determine if construction is feasible. If it is not technically feasible, access can be proposed from the local road system through a Highway Occupancy Permit request to PennDOT. Staff is greatly concerned about truck traffic on local roads if this alternative goes forward. In addition, further evaluation will provide the CCMPO additional time to decide whether to include the proposed interchange in its new LRTP and on a future TIP. The interchange must be included on these two documents in order to receive final approval from FHWA.

Mr. Zilla said that if the interchange does proceed to conceptual approval by FHWA, there would be further review of the alternatives for access in the NEPA process. It does not mean that the MPO supports the interchange at this time, but keeps the options open because of the concerns about traffic on existing roads. It also does not mean that the MPO will include the interchange on the LRTP or TIP.

The POA analysis assumed is the completion of Route 322 Corridor O1 project. There is a concern about whether that is financially feasible. Also, the POA identified levels of service at "C" on I-80 in this area. Staff would like to know how close that level of service is to "D", which is not acceptable. Clearly, if there is traffic on Gorton Road there will be impacts. Although not noted in the POA study, the four-way stop sign in Snow Shoe at the intersections of Route 144 and Moshannon Avenue is a staff concern.

Mr. Klees clarified that the MPO's role is not to determine consistency with land use plans. On the slide of recommendations, the second bullet refers to the fact that a reason to support the POA is that Rush Township is developing a municipal comprehensive plan. He thought these statements conflicted with each other. Mr. Zilla replied that both the current and new LRTP make reference to coordinating land use and transportation and that bullet is aimed at those objectives.

Mr. Lee asked why it was not the role of the MPO to look at the consistency to the Comprehensive Plan. Mr. Zilla answered that according to FHWA guidelines, the body that is responsible for adopting the document plays the lead role. The County Comprehensive Plan is adopted by county government.

The floor was opened to public comment.

Mr. George Rettew, representing Rush Township, reported that Rettew Associates has prepared the POA for the new interchange off of I-80. The interchange was proposed as the primary access for an economic development project that Rush Township is strongly committed to because they feel there are many benefits to the community. The project consists of two parts: the landfill and an industrial park. The interchange construction, along with additional improvements identified in the POA study, will be 100% privately funded, along with reimbursements to the MPO for any maintenance charges that may be applied by PennDOT against the MPO's allocated funding. The interchange was proposed because direct access from the interstate is key to the success of the industrial park and the economic development that will come with it. The landfill, with its energy production, is the catalyst to attracting industrial users to the industrial park.

The approval of a new interchange is not an easy undertaking. Mr. Rettew said that they have already been involved for a year and half in detailed engineering studies. Those studies are done under close review and input by PennDOT. Going forward, the process will involve many more intensive studies – alternatives analysis, environmental reviews, community involvement, and engineering design – all of which requires many state and federal agency approvals. Rush Township believes that having an interchange for this project has clear advantages to the community and it makes approval of the interchange worth the time and effort to pursue it. It is, however, only worth pursuing if there is support from the MPO. The Township therefore requests that the MPO approve the staff recommendation presented and further, agree tonight to approve Rush Township's request to incorporate the interchange into the LRTP and TIP upon conceptual approval of the POA. Rush Township will not be able to move forward with the interchange without this commitment.

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 7

Terry Burbridge, People Protecting Communities (PPC), said that they have owned property on Gorton Road since 1982 and bought it to enjoy the many recreational opportunities in the area. They just moved here permanently from Pittsburgh and built a new home on their property. She said that they moved here to get away from the industrial development that surrounded them, not to have one in their backyard. She noted that they were unofficially told that the value for their new home came in about \$20,000 less than it should have because of the threat of a landfill in the area. Resource Recovery's plan to use local roads and/or a new interchange is unacceptable. This is not the place to put a landfill and industrial development. These rural, winding roads cannot handle large volumes of truck traffic, as witnessed on two occasions to what happens to Routes 53 and 144 when I-80 is closed. She said that her short commute to work turned into a hairy drive, with tractor trailer trucks backed up from Kylertown. Traffic had to be directed by the police at the Snow Shoe Exit. She said that it can take two hours to get down the mountain when I-80 closes due to accidents and bad weather. Adding over 800 more trash trucks to this situation is ludicrous. Resource Recovery's planned improvements to Gorton Road to accommodate an interchange are a slap in the face to a community that has demonstrated a united and widespread opposition to their project. This developer has no right to toy with the lives and private property of area residents for what they term an "economic development project." The interchange and proposed improvements to Gorton Road will wipe out many homes -- front yards at the very least and nearly 100 seasonal homes. It will also wipe out a healthy tourism economy in the region and hurt local business. The many people who visit the area most likely will not continue to patronize an area with a huge landfill for their outdoor activities. Ms. Burbridge said that we must also consider that the Elk Scenic Drive goes through Snow Shoe Township. One could easily place a sign at the intersection of Gorton Road and Routes 53/144, calling it the intersection of the Elk Scenic Drive and Landfill Lane. She said they would much rather see recreational traffic on Gorton Road going to camps and seasonal homes to enjoy themselves rather than to service an industrial park and landfill. The Resource Recovery landfill will desecrate properties values and communities for miles. It will also destroy 5,800 acres of forested land and wildlife habitat. This does not sound like an economic development project. The proposed landfill interchange and industrial park is an unwelcome infringement on property and resident's way of life. It seems the only people that welcome this project are Rush Township Supervisors and developers. Resource Recovery and their consultants have proven to be dishonest, ruthless businessman. Ms. Burbridge noted that Mr. Rettew works for Rush Township on both their Comprehensive Plan and Resource Recovery's landfill and she felt this was a conflict of interest. This project adversely affects surrounding communities in many ways and should not be able to proceed. She said that she would like Mr. Shannon to consider how he would feel if the tables were turned and Snow Shoe was forcing an unwelcome project on him.

Rosemary Walsh, PPC, said she was presenting two sets of petitions. The first set has 2,200 signatures against the landfill, incinerator and industrial park. The most recent signers are hundreds of Rush Township residents. The other set has over 2,500 signatures opposing state funding for this project, which at the time the signatures were gathered was thought to be just an \$8.5 million appropriation that magically appeared in the capital budget in June 2004, just months after Resource Recovery filed their paperwork for their limited liability company. These signatures have been faxed to the Governor's Office as well as area legislators since July, 2004. Ms. Walsh said that she has received two responses from the Governor's Office saying that this project is either eligible or deemed considered for at least two different funding programs: the Transportation Assistance Program and the Redevelopment Assistance Capital Program. Even though Mr. Flossdorf, Vice-President of Resource Recovery, claims that they have not applied for or intend to use public money, some of this project is still being referred for funding and people would like to know who is doing this and why. She said that they hoped to receive a reply to their inquiry about this from the Governor's Office soon. As tax paying citizens of the Commonwealth, people have the right to know this information. The point with the funding issue is that there seems to be plenty of local projects already on the books for the MPO that would benefit from state assistance. Why consider a project that could consume state money that is, as Senator Corman recently stated in his letter to the Governor, against the will of the people and already has been found to

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 8

be inconsistent with local land use and future County plans by the Planning Commission and Board of Commissioners.

Ms. JoAnn Gillette, Snow Shoe Township, had two points to address. The first is the comment by Mr. Rettew about 800 trucks traveling the local roads. She said she has been involved with this situation since last year and has been in communication with the Department of Environmental protection (DEP) on a regular basis with regards to this project. She made two trips to the DEP office in Williamsport to look over information contained in their files with regards to Resource Recovery. The I-80 interchange has been a critical part of their project from the beginning. In an internal email between DEP personnel dated April, 2004, they mentioned Resource Recovery's provision to provide a new exit off of I-80 to access the site. In a presentation to the DEP, Resource Recovery again stated that importance of site accessibility via a major highway, thereby "substantially reducing road safety risks locally and regionally and avoiding local traffic burdens and the public safety risks and nuisances that such traffic can cause." Ms. Gillette said that by their own confession, using local roads will pose traffic burdens, safety risks and nuisances. For Resource Recovery to now threaten the use of the local roads runs counter to their sales pitch to the DEP. A totally separate traffic study will have to be conducted with regards to the feasibility of using local roads. Traffic can be one of the more difficult harms to mitigate and the Harms/Benefit Analysis is required should this company submit an application for a landfill. Sixteen questions must be addressed in Section J of the Environmental Assessment form to assist the DEP, in conjunction with the State Department of Transportation, to make a determination about local road use. Ms. Gillette believed that for Mr. Rettew to say quite honestly that over 800 trucks per day will be traveling on local roads is presumptuous at best.

The second point is that as a seasonal homeowner in the Moshannon Forest subdivision, there is a good thing going on in this area with seasonal subdivisions and recreational opportunities. She said they purchased their property in 1999 and built a camp, not only to have a woodsy piece of property to relax at, but also to have a camp to pass down through the generations. To know that there could now be a landfill and incinerator a few miles down the road taints the pleasure of owning this forest property not only emotionally, but financially as well. Seasonal homes are not afforded the same value consideration as a residence when it comes to the Harms/Benefit Analysis. That means that a landfill applicant does not have to compensate a seasonal home owner for any loss in the value of their property. Common sense dictates that the value of these properties will decline. If someone is looking to buy a seasonal home for rest and relaxation, they are not going to choose a property near a landfill and an incinerator. The many seasonal properties can suffer a double defeat, including the loss of peacefulness of a wilderness retreat and the monetary value in the investment.

Ms. Gillette urged the MPO to agree with the Planning Department's consistency review that this interchange and landfill project is totally inconsistent with local land use and future plans and should not be included in the long range transportation plans for Centre County.

Ms. Kathi Lewis, Snow Shoe Borough, said that the small town of Snow Shoe would be impacted by the landfill regardless of how the dump would be accessed. Whether by I-80 or local roads, Snow Shoe Borough will have traffic, even if it is only traffic when the interstate is closed. They will have to deal with the odor of a landfill and the resulting pollution. She said that she drives I-80 daily to work in Philipsburg and the proposed interchange will not benefit anyone traveling through the area. There is nothing there to do or see at this time. Access from this road would benefit only Resource Recovery. Ms. Lewis had concerns about inconsistency in presentations that have been made by representatives for Resource Recovery. The first inconsistency was a statement by Resource Recovery that the project would not go forward unless approved by both Snow Shoe and Rush Townships. Since we are here tonight, that has obviously changed. The second inconsistency is that without the I-80 interchange, the project would not go forward. Resource Recovery is now looking at using local roads to access its site. The original proposal was for a landfill, bio-reactor and industrial park. The bio-reactor has now disappeared from the plans. Resource Recovery has stated that there is a need for additional landfill capacity in Pennsylvania. In fact, there is currently no need for additional capacity for Pennsylvania's

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 9

trash. The only additional capacity needed is for out of state trash. One final inconsistency Ms. Lewis noticed was the increase in the number of trucks claimed by Resource Recovery. At the Centre County Planning Commission meeting in August, the landfill was expected to have 200 trucks per day. By the time of the MPO Technical Committee meeting, that number had grown to 856 trucks per day. This plan seems to be very fluid and appears to change to meet the needs of Resource Recovery. Is this the type of company we want to operate a landfill in this area?

Ms. Lewis's final concern is Resource Recovery's optimistic projection of economic development tied to this landfill. She did not believe that FHWA would want to set precedent by approving an interchange just for the landfill. She believed that Resource Recovery was promoting the industrial park as an economic development carrot to improve their chances of getting interchange approval. There is no guarantee that the economic development will ever come to fruition. Building an industrial site in the midst of state forest lands does not seem to be prudent planning. In a July 5, 2005 letter to DEP, the consultant for Resource Recovery states that at some future point, it is the hope and the desire of the host municipality that the infrastructure built to support this large 30-year project will attract industries that will benefit from co-location with this project. Ms. Lewis said that this sounded much like the movie Field of Dreams. If you build it, they will come. She asked who among us would be around 20-30 years down the road to follow through on this prediction. She asked that the MPO please not base their decision on the current threat of using local roads or the hope that an industrial park would materialize. She asked that that the MPO support the Planning Department's consistency review that this interchange and landfill is inconsistent with local land use and future plans and therefore should not be included in the LRTP for Centre County.

Mr. Darryl Farber, State College, said that he hikes and cross country skis at Black Moshannon. He has driven the local roads by the proposed project. He said that the American Society of Civil Engineering Code of Ethics states "Engineers should hold paramount the safety, health and welfare of the public." He said that Resource Recovery is now suggesting use of local roads when it clearly states in the host municipality agreement that "Resource is aware of the adverse impact that the high volumes of truck traffic will have on local roads and communities." This raises ethical questions. Professional engineers are duty bound to uphold the Code of Ethics as a matter of principle and also as a matter of Pennsylvania law. It is a requirement for professional licensing. Both the interchange and the use of local roads are inconsistent with the Transportation Plan. Since final FHWA approval for the interchange says that it must be consistent with the Plan, there is no need for a POA. Mr. Farber asked the MPO to send a clear message to PennDOT and FHWA that the interchange and the use of the local roads are inconsistent with the Transportation Plan and that early termination of the POA request best serves the public interest.

Ms. Susan Campos, Ferguson Township, said that a month ago she was driving for several hours on I-80. She said that she was frightened by the extremely heavy truck traffic surrounding her. She counted 12 trucks and only one car ahead of her. Ms. Campos was horrified at the idea that the proposed interchange will substantially increase truck traffic on I-80. She asked how it could possibly be consistent with the Transportation Plan.

Mr. Ron Johnson, Sierra Club member and Centre County resident, said that the Sierra Club's mission on this issue is clear: As a community, we should do everything we can to encourage responsible waste management by reduce, reuse and recycling and disposing the remainder as close to the point of generation as possible. In addition, the very idea of allowing a remote area surrounded by woodlands and a state park to literally be trashed upon by dumping garbage from hundreds of miles away demonstrates a blatant disrespect for the values of national undeveloped land and people who live there because of it. In contrast to the pictures shown previously by Resource Recovery, most have probably seen the DVD that gives a totally different presentation of this area. That is why the Sierra Club joins with PPC and others in the community in opposition to this project.

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 10

On a personal note, Mr. Johnson said that the only supporters of this project are either outsiders or those lured by “sucker money.” There is no question that the vast majority of Centre County agrees that this landfill is totally inconsistent with what they want for their air, water and surrounding land. This has already been established and is very obvious from the number of people here tonight. He noted that there are not too many people here from Rush Township in support of the project. Resource Recovery is manipulative. Previously, Mr. Rettew had indicated that if the I-80 interchange is denied, the only clear option is to go through local roads. He said that a response to Mr. Rettew can be made tonight without wasting anymore of our time or money on this issue. He urged the MPO to tell Mr. Rettew that since it has already been established that the landfill is inconsistent, the only clear option for this group is to forget the landfill.

Mr. Chester DeFurio, President of the Moshannon Forest Property Owner Association, said that collectively this group owns approximately 1,500 acres comprised of 50 seasonal property owners. The land starts just over the metal bridge, to the left of Gorton Road. Moshannon Creek joins 2/3 of the land that is owned. The Association is against the proposed landfill and has been since its conception. This will have a tremendous detrimental impact to the environment to the entire area. Mr. DeFurio said he was here to express the concern of the Association related to the discussion of the proposed transportation plans related to the landfill. They are concerned with the inconsistent data that Resource Recovery is using to support the argument in relationship to the interchange and use of local roads. The Association is especially concerned about the discussion and proposal to widen local roads to accommodate anticipated truck traffic. The impact would be disastrous. The Moshannon Forest Property Owner Association wants to go on record that they do not support the proposed I-80 interchange or the developing of local roads to accommodate a landfill. The only way to prevent the destruction of our communities is to stop this project in its entirety.

Mr. Steve Lachman, attorney pro bono for PPC, observed that all these people who are concerned about traffic on local roads are not saying give us I-80 as an alternative, they are saying no trash dump. He said it was ironic that the company that proposed to dump literally millions of tons of garbage in Centre County calls itself Resource Recovery. Since the MPO is considering the POA review out of fear of moving trucks on local roads, he used a “decision tree” to show the likelihood of getting to that point. If the MPO does what it should and says that the plan is inconsistent. The odds are that we have no dump because Resource Recovery has I-80 as an integral part of their plan. It is cheaper and easier to bring in the trucks. If there is no interchange, it is unlikely that the dump will go through. The result of that is that there is no further expense for government review, no further legal battles, no further expense as citizens, Resource Recovery does not have to waste anymore money in Centre County, we do not get stuck with cancer and polluted water and we do not have to worry about taxpayers giving Resource Recovery welfare for their project. If Resource Recovery still wants to go forward, their plans depend on truck traffic on local roads so they will have to get a Highway Occupancy Permit. Again, the MPO and citizens have an opportunity to comment on that, so there is a good chance that the occupancy permits never gets granted. Again, Resource Recovery out of the picture. On the slight chance that they get their Occupancy Permit, Resource Recovery still has to go through a Harms/Benefit Analysis in front of DEP. The MPO can again argue about the harm of using local roads, air pollution caused by the project, the waste of fuel from trucking all that garbage from New York and New Jersey and about the additional road fatalities. Again, if DEP makes the right decision, Resource Recovery is out of here. Last, even if DEP grants the permit, Resource Recovery still has to do something to those roads to make them suitable for trucks. Mr. Lachman said that Resource Recovery does not have eminent domain power in Snow Shoe Township. They are out of here. All of this depends on the MPO making the right decision tonight.

Harry Pionke, State College, discussed the economic realities of landfill business and where it leads. From talking to Waste Management and several other people, he found that landfill capacity is substantially overbuilt. This has created a buyer’s market for people who use landfill services, and they are pushing for more price competition. One of the things that they have done is pressured the more remote landfills, of which this will be, to start discounting their tipping fees to cover the extra

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 11

transportation costs required to use them. That is going up because the price of fuel is going up. In addition, the remote landfills are generally operating at fractions of their capacity. He said that Somerset is running at about 1/3 capacity and Tallytown is running at full capacity. Tallytown is located in Philadelphia. This information was provided by the manager of Waste Management. Mr. Pionke said this leads to key questions. How much will this affect Rush Township's income expectations? It could be devastating. How will it affect the industrial park? The industrial park is likely to be made up of Resource Recovery owned or heavily subsidized companies. They are going to have to put a lot of money into that to make it go and he asked if the landfill would provide those funds. He asked how they could afford an interchange costing \$10-\$50 million. This is not a gold mine anymore. Mr. Pionke said that what has been gotten from Resource Recovery are all the reasons, but there is no business plan or a documented proposal. What we have is a sales pitch. He said that it is poorly done and it is filled with smoke and mirrors. A feasibility study is needed, but not by the FHWA. A feasibility study is needed by Rush Township and Resource Recovery and it needs to be directed toward their own sales pitch.

Ms. Judith Johnsrud, State College, said she represented the Sierra Club and was Chair of its National Committee on Radiation. She said that it may seem distant from this issue, but in fact it is not. She said that she was also on Pennsylvania's Advisory Committee on Low Level Radioactive Waste Disposal. She said that citizens have not talked much about the content of the 800 trucks coming into the community on a daily basis. Citizens need to understand that the state of Pennsylvania permits radioactive waste to be disposed of in municipal landfills like the one that Resource Recovery is proposing. Similarly, at the national level, the Nuclear Regulatory Commission and DPA are in the process of deregulating far more of the radioactive waste that otherwise would go into a properly designed low level waste facility. In fact, DPA and the NRC just recently adopted regulations to allow radioactive materials to travel with no identification whatsoever. Therefore, Ms. Johnsrud believed this was an issue, given the likelihood that I-80 and the new I-99 will potentially bring far more materials into our community. All of this together is antithetical to the purposes of the MPO. Ms. Johnsrud referred to the shift going on currently to our future energy supplies – oil, gas and diesel fuel – that would affect the cost of transportation and the impact of a landfill. She added that the American people are suddenly waking up to the fact that we are all producing more trash than we should. She hoped that the MPO would take advantage of the opportunity to halt the approvals of this proposed landfill and will do so tonight.

Ms. Kathy Dauler, State College Borough, said that she opposed the proposed I-80 interchange. She said that in the past 23 years of living in Pennsylvania she has visited her mother many times, who lives in New Jersey. She said that she has never been proud of the policies that New Jersey has about trash and recycling. However, she is proud of the much better policy in Pennsylvania. She said that she is often behind a garbage truck as she drives along I-80 on its way from New Jersey or New York going somewhere in Pennsylvania. It is easy to tell when you are behind a garbage truck because of the smell and it's easy to figure out how many of them there are. She said that she does not want anymore of them. Ms. Dauler said that it was important to think about how Centre County has worked really hard on recycling and disposing of trash in a better way than New Jersey and New York. This is a really beautiful piece of land that is going to be spoiled by other people's trash, including her mother's. She said that she often tells her mother that the can she does not want to wash out because it's too much trouble is probably going to end up somewhere in Pennsylvania. She and her mother have had many disagreements about this. Pennsylvania does not need more trash coming from New Jersey or New York.

Mr. John Mandel, Rush Township, stated he was at the meeting to let people know that all of Rush Township is not in favor of this landfill, let alone the interchange. He said he attended the first meeting at Rush Township Building when the landfill was proposed. He suggested that there be a referendum put on the ballot for the people. He said this was too big of a decision for two Township Supervisors and the Secretary. This decision was made not in an evening meeting, but a morning meeting on the Friday before Memorial Day. He stated that is very upsetting. Mr. Mandel felt there was a better use

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 12

for the land in Centre County than a dump. He attended the last meeting in Rush Township and Mr. Couturiaux said that there are thousands of people that support this project. Mr. Mandel said that they had to be from Resource Recovery. He said that his family walked around their neighborhood, which is the same neighborhood as Mr. Shannon's, and 90 percent of the residents there oppose the project. He said he was turned down by one man who is a garbage truck driver, but he said that his wife would sign the petition. If this issue had been put on a ballot, citizens would not be here tonight because it would have been over. Mr. Mandel said he was opposed to the interchange and opposed to the landfill.

Mr. Dan Mottin, Moshannon, said that he and his wife just built a house on Gorton Road and moved in last March. They found out about the landfill while their house was being built. He said he agreed that the Rush Township Supervisors had too much power, but they made the choice that they felt best for their township. He said that he graduated from Philipsburg-Osceola School District and his friends were all anxious to graduate and get out of Pennsylvania. But he wanted to stay here. Mr. Mottin said that he loves it here and often goes hunting and fishing. He did not want that to end or move somewhere else. He did not want to tell his friends how to get to his house by saying that it was beside the biggest landfill east of the Mississippi. As citizens of Pennsylvania, we have to do everything we can possibly do to support and protect our state.

Ms. Michelle Barbin, PPC, said that at the Technical Committee meeting in September the interchange was unanimously confirmed as being inconsistent with the MPO's Long Range Transportation Plan. The decision then became a little contentious: Should the POA request proceed or not? She felt that it should not. It is a waste of tax payer's money and the civil servants' time. No one has the right to sacrifice a sustainable outdoor recreation economy at the expense of this proposed project. Outdoor recreation generates \$18 billion a year in Pennsylvania alone. Wildlife based recreation accounts for \$2 billion annually. Combined with hunting and fishing, the total economic impact of wildlife based recreation in Pennsylvania is nearly \$6 billion annually. Snow Shoe, Cooper, and Burnside Townships and the regional economy in the northern forest are part of this growing, sustainable economy that depends on high quality environmental and ecological assets, including wildlife habitat. These assets are evidenced by the growth in the rural seasonal properties, the development of the Snow Shoe Rail Trail and the continued patronage of anglers, hunters, trappers, hikers and bird watchers. Ms. Barbin said that bird watchers have the rare opportunity to view interior forest species. Interior forest habitat is constantly threatened by sprawl and forest fragmentation has profound effects on interior forest wildlife. Additionally, this area is part of the Pennsylvania wilds, one of the last areas left on the east coast of the United States. She said that this area is to Pennsylvania as the Adirondacks are to New York. The quality of wildness is comparable. Siting an interchange for a proposed landfill or industrial development that will detract from and degrade this established outdoor recreation economy, one that depends on the assets of wildness, remoteness, peace and serenity, is nothing more than robbing Peter to pay Paul. Undeveloped areas are just as salient to some economies as developed ones are to others. None have been requested until now because none have been wanted or needed. The inconsistency of the interchange and the Long Range Transportation Plan is not through neglect of our planners, but through the foresight and common sense of all citizens.

Mr. Harry Berlin, State College, said he has been following this controversy through newspapers and TV. He said he did not feel there was a landfill deficiency in Centre County. He said he was not as knowledgeable as other citizens have been, but if you have a choice between a landfill or a resort that somebody might propose, it is an easy choice.

Pastor Douglas Mottin said he lives on Gorton Road and his children and grandchildren play in a yard there. The nation has been through Hurricanes Katrina and Rita recently and he said that this proposed landfill is a like catastrophe to the community. The only difference is that the hurricanes were an act of nature and the landfill would be an act of committees such as the MPO and others who approve this terrible tragedy. Pastor Mottin stated that he loves the community that he lives in. He said he opposed this landfill with all his spirit and all his heart.

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 13

Ms. Pam Steckler, State College, said that she was impressed with what citizens have said so far. She referred to Mr. Rettew saying that access was key to the development of this park and landfill and that it would only be worth pursuing if approved by the MPO and incorporated into the Long Range Transportation Plan. She requested that the MPO not approve the interchange so that we do not ever have this dump to worry about.

Mr. Bill Hechinger, State College, thought that part of the consistency review should require that the company proposing this be consistent. The company that we are dealing with has shown that they are not consistent. In the future the landfill may have an incinerator and it may also contain low level nuclear waste materials. This waste will inevitably end up in the incinerator and low level nuclear waste has isotopes that release every bit of their energy when they get in people's lungs. Mr. Hechinger said that he has been in the Sproul State Forest with a person who used to work with the Fish and Wildlife Commission. He said that in the spring, there are hundreds of migratory song birds that could be in danger. This is one of the birds' highways going northward. In addition, since the incinerator will affect everybody in Centre County, the voice of every township and borough should be equal to those two Commissioners in Rush Township.

Mr. Wes Glebe, State College, attended a democracy school at Wilson College two weeks ago and said that it was a real eye-opener for him. It gave a historical overview of the Constitution and how the corporate entities in this country have gained such a powerful foothold. There were people who came in from other townships and municipalities that had faced issues similar to this one. He said that once an issue gets into committees, regulations and planning, that is when people find out that they do not have much power. He said that now is the time to put a shoulder behind this and make every effort to stop it.

Ms. Lori Lange said that she has roots in the Centre Region. After graduating from Penn State she moved to Maryland, where she lived four miles from a landfill. She now has three sons and looked for a home in this area over the Memorial Day Weekend. They closed on their house on July 22 and no one had informed them that there would be a landfill again four miles from their home. She said that in Maryland her children could not play outside for fear of traffic and drive-by shootings. Ms. Lange said that her son developed a bronchitis condition every summer and would be on an inhaler. Since moving here, he has not had to use the inhaler once. She said that when they drove by the landfill in Maryland there was always a smell of chemicals in the air. Ms. Lange noted that her husband was from New York and she told him that he is the only New York trash allowed in this county. She felt she represented the mothers in the community of Moshannon that want their children to be able to run freely and bike ride. If Gorton Road were to be made into a highway, they would not be able to do that. She does not want her new home to be ruined.

Mr. Ed Walsh said that all the people gathered here tonight are all brothers and sisters of Mother Earth. The vast majority of us see her as emerging in the mountaintop area and there are all kinds of hopeful signs about what is going to take place in the future if we keep our heads about us. A few of our siblings claim to have given up on the earth's chances for a healthy recovery. Resource Recovery told us last year that nothing else would work up there except a dump, which really made the people love them. They want us to see things their way and they want us to sell our mother for experimental purposes while they still have time to profit. These are still our siblings. These siblings claim to have strong connections among other wealthy and political siblings, who own such businesses as local construction companies here in Centre County. They prefer to operate in the shadows and they look like they are taking in hundreds of millions if the rest of us abandon our beloved mother. We're not going to do that. We remind those few who are tempted to disagree and sell us out that we live in a representative democracy where the will of the people is, by law, more important than the wealth and power of a select few individuals. While we support their right to disagree with us in honest debate of mother earth's treatment, we become deeply saddened when we come across evidence that they are sneaking around in the shadows making deals that are obviously unfair to the earth and to the rest of us, while supposedly profiting only yourselves. Mr. Walsh said "supposedly" because the law of

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 14

unintended consequences in human behavior is as absolute as gravity or any other physical law. None of us are intelligent enough to foresee all the consequences of our decisions. The trail of our mother may come back immediately to haunt us in the form of a fatal accident by a defective garbage truck on I-80, snuffing out the life of a beloved child, or it may inflict harm gradually by contaminating our ground water and our air for generations. Another law which ancient myths teach is that matricide, the killing of one's mother, never goes unpunished. Mr. Walsh said that we intend to do all that we can, using open and democratic strategies, to prevent such a crime. We ask the few brothers and sister who disagree with us to play by the rules of representative democracy. We will be especially grateful to, and as protective as possible towards, whistle blowers with the courage to speak out when they come across grossly unfair or bullying tactics used against the rest of us and our mother for a few of our more venal siblings in this struggle.

*Mr. Klees made a motion that the Centre County MPO find the proposed new interchange on I-80 in Rush Township not consistent with Mobility Action Plan 2015, the CCMPO's current adopted long range transportation plan. Mr. Spsychalski seconded.*

Mr. Yecina, representing the Mountaintop area, thanked all the citizens for coming out and speaking their minds and he said he was very proud of all of them. He recommended that this interchange be found inconsistent and not forwarded it to FHWA. Mr. Exarchos said that Mr. Klees only made a motion to find the interchange inconsistent with the Long Range Transportation Plan.

Mr. Exarchos noted that there were two landfills being proposed in this general area. He was concerned that the second one is still proceeding and probably has even less thought going into it. No one has even discussed where all those trucks are going. He wanted to make it clear that two landfills were proceeding almost in parallel. He thought that a lot of the comments here tonight would apply to both.

Mr. Shannon said that we are charged in this Committee with making transportation policy. He said that we have gotten a bit astray of that. He said that another developer has a proposal right across the creek in Clearfield County. He noted that Rush's agreement with Resource Recovery attempts to maintain some type of control and protection, mostly with the agreement of an interchange. He said that any concerns they have with Snow Shoe Township can be mitigated and they are in the process of meeting with Snow Shoe Township now. He said that the impact of the interchange is much less on Centre County traffic than the proposal in Clearfield County. Every truck that comes to the landfill in Rush Township would still be coming if the proposal goes through in Boggs Township in Clearfield County. Mr. Shannon said that there would also be an influx from the south that will travel the entire breadth of Centre County with no controls and no agreements.

Mr. Klees said he did not want anyone to read anything between the lines of his motion. He said that he thought about this a lot and the motion is strictly as the words stated in the agenda document. It is not consistent with the adopted Long Range Plan, although that does not mean that at some future time it couldn't be made to be consistent. He felt very strongly that if there is plan or policy in place, it should be used as the guideline. Mr. Klees said he would not wish truck traffic on the local roads in that area. He cautioned people to be careful in the sense that people might think they got what they asked for if the MPO votes not to support this interchange, but we have no control over how this will turn out. Having the landfill go in without the interchange would be a serious problem for everyone.

Mr. Pytel said he was very upset when he read the staff recommendation, and was concerned that the long range planners were responding to a threat in developing the recommendation. He did not think PennDOT would allow the truck traffic on the local roads. Those roads would have to be updated and therefore be on the TIP.

*Mr. Ring said the motion before the Committee is whether the landfill and the roads are consistent with the Long Range Plan. A vote was called and the above motion passed unanimously.*

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 15

*Mr. Shannon made a motion that the POA be forwarded to FHWA for further evaluation. Mr. Spsychalski seconded.*

Mr. Elnitski asked PennDOT if the trucks would be allowed to travel the local roads if Resource Recovery improved them. Mr. Kline said that PennDOT would ask for a traffic impact study. If it was feasible to improve the roads, it was possible.

Mr. Exarchos said that one other thing that must be thought about is if at some point it goes to court. Once the courts step in, he thought there would be different outcomes than what people wanted. He said there was the possibility of the landfill using local roads. He said he was likely to support the motion.

Ms. Goreham asked if Gorton Road was a township road and who had authority over its use. Mr. Yecina said that Gorton Road is a township road, with a weight limit of 10 tons posted.

Ms. Goreham referred to a policy called Procedural Guidelines for Highway Feasibility Studies dated September 1998. There was a section on management studies that referred to early termination of a study based on evidence established on preliminary comparisons of user benefits and costs, information on the lack of financial feasibility, or a demonstration based on public involvement that a facility is generally unwanted or unneeded. Ms. Goreham asked if this policy was still valid. Mr. Smoker, FHWA, said he had internal discussions with the Pennsylvania Division FHWA Office and found that the clause was developed under a program referred to as the National Corridor Planning and Development Program and also to coordinate border infrastructure. The policies are set forth for funding that is received under the corridors and borders program. The guidelines mentioned earlier as part of the consistency review is actual federal aide policy signed by the Federal Highway Administrator and those are the policies that we need to follow for adding additional highway capacity to an interstate system.

Ms. Goreham asked what would happen if the MPO does not forward the POA. Mr. Smoker said that FHWA has asked the MPO for a consistency review, not for whether it should review the document in the end or not. FHWA recognizes the high level that staff has put forth to date and the level of review and evaluation. The actions of this Committee and Centre County Planning Commission will be heavily reviewed if and when a POA is delivered to the FHWA office. Ms. Goreham asked if the POA review was independent of the MPO. Mr. Smoker said that was correct.

Mr. Exarchos understood the motion as being to send forward the idea and tell FHWA that we found this to be inconsistent. Mr. Ring said that the motion was to submit the POA to FHWA for further evaluation.

Mr. Elnitski asked if someone else could submit the POA and FHWA would review it whether the MPO asked for it not. Mr. Smoker said that under the federal aide policy there are eight points that need to be addressed in a POA. One of those is local and regional transportation and land use consistency. The MPO has been asked by FHWA through PennDOT and Rush Township for its review and approval, or recommendation, if the Long Range Plan is consistent with this proposal.

Mr. Elnitski said the second recommendation is to request a study. He thought the motion was useless because it was already being performed. He asked what the motion was asking for that FHWA is not already doing. Mr. Shannon said he was asking that the POA be forwarded to FHWA. Mr. Elnitski asked if this would be done anyway, without the MPO's action. Mr. Smoker said he could not comment on if or when PennDOT would submit a document for FHWA review. Mr. Elnitski asked if someone other than the MPO could submit it to FHWA. Mr. Smoker said that the MPO would not submit the POA for review. That would come from Rush Township to PennDOT, then from PennDOT to FHWA if they feel that the POA meets procedures.

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 16

Mr. Lee understood that it was PennDOT's discretion to advance the POA to FHWA. What the MPO would be doing is either encouraging or not encouraging PennDOT to send it to FHWA. Mr. Exarchos thought that both statements should be on record. Ms. Goreham said it somehow feels like an endorsement if the MPO pushed it on to the next stage.

Mr. Elnitski asked Senator Corman's representative if Governor Rendell is supporting this project. Mr. Eckerd said he could not answer that. Mr. Elnitski said that he was afraid that if the landfill went forward in Clearfield County, they do not have the type of government that Centre County does to control the situation. That is why he was in favor of advancing the study.

Mr. Pytel said that the proposal does not meet the Long Range Transportation Plan because it does not include the project and the interchange is not consistent with the Centre County Comprehensive Plan. He asked why there is a long range planner if those plans are not being followed. If we have a plan, but it's a "maybe," then maybe we need new planners.

Mr. Shannon said there is a Long Range Transportation Plan that is in the process of being updated. This project has been requested by one of the municipalities. At some time, the MPO is going to have to deal with it.

Mr. Pytel said he did not think the MPO had any right to address something on "maybes," "canbes" and "should bes." The MPO has the right to make the motions that they did and anything else would be jeopardizing the Committee.

Ms. Goreham encouraged the MPO members to vote on the motion and not consider what could happen in Clearfield County.

A vote was taken about whether to go to a vote on the above motion or continue discussion. The vote was to continue discussion.

Mr. Spsychalski asked CRPA staff for further explanation for why they recommended submitting the POA for further evaluation. Mr. Zilla said he did not have the confidence in the Highway Occupancy Permit process to stand before the MPO and tell them that access on local roads would not happen. He said it was his responsibility, regardless of threats or anything else, to give the MPO alternatives that may occur so that the MPO could make decisions. He had concerns and needed to voice those to the MPO. If this goes through the Highway Occupancy Permit process, he was not confident that we would be able to make the mitigations necessary.

Mr. Elnitski said that if the POA is not moved ahead for the study, access on the local roads could happen anyway and the MPO would lose the power to mitigate. Mr. Zilla said that the possibility certainly exists. It will be harder through the Occupancy Permit process, particularly if those improvements are privately funded.

Mr. Lee clarified that Mr. Zilla was saying that the landfill might happen and if the POA is not studied, then the local roads might be used through the Highway Occupancy Permit process, which has less controls. Mr. Zilla said this was correct. Mr. Lee asked how the POA study would help that situation. Mr. Zilla answered said that the POA and NEPA process would provide the MPO more opportunities to provide comments. It also compares the benefits and impacts of the interchange and access from the local road system. Mr. Lee asked who did this study. Mr. Zilla said that PennDOT would submit the POA to the Bureau of Highway Administration and a NEPA document would be done through PennDOT by the developer.

Mr. Klees referred to the steps on the slide presentation. He said that his understanding was that once it gets to the NEPA process and it meets the requirements, it gets harder for the MPO to turn it around and stop it. He said his reading of that chart tells him that he should not recommend the second motion

**CCMPO COORDINATING COMMITTEE MEETING MINUTES**

**Tuesday, September 27, 2005**

**Page 17**

because his fear is that it will get further down the road it will be harder to stop. Mr. Exarchos noted that it would have to be put on the TIP as well.

Mr. Exarchos said that the landfill itself was a land use problem. Zoning is the primary standing for a piece of property and his concern was that in the end, there are circumstances where the interchange will not affect whether the landfill goes in or not. He said he would rather watch what happens with the land use consideration and keep the options open for an interchange. There are still opportunities through the TIP to stop the interchange. He was concerned about the worst case scenario of a landfill going in without an interchange for access.

Mr. Pytel said there is a question of whether or not this meets the Long Range Transportation Plan. If the answer is no, then the MPO should not request a future study to see if it can. Mr. Ring noted that this motion was on the table right now. Mr. Pytel said that in 1995 a woman was killed by a truck on Centre Hall Mountain. PennDOT came to the MPO and asked the MPO if that road could be closed down to truck traffic. The MPO voted for that and the road was shut down to truck traffic. That is some of the power the MPO has with PennDOT. The problem is whether to open Pandora's box by further studying the POA.

*The motion on the floor is that the POA should be submitted to FHWA for further evaluation, made by Mr. Shannon and seconded by Mr. Spsychalski. The MPO voted on the motion. The motion failed due to a tied vote of 7 for and 7 against, with two abstaining.*

**FOR**

*B. Corman  
J. Elnitski  
C. Exarchos  
J. Shannon  
J. Spsychalski  
J. Yecina  
D. Ring*

**AGAINST**

*R. Buckalew  
E. Goreham  
D. Klees  
C. Lee  
G. Pytel  
F. Royer  
B. Spencer*

**ABSTAIN**

*K. Kline  
T. TenEyck*

**7. Transportation Enhancements/Home Town Streets/Safe Routes to School Programs**

Ms. Meek said that this item needs action tonight so that applicants for these programs have an idea of the guidelines and evaluation criteria are for the programs. Ms. Meek said this is very similar to the process used in the past three rounds.

There is currently an open round of funding for Transportation Enhancements/Home Town Streets/Safe Routes to School (TE/HTS/SR2S) and the application deadline is Friday, September 30 at 3:00 p.m. All applications must be submitted electronically.

The MPO needs to consider an evaluation process, schedule and criteria. The proposed process would include the formation of a TE/HTS/SR2S Review Committee to evaluate the applications. Members will include representatives from the Technical Committee, Centre County Planning Office, PennDOT District 2-0 and PennDOT Central Office. Individuals from municipalities or agencies who are submitting an application can not serve on the Review Committee. Ms. Meek reviewed the staff recommendation for the Committee, noting that one more Technical Committee representative is needed.

Ms. Meek said that a joint meeting of the MPO Technical and Coordinating Committees will need to be scheduled. This provides applicants an opportunity to give a ten minute presentation on their projects. After that meeting, the Project Review Committee will rank the projects and make a recommendation on project funding to the MPO.

## CCMPO COORDINATING COMMITTEE MEETING MINUTES

Tuesday, September 27, 2005

Page 18

Reviewing the evaluation criteria, Ms. Meek said that there were some criteria that are established by the state and the MPO is required to use these as part of the selection process. These include Project Description, Financial Information, Matching Funds and Project Readiness, Project Manager, Hazardous Route Issues (SR2S), and Attendance at a Workshop.

Ms. Meek noted that additional local criteria is encouraged and during the last round one of those was whether or not a project met program objectives and was worth up to 25 points. In response to MPO comments, staff also recommended that a criterion be added for whether a sponsor had received funds in a previous round. If a sponsor has never received program funds, they would receive five additional points. If a sponsor received funds between 1994 and 2000, they would receive three points and if they received funds between 2001 and 2005, they would not receive any points. The Technical Committee is recommended the staff proposal to the Coordinating Committee.

Ms. Meek reviewed the schedule for the TE/HTS/SR2S evaluation. In October, the MPO will receive applications from PennDOT, with comments. A joint MPO meeting will be held in November or December and in January, 2006 the MPO will forward their priorities to PennDOT. The State Transportation Commission approves projects in April and in June the TIP would be amended to include the approved projects.

Reviewing the funding allocations, Ms. Meek said that the MPO has been good at conserving the money for these programs and using it to fund cost increases and future projects. There was almost \$700,000 dollars in the TIP line items for this type of project. With the approval of the Philipsburg cost increase, \$632,861 remains for the current round. She said that there will be a new allocation as well, but that figure is not yet known.

*Mr. Spychalski made a motion to approve the process and schedule for evaluating and making recommendations about funding for candidate TE/HTS/SR2S projects. Mr. Exarchos seconded and the motion passed unanimously.*

### **8. Centre County Long Range Transportation Plan (LRTP)**

This item was postponed to a special meeting on October 25, 2005.

### **9. Announcements**

Announcements were included in the agenda.

### **10. Adjourn**

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Lori Shingler  
Recording Secretary