Poughkeepsie-Dutchess County Transportation Council Bylaws

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PDCTC

27 High Street, 2nd Floor
Poughkeepsie, NY 12601
Phone: 845.486.3600
Fax: 845.486.3610
Email: pdctc@dutchessny.gov
Internet: http://www.dutchessny.gov/pdctc.htm

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1. PURPOSE

These bylaws describe the mission, organization, and operations of the Poughkeepsie-Dutchess County Transportation Council (PDCTC), the designated Metropolitan Planning Organization (MPO) for the Dutchess County portions of the Poughkeepsie-Newburgh NY-NJ and New York-Newark NY-NJ-CT Urbanized Areas. In accordance with the provisions set forth in 23 U.S.C. 134 and 49 U.S.C. 5303, the PDCTC (hereinafter referred to as the "Council") is tasked with carrying out a continuing, cooperative, and comprehensive multimodal transportation planning process for the local metropolitan area. In order to carry-out this task, the Council finds it prudent and necessary to identify and specify the roles and responsibilities of the Council, its members, and sub-committees to carry out the metropolitan transportation process.

These bylaws complement a series of supporting agreements and documents that have regulated the Council's operations since its inception, beginning with the original May 1, 1982 Memorandum of Understanding (MOU) that formed the Council, created its initial voting structure, and outlined its general responsibilities as the MPO for the Poughkeepsie Urbanized Area. The Council extended this MOU with an October 27, 2005 Supplemental Agreement that coincided with the federal transportation law in effect at the time. Upon its expiration on March 31, 2012, the Council entered into a new Host Agency Agreement, dated April 1, 2012, that reauthorized the MPO host relationship between Dutchess County and NYSDOT, and provided a 10-year schedule of funding for the Council's transportation planning activities.

These bylaws further complement the Joint Coordinated Planning Agreement, dated March 16, 2011, that enumerates the roles, responsibilities, and cooperative procedures for carrying out the metropolitan transportation planning process in Dutchess County, as agreed upon by Dutchess County, the City of Poughkeepsie, the New York State Department of Transportation (NYSDOT), the Metropolitan Transportation Authority (MTA)/Metro-North Railroad, and the New York State Bridge Authority (NYSBA).

The Council, being a consortium which cannot enter into contracts or employ staff, is hosted by Dutchess County. The host agency, through a contract with the NYSDOT, employs staff, coordinates Council activities, and administers the use of federal transportation planning funds. The Council acts as the voting body of the MPO and maintains a staff-level committee which is called the Planning Committee.

2. BACKGROUND

The federally prescribed metropolitan transportation planning program provides funding to support the cooperative, continuous, and comprehensive (3–C) planning process in metropolitan areas. Since the 1962 Federal-aid Highway Act, federal authorizing legislation for the expenditure of surface transportation funds has required metropolitan and statewide transportation plans and transportation improvement programs be developed through a 3–C planning process. Over successive reauthorization cycles, Congress has revised and expanded the requirements for 3-C planning.

Metropolitan transportation planning occurs in urbanized areas with a population of 50,000 or greater. An MPO is the policy board of the organization created and designated by the Governor and local officials to carry out the metropolitan planning process in an urbanized area. The

boundary of the metropolitan planning area covered by the MPO planning process is established by agreement between the Governor and the MPO and, in general, encompasses the current urbanized area and the area to be urbanized during a 20-year forecast period. Certain urbanized areas—generally those over 200,000 in population—are designated as Transportation Management Areas (TMAs).

The MPO establishes the investment priorities of federal transportation funds in its metropolitan area, through the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP). Each MPO, regardless of size, must prepare a MTP and update it every four (4) or five (5) years based on their air quality designation. The MTP must cover at least a 20-year planning horizon at the time of adoption by the MPO. Prior to adoption, the MPO must provide a reasonable opportunity for public comment on its content.

The MPO, in cooperation with the State and providers of public transportation, must also develop a TIP, which serves as the prioritized listing/program of transportation projects covering a period of four (4) years, and must include a financial plan that describes the source of funding that would be reasonably expected to be available to support the projects. The MPO must update and approve the TIP at least once every four (4) years. Prior to approval, the MPO must provide a reasonable opportunity for public comment on the TIP. The TIP is also subject to approval by the Governor. When the MPO submits the TIP to the State, the MPO must certify that the metropolitan transportation planning process is in compliance with applicable requirements.

In TMAs, the metropolitan transportation planning process must also include a Congestion Management Process (CMP) that provides for the effective management of transportation facilities through the use of travel demand reduction and operational strategies. The FHWA and FTA must certify the transportation planning process in TMAs at least once every four (4) years. During the certification process, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) will review whether the process complies with metropolitan transportation planning requirements.

In order to carry out the metropolitan transportation planning process, FHWA and FTA provide planning funds to MPOs, which are programmed through a Unified Planning Work Program (UPWP). The UPWP documents the planning activities to be performed by the MPO with federal transportation funding.

3. DEFINITIONS

The following definitions apply to these bylaws:

a) *Administrative Modification*: a minor revision to a Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Statewide Transportation Improvement Program (STIP), or Unified Planning Work Program (UPWP) that includes minor changes to project/project phase costs, funding sources for previously-approved projects, and phase initiation dates. An Administrative Modification does not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination if applicable.
b) *Amendment*: a revision to a MTP, TIP, or UPWP that involves a major change to a project such as the addition or deletion of a project or a major change in project cost,

project/project phase initiation dates, or design concept or design scope. A MTP, TIP, or UPWP amendment requires public review and comment, and if required, re-demonstration of fiscal constraint and conformity (MTP and TIP only).

c) *Available funds*: funds derived from an existing source dedicated to or historically used for transportation purposes. Authorized and/or appropriated funds and the extrapolation of formula and discretionary funds at historic rates of increase are considered available.
d) *Committed funds*: funds dedicated or obligated for transportation purposes.
e) *Conformity*: a Clean Air Act requirement that ensures that federal funding and approval are given to transportation plans, programs, and projects that are consistent with the air quality goals established by a State Implementation Plan (SIP). Conformity, for the purpose of the SIP, means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the National Ambient Air Quality Standards (NAAQS).
f) *Congestion Management Process (CMP)*: a systematic approach to managing congestion that provides for the effective management and operation of new and existing transportation facilities eligible for federal transportation funding, based on a cooperatively developed and implemented metropolitan-wide strategy. A CMP is required in a Transportation Management Area (TMA).
g) *Consideration*: when one or more parties takes into account the opinions, action, consequences, and relevant information from other parties in making a decision or determining a course of action.
h) *Consultation*: when one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken.
i) *Coordinated Public Transit-Human Services Transportation Plan*: a locally developed, coordinated transportation plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.
j) *Council*: the official voting and policy body of the PDCTC.
k) *Designated Recipient*: an entity designated, in accordance with the planning process under 49 U.S.C. 5303 and 5304, by the Governor of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under 49 U.S.C. 5336 that are attributable to urbanized areas of 200,000 or more in population, or a State or regional authority if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation.
l) *Environmental mitigation activities*: strategies, policies, programs, actions, and activities that, over time, serve to avoid, minimize, or compensate for (by replacing or providing substitute resources) the impacts to or disruption of elements of the human and natural environment associated with the implementation of a transportation plan or project.
m) *Federal Fiscal Year (FFY)*: the federal fiscal calendar that starts October 1 and ends September 30.
n) *Financial Plan*: documentation required to be included in a MTP and TIP that demonstrates consistency between reasonably available and projected sources of federal, state, local, and private funding and the costs of implementing proposed transportation projects.

o) *Financial/Fiscal constraint*: the requirement that the MTP, TIP, and STIP include sufficient financial information to demonstrate that projects can be implemented using committed, available, or reasonably available funding, with reasonable assurance that the federally supported transportation system is being adequately operated and maintained. For the TIP and the STIP, financial constraint applies to each program year.

p) *Illustrative Project*: an additional transportation project that may be included in a financial plan for a metropolitan transportation plan, TIP, or STIP if reasonable additional resources were to become available.

q) *Intelligent Transportation System (ITS)*: electronics, photonics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.

r) *Local Official*: an elected or appointed official of general purpose local government with responsibility for transportation.

s) *Metropolitan Planning Area (MPA)*: the geographic area in which the metropolitan transportation planning process is carried out, as determined by agreement between the Metropolitan Planning Organization (MPO) for the area and the Governor. For the PDCTC, this is the whole of Dutchess County.

t) *Metropolitan Planning Organization (MPO)*: an organization created and designated to carry out the metropolitan transportation planning process.

u) *Metropolitan Transportation Plan (MTP)*: a multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process.

v) *Obligated projects*: strategies and projects funded under title 23 U.S.C. and title 49 U.S.C. Chapter 53 for which the State or designated recipient authorized and committed the supporting Federal funds in preceding or current program years, and authorized by the FHWA or awarded as a grant by the FTA.

w) *Planning Committee*: the non-voting body of the PDCTC, responsible for identifying transportation planning issues for inclusion in the MTP, TIP, and UPWP, and identifying and undertaking special studies as requested by the Council. Formerly known as the Technical Committee.

x) *Regionally significant project*: a transportation project that is on a facility that serves regional transportation needs, such as access to and from the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals, and would normally be included in the modeling of the metropolitan area's transportation network. This includes all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel.

y) *State Fiscal Year (SFY)*: the State fiscal calendar that starts April 1 and ends March 31.

z) *Statewide Transportation Improvement Program (STIP)*: a statewide prioritized list of transportation projects covering a period of four years which is consistent with the long-range statewide transportation plan, MTPs, and TIPs. In order for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53, they must be listed in the STIP as well as the TIP.

aa) *Transportation Improvement Program (TIP)*: a prioritized list of transportation projects covering a period of four years which is developed and formally adopted by an MPO as part of the metropolitan transportation planning process and is consistent with the metropolitan transportation plan. A project must be on the TIP to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

bb) *Transportation Management Area (TMA)*: an urbanized area with a population over 200,000, as defined by the Census Bureau and designated by the Secretary of Transportation.
cc) *Unified Planning Work Program (UPWP)*: a statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area over a period of no more than two years. The UPWP includes a description of the planning work and resulting products, and identifies which organization will perform the work, the timeframe for completing the work, the cost of the work, and the sources of funds.
dd) *Urbanized Area*: a geographic area with a population of 50,000 or more, as designated by the Census Bureau.
ee) *Visualization techniques*: methods used by the MPO in the development of transportation plans and programs with the public, elected and appointed officials, and other stakeholders in a clear and easily accessible format such as GIS- or web-based surveys, inventories, maps, pictures, and/or displays identifying features such as roadway rights of way, transit, intermodal, and non-motorized transportation facilities, historic and cultural resources, natural resources, and environmentally sensitive areas, to promote improved understanding of existing or proposed transportation plans and programs.

4. RESPONSIBILITIES

The Council shall serve as the policy board designated to carry out the federally prescribed metropolitan transportation planning process in Dutchess County, having the following responsibilities:

a) Carry out a continuing, cooperative, and comprehensive metropolitan transportation planning process as set forth in 23 U.S.C. 134 and 49 U.S.C. 5303.
b) Serve as the official decision-making body for all actions prescribed by 23 U.S.C. 134 and 49 U.S.C. 5303 within the Dutchess County Metropolitan Planning Area.
c) Develop written agreement(s) on information-sharing among the Council, State, and local public transportation operators, as set forth in 23 CFR Section 450.314.
d) Designate the Metropolitan Planning Area (MPA).
e) Delineate the Federal-Aid Highway system within the MPA.
f) Develop and approve the Metropolitan Transportation Plan (MTP).
g) Develop and approve the Transportation Improvement Program (TIP).
h) Develop and approve the Unified Planning Work Program (UPWP).
i) Identify and approve Amendments to the MTP, TIP, and UPWP as necessary.
j) Develop and approve a Public Participation Plan that provides citizens and affected agencies with the opportunity to participate in the metropolitan transportation planning process.
k) Develop an Annual Listing of Obligated Projects.
l) Undertake multimodal, systems-level corridor or subarea transportation studies as part of the metropolitan transportation planning process.
m) Fulfill the metropolitan transportation planning requirements for the Mid-Hudson Valley Transportation Management Area (TMA), in conjunction with the Orange County Transportation Council (OCTC), Ulster County Transportation Council (UCTC), and as necessary, the North Jersey Transportation Planning Authority (NJTPA), to include the

development of a Congestion Management Process and the sub-allocation of FTA funding.

n) Coordinate with the New York Metropolitan Transportation Council (NYMTC) on matters and studies of mutual interest, to include population and employment forecasts and travel surveys.

5. MEMBERSHIP

The Council shall serve as a decision-making body consisting of sixteen (16) voting members (permanent and rotating) and six (6) non-voting advisory members. Voting membership among the thirty (30) municipalities in Dutchess County shall be based on their urbanized classification as shown in Attachment 1, where urbanized cities and towns shall be permanent voting members, and urbanized villages, partially urbanized towns, and non-urbanized towns and villages shall be rotating voting members. Voting membership is as follows:

a) Permanent Voting Members

1) Dutchess County Executive
2) City of Beacon Mayor
3) City of Poughkeepsie Mayor
4) Town of Beekman Supervisor
5) Town of East Fishkill Supervisor
6) Town of Fishkill Supervisor
7) Town of Hyde Park Supervisor
8) Town of LaGrange Supervisor
9) Town of Poughkeepsie Supervisor
10) Town of Wappinger Supervisor
11) Metropolitan Transportation Authority CEO and Chairperson
12) New York State Department of Transportation Commissioner

b) Rotating Voting Members

1) One (1) highest elected official from the urbanized Villages of Fishkill, Pawling, and Wappingers Falls, serving staggered one-year terms on a rotating basis, with two-years off. The terms shall be from January 1st of the year of appointment through December 31st of the year of the end of the term, and the first iteration of the rotation shall start with the Village of Fishkill, followed by the Village of Pawling, and then the Village of Wappingers Falls.
2) One (1) highest elected official from the partially urbanized Towns of Pawling, Pleasant Valley, and Union Vale, serving staggered one-year terms on a rotating basis, with two-years off. The terms shall be from January 1st of the year of appointment through December 31st of the year of the end of the term, and the first iteration of the rotation shall start with the Town of Pawling, followed by the Town of Pleasant Valley, and then the Town of Union Vale.
3) Two (2) highest elected officials from the fifteen (15) non-urbanized Towns and Villages in Dutchess County. These members will be appointed by the Dutchess County Supervisors and Mayors Association for two-year terms starting on January 1st of the year of appointment, through December 31st of the last year of

appointment. In those instances when an appointed Council member leaves office prior to the expiration of their term, the Dutchess County Supervisors and Mayors Association will provide the Council with a replacement appointee no more than forty-five (45) days after the departing member's last day in office.

c) Non-voting Advisory Members

1) Federal Highway Administration Division Administrator
2) Federal Transit Administration Regional Administrator
3) New York State Bridge Authority Executive Director
4) Dutchess County Department of Planning and Development Commissioner
5) Dutchess County Department of Public Works Commissioner
6) Dutchess County Division of Public Transit Administrator

Council members may designate in writing an alternate representative from the municipality or agency that is empowered to attend meetings and act on their behalf with the authority to make decisions; this written designation may be temporary or permanent. The designee may be an elected official (e.g. Town Board member) or a non-elected, paid employee of the municipality or agency. Written designations must receive the concurrence of the Chairperson prior to Council vote. All written designations from a Council member shall be nullified upon their departure from the elected office or official position upon which their membership was based.

6. OFFICERS

The Dutchess County Executive shall serve as the permanent Chairperson of the Council and the Commissioner of the New York State Department of Transportation (or their designees) shall serve as the permanent Secretary of the Council. As necessary, the Chairperson may designate the Deputy County Executive as the Chairperson of the Council; such designation shall not be required in writing. The Council may establish and fill other offices as necessary to carry out its work.

7. PLANNING AREA

The Council shall be responsible for the metropolitan transportation planning process for the Metropolitan Planning Area, defined as Dutchess County in its entirety, as agreed to by the Council and the Governor.

8. COUNCIL STAFF

The Dutchess County Department of Planning and Development shall serve as the host agency for Council Staff and shall perform the technical and administrative duties of the Council. Staff shall be accountable to the Council.

9. COUNCIL MEETINGS

The Council shall meet as necessary to accomplish the functions of the MPO, at a time and place designated by the Chairperson. If matters arise that demand the immediate attention of the Council, the Chairperson may convene a special meeting of the Council. A Council member may

also request that the Chairperson convene a special meeting of the Council. Council members will receive written notice by mail or electronic mail of a meeting at least fourteen (14) days prior to the meeting date; the meeting notice shall include an agenda and all relevant meeting documents.

Meetings of the Council shall be open to the public. Members of the Planning Committee and Subcommittees will be invited to attend all Council meetings. Council meetings will follow the general rules of parliamentary procedure, using the most recent edition of *Robert's Rules of Order Newly Revised* as the official reference for procedures not specified in these bylaws. The regular order of business, unless otherwise modified by the Council, shall be as follows:

a) Call to Order
b) Roll Call and Quorum Determination
c) Call for Public Participation
d) Approval of Previous Meeting Minutes
e) New Business
f) Communications and Reports
g) Call for Announcements
h) Adjournment

The following public participation procedures shall be followed at all Council meetings:

a) All persons attending, including Council members and the public, shall be asked to record their name, contact information, and what organization they represent, if any.
b) The public shall be given the opportunity to speak under the Call for Public Participation section of the agenda on any item pertinent to the agenda or the transportation planning process in general. This does not preclude the public from commenting on any agenda item as it is being discussed, time permitting. Public speakers shall be afforded a reasonable amount of time to make their comments; though, the Chairperson may limit speakers to approximately five (5) minutes each, in order to conduct Council business.
c) The Chairperson shall be the official spokesperson for the Council, responsible for informing the public of the work of the Council and maintaining good relations with the media. If directed by the Chairperson or his/her designee, Council staff may also discuss Council activities with the media.

Special executive sessions (closed to the public) may be called at the request of a Council member for the purposes enumerated in Section 105 of the New York State Open Meetings Law. Executive sessions shall be called to discuss matters that imperil public safety, compromise investigations or legal proceedings, or other actions referred to in Section 105.

The Council shall maintain a complete and accurate summary of each Council meeting and distribute the summary to the Council prior to the next scheduled meeting, as well as post the meeting summary on the Council's website. Meeting summaries shall be maintained in the permanent records of the Council.

10. DECISION MAKING (as amended March 24, 2016)

All actions taken by the Council shall be by consensus of voting members, with consensus defined as unanimity of affected parties. An action brought before the Council must pass without objection. An abstention shall not be counted as a negative vote. An affected party is a Council member that is directly affected by the proposed activity needing consent. Consensus can result from a vote taken at a Council meeting, or from a written ballot of the Council members conducted by Council staff. The Chairperson shall judge the extent to which members are affected by proposed Council actions and shall declare a consensus, or the lack thereof, as the case may be.

Council Meetings

The presence of a majority of voting members, defined as more than half, shall constitute a quorum of the Council, and a quorum shall be required for the Council to vote on an action. Each voting member shall be entitled to one vote on each action brought before the Council. The Chairperson or Secretary shall make a motion to vote on each action and record any negative vote(s). In order to carry a motion, there must be an affirmative vote by all voting members present, provided a quorum has been established. A duly passed resolution of the Council, on any matter properly brought before the Council, shall be the act of the Council.

Written Ballots

A written poll of the Council shall be conducted in the following manner:

1. Council staff shall distribute the proposed action and any supporting documentation to the voting members of the Council. The notice shall specify the deadline for response to the ballot and request confirmation of receipt. If, by the specified ballot deadline, Council staff has verified by phone or email that all voting members have received the ballot, and no negative responses have been received, the Chairperson shall presume concurrence and shall be empowered to declare the Council's approval of the proposed action.
2. Council members who wish to vote negatively, or who have comments, may indicate so by telephone, but are required to provide written confirmation of such action. Council members who vote negatively will be requested to provide the reason to assist Council staff or other members to address the issue prompting the negative vote.
3. If any negative votes are received, or if any member has questions, comments, or concerns about the proposed action, the Secretary may suspend, delay, or terminate the balloting until the matter is resolved.
4. The submission of a majority of voting ballots, defined as more than half of voting members, shall constitute a quorum of the Council, and a quorum shall be required for the Council to carry a motion.
5. When the poll has been concluded, either with the Council's approval, or by virtue of a termination of the balloting, the Secretary shall prepare a record of the decision.
6. In those cases where responses to a proposed action are required in a short period of time, wherein the conclusion of a written poll is unlikely, the poll shall be conducted by email. For email ballots, Council staff will include the voting member’s Planning Committee representative in the ballot message.

11. PLANNING COMMITTEE

The Council shall maintain a Planning Committee (formerly named the Technical Committee) that is responsible for providing agency, municipal, and public input during the development of the MTP, TIP, UPWP, and other Council products. The Planning Committee shall also discuss related transportation issues, ensuring that Council Staff adequately address federal, State, regional, and local transportation priorities. The Planning Committee shall not act as a decision-making body. The Planning Committee shall meet regularly to carry out its responsibilities, typically meeting on the fourth Wednesday of the month. At a minimum, the Planning Committee shall perform the following tasks:

a) Review and update the MTP prior to action by the Council.
b) Review and update the TIP prior to action by the Council.
c) Review and update the UPWP prior to action by the Council.
d) Identify transportation issues that require further study or research by the Council or specific member(s).
e) Carry out special studies as requested by the Council.

Membership on the Planning Committee shall consist of one representative from each incorporated municipality within Dutchess County. The Planning Committee member may be the highest elected official of a municipality or his/her representative. The Planning Committee shall also include representatives from the following agencies:

a) Dutchess County Department of Planning and Development
b) Dutchess County Department of Public Works
c) Dutchess County Division of Public Transit
d) Federal Highway Administration
e) Federal Transit Administration
f) Metropolitan Transportation Authority/Metro-North Railroad
g) New York State Bridge Authority
h) New York State Department of Transportation-Region 8
i) New York State Thruway Authority

In order to keep Council members informed, it is the responsibility of each Planning Committee member to discuss all issues with their respective Council member, prior to and after all Planning Committee meetings. The Dutchess County Department of Planning and Development Transportation Program Administrator shall serve as the chairperson of the Planning Committee. Council Staff shall prepare a written summary of all Planning Committee meetings and distribute meeting summaries to Council members and the Planning Committee prior to the next scheduled meeting, as well as post it to the Council website.

12. SUBCOMMITTEES

The Council or Planning Committee may establish subcommittees and advisory committees to complete specific work items or special tasks. The following are examples of three (3) such committees that the Council may establish, though others may be formed as needed:

a) TIP Subcommittee: the TIP Subcommittee would be responsible for soliciting, evaluating, and identifying transportation projects for possible inclusion on the TIP. Members of the TIP Subcommittee would be drawn from the voting and non-voting membership of the Council, the Planning Committee, and if requested, community organizations and the general public. The TIP Subcommittee would serve at the discretion of the Council, performing an advisory function only; it would not have the authority to approve changes to the TIP. The TIP Subcommittee would meet as necessary to fulfill the following duties:

    1) Develop and distribute a TIP project application form.
    2) Review TIP project applications for completeness.
    3) Evaluate and prioritize project proposals.
    4) Advise the Council on matters concerning project proposals.
    5) Monitor progress on approved TIP projects.
    6) Review TIP Amendments prior to review by the Planning Committee.
    7) Review Administrative Modification requests prior to Council Staff action.
    8) Revise the TIP Project Selection Criteria as needed to meet new or revised federal, State, or local transportation priorities.

b) Bicycle-Pedestrian Advisory Committee (BPAC): the BPAC would be responsible for promoting walking and bicycling in Dutchess County. Members of the BPAC would be drawn from the voting and non-voting membership of the Council, the Planning Committee, community organizations and the general public. The BPAC would serve at the discretion of the Council and meet as necessary to fulfill the following duties:

    1) Advise the Council on matters concerning walking and bicycling.
    2) Develop and maintain a webpage with information on walking and bicycling resources and facilities.
    3) Consult with state, regional, and local bicycle and pedestrian advocacy groups to identify ways to improve non-motorized transportation.
    4) Assist municipalities and agencies with bicycle and pedestrian project proposals.
    5) Perform bicycle and pedestrian studies, including updates to the Pedestrian-Bicycle Plan.

c) Public Transit Advisory Committee (PTAC): the PTAC would be responsible for identifying projects and policies that promote the use of bus and rail transit and improve the delivery of service to the public. Members of the PTAC would be drawn from the voting and non-voting membership of the Council, the Planning Committee, local transit providers, and if requested, community organizations, transit customers, and the public. The PTAC would serve at the discretion of the Council and meet as necessary to fulfill the following duties:

    1) Identify and recommend new projects to improve the delivery of bus and rail service in Dutchess County.
    2) Identify and recommend changes to transit schedules and routes to better serve the public.

3) Monitor the progress of transit projects recommended in the MTP and programmed on the TIP.
4) Identify and recommend transit projects when the Mid-Hudson Valley Transportation Management Area (TMA) solicits projects for competitive FTA funding Section 5307 (Urbanized Area Formula), Section 5310 (Enhanced Mobility of Seniors and individuals with Disabilities Program), or other transit funding.
5) Assist with the development of the Coordinated Public Transit-Human Services Transportation Plan.
6) Advise the Council on matters concerning transit service and projects.

13. METROPOLITAN TRANSPORTATION PLAN (MTP)

The Metropolitan Transportation Plan (MTP) shall serve as the official multimodal transportation plan for Dutchess County and will be developed, adopted, and updated by the Council through the metropolitan transportation planning process. The MTP will address no less than a twenty (20) year planning horizon and will include long and short-range strategies and actions to maintain a transportation system that supports the safe and efficient movement of people and goods in and through Dutchess County, based on current and projected future demand.

The Council shall update the MTP as required by federal guidelines to confirm that it is consistent with current and forecasted transportation and land use conditions and trends. The MPO shall review and update the transportation plan at least every four (4) years in air quality nonattainment and maintenance areas and at least every five (5) years in attainment areas to confirm its validity and consistency with current and forecasted transportation and land use conditions and trends. The Council may amend the MTP at any time, consistent with these procedures, with or without extending the horizon year.

As per 23 CFR Part 450 and 49 CFR Part 613, the MTP shall include the following items:

a) The current and projected transportation demands of persons and goods in Dutchess County over the period of the MTP.
b) A description of existing and proposed transportation facilities in Dutchess County to include major roadways, transit, multimodal and intermodal facilities, non-motorized transportation facilities (e.g., pedestrian walkways and bicycle facilities), and intermodal connectors.
c) A description of the performance measures and performance targets used in assessing the performance of the transportation system.
d) A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to established performance targets.
e) Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicle congestion and maximize the safety and mobility of people and goods.
f) Consideration of the results of the Mid-Hudson Valley TMA Congestion Management Process.

g) An assessment of the capital investment and transportation/land use strategies needed to preserve the existing and projected transportation system.
h) A discussion of potential environmental mitigation strategies to maintain or restore environmental conditions affected by the MTP.
i) Consideration of pedestrian and bicycle transportation facilities.
j) Consideration of transportation and transit enhancement activities.
k) A financial plan that demonstrates how the MTP can be implemented. The financial plan shall contain system-level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain federal-aid highways and public transportation systems within Dutchess County.
l) If required, sufficient project level information to demonstrate air quality conformity.

In accordance with the most recent MPO written agreement, the following member agencies shall be required to provide system and financial information for their respective transportation systems or transit operations:

a) Dutchess County
b) New York State Department of Transportation
c) New York State Bridge Authority
d) Metropolitan Transportation Authority/Metro-North Railroad
e) City of Poughkeepsie

Responsibility for the development of the MTP shall rest with Council Staff and the Planning Committee. Council Staff may convene additional Planning Committee meetings or establish a separate subcommittee to assist in developing the MTP. Public involvement activities for the MTP and Amendments shall adhere to the Public Participation Plan in Attachment 4.

14. TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

The Transportation Improvement Program (TIP) shall serve as the official prioritized listing of federally funded transportation projects in Dutchess County and shall be developed and formally adopted by the Council as part of the metropolitan transportation planning process. Each project or project phase included in the TIP shall be consistent with the approved MTP. The TIP shall cover a period of no less than four (4) years and be updated at least every four (4) years. The TIP update cycle will coincide with the update cycle for the Statewide Transportation Improvement Program (STIP). The TIP shall expire when FHWA and FTA approval of the STIP expires.

As per 23 CFR Part 450, the TIP shall include the following items:

a) Capital and non-capital surface transportation projects or project phases in Dutchess County that are proposed for funding under 23 U.S.C. and 49 U.S.C. Chapter 53.
b) To the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the MTP.
c) Regionally significant projects requiring an action by FHWA or FTA, whether or not they are funded with federal funds.
d) A financial plan that identifies the funding resources from public and private sources that are reasonably expected to be made available to carry out the TIP. The TIP shall include a project or project phase only if the Council can reasonably anticipate the

availability of funding to complete the project by the project sponsor's estimated completion date. Project sponsors shall be responsible for demonstrating that local match funds will be available to complete the project.

e) For each project or project phase, the TIP shall include the following information:
    1) Sufficient descriptive material (i.e. type of work, length, location, termini) to identify the project or phase.
    2) Estimated total project cost, which may extend beyond the four years of the TIP.
    3) Amount of federal funds proposed to be obligated during each program year for the project or phase.
    4) Agency responsible for carrying out the project or phase.

Primary responsibility for developing the TIP shall rest with Council Staff and the Planning Committee, and if convened, a TIP Subcommittee. New projects proposed for inclusion in the TIP will be evaluated against the most current TIP Project Selection Criteria adopted by the Council (see Attachment 2). The Council will use the results of this evaluation to prioritize which projects will be included in the TIP. During development of the TIP, Council Staff will provide progress reports to the Planning Committee at their regular meetings. Council Staff will also provide public notice of the process, project eligibility, and proposed schedule. Preliminary project listings and other updates will be posted on the Council website and made available in paper or digital format upon request.

Changes to an approved project or an approved TIP shall be processed according to the guidelines in Attachment 3. Changes requiring Council approval are classified as Amendments, while changes approved by Council Staff are classified as Administrative Modifications. For Administrative Modifications, Council Staff shall provide notice to the Planning Committee of the proposed change prior to processing the change; information on proposed changes will be included in the Planning Committee meeting notice. However, if necessary to meet an obligation deadline, Council staff may process an Administrative Modification without prior notice to the Planning committee.

The Council shall provide all interested parties with a reasonable opportunity to comment on the proposed TIP, in accordance with the public involvement activities identified in the Public Participation Plan in Attachment 4.

15. UNIFIED PLANNING WORK PROGRAM (UPWP)

The Unified Planning Work Program (UPWP) shall serve as the formal statement of work for the Council and be developed and formally adopted by the Council as part of the metropolitan transportation planning process. The UPWP shall include a description of the federally funded planning activities expected to be carried out during the program year and shall identify who will perform the work, the cost and timeframe for the work, and the source of funds.

The UPWP shall cover a period of no more than one (1) year and be updated annually. The UPWP program year will coincide with the New York State Fiscal Year calendar. Primary responsibility for developing the UPWP will rest with Council Staff and the Planning Committee. Public involvement activities for the UPWP and Amendments will adhere to the Public Participation Plan in Attachment 4.

An exception to the requirement for voting member consensus is allowed for minor budget revisions to the Unified Planning Work Program (UPWP). The Chairperson shall be empowered to approve, on behalf of the Council, the following revisions to the UPWP during the program year:

a) Routine end-of-State Fiscal Year adjustments that are necessary for funds carryover, new grant revisions, and grant closeouts.
b) Budget revisions necessary to adjust or complete planning activities due to staffing or priority changes.

All other revisions to the UPWP require Council approval.

16. ANNUAL LISTING OF OBLIGATED PROJECTS

As per 23 CFR 450, the Council shall develop an Annual Listing of Obligated Projects (hereinafter referred to as the "Obligation Report") that lists projects for which funds under 23 U.S.C. and 49 U.S.C. Chapter 53 were obligated in the preceding year-- meaning federal funds were authorized and committed by New York State or a designated recipient in the preceding program year, and authorized by the FHWA or awarded as a grant by the FTA.

The Council shall publish the Obligation Report no later than ninety (90) days following the end of the Federal Fiscal Year (September 30th). The Obligation Report will also be made available on the Council website. For each project or project phase listed in the Obligation Report, the following information shall be included:

a) Sufficient descriptive material (i.e. type of work, length, location, termini) to identify the project.
b) Estimated total project cost.
c) Project sponsor.
d) Amount of federal funds requested in the TIP.
e) Amount of federal funding that was obligated during the preceding year.
f) Amount of federal funding remaining and available for subsequent years.

Public involvement activities for the Obligation Report shall adhere to the Public Participation Plan in Attachment 4.

17. PUBLIC PARTICIPATION PLAN

The Public Participation Plan in Attachment 4 shall govern Council public involvement activities. The Council shall employ a variety of measures to inform the public about major transportation issues, solicit information, assist in achieving consensus, and enable citizens to share their perspectives with policy makers in the region. The Council shall also use visualization techniques such as maps, pictures, and displays to convey information and promote a better understanding of the metropolitan transportation planning process.

ADOPTION OF THE POUGHKEEPSIE-DUTCHESS COUNTY TRANSPORTATION COUNCIL (PDCTC) BYLAWS

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council has been designated by the Governor of the State of New York as the Metropolitan Planning Organization responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning process for the Dutchess County portions of the Poughkeepsie-Newburgh NY-NJ and New York-Newark NY-NJ-CT Urbanized Areas; and,

WHEREAS, the federal surface transportation programs that are the responsibility of the Poughkeepsie-Dutchess County Transportation Council are authorized by the Moving Ahead for Progress in the 21st Century Act (MAP-21) (Pub. L. 112-141, July 6, 2012); and,

WHEREAS, Section 1201 of MAP-21 establishes the requirements for metropolitan transportation planning in 23 U.S.C. 134; and,

WHEREAS, it is the responsibility of the Poughkeepsie-Dutchess County Transportation Council to ensure that the metropolitan transportation planning process is consistent with applicable Federal and State law, and local area objectives; and,

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council has developed Bylaws to identify the roles and responsibilities of its staff and committees, including voting membership, the conduct and content of meetings, the decision-making process, and Transportation Improvement Program (TIP) actions, and a Public Participation Plan to engage the public; and,

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council held a 45-day public comment period for the Draft Bylaws and Public Participation Plan, starting October 24, 2014 and ending December 8, 2014; now therefore be it

RESOLVED, that the Poughkeepsie-Dutchess County Transportation Council approves the attached Bylaws and Public Participation Plan, effective January 1, 2015.

CERTIFICATE, the undersigned, duly qualified and Secretary of the Poughkeepsie-Dutchess County Transportation Council, certifies that the foregoing is a true and correct copy of a resolution adopted on December 17, 2014.

12/17/14
Date

By _____
William J. Gorton, P.E., Secretary
Poughkeepsie-Dutchess County
Transportation Council

AMENDMENT TO THE POUGHKEEPSIE-DUTCHESS COUNTY TRANSPORTATION COUNCIL (PDCTC) BYLAWS

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council (PDCTC) has been designated by the Governor of the State of New York as the Metropolitan Planning Organization (MPO) responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning process for the Dutchess County portions of the Poughkeepsie-Newburgh NY-NJ and New York-Newark NY-NJ-CT Urbanized Areas; and,

WHEREAS, the federal surface transportation programs that are the responsibility of the Poughkeepsie-Dutchess County Transportation Council are authorized by the Fixing America's Surface Transportation (FAST) Act (Pub. L. 112-141, December 4, 2015); and,

WHEREAS, Section 1201 of the FAST Act establishes the requirements for metropolitan transportation planning in 23 U.S.C. 134; and,

WHEREAS, it is the responsibility of the Poughkeepsie-Dutchess County Transportation Council to ensure that the metropolitan transportation planning process is consistent with applicable Federal and State law, and local area objectives; and,

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council approved its current Bylaws on December 17, 2014;

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council has developed an amendment to its Bylaws to allow for the use of written and email ballots to determine consensus and make decisions; now therefore be it

RESOLVED, that the Poughkeepsie-Dutchess County Transportation Council approves the attached amendment to its Bylaws.

CERTIFICATE, the undersigned, duly qualified and acting Secretary of the Poughkeepsie-Dutchess County Transportation Council, certifies that the foregoing is a true and correct copy of a resolution adopted on March 24, 2016.

3/24/16
Date

By
Todd B. Westhuis, P.E., Acting Secretary
Poughkeepsie-Dutchess County
Transportation Council

Resolution 16-01: Amendment to the PDCTC Bylaws

10. DECISION MAKING

All actions taken by the Council shall be by consensus of voting members, with consensus defined as unanimity of affected parties. An action brought before the Council must pass without objection. An abstention shall not be counted as a negative vote. An affected party is a Council member that is directly affected by the proposed activity needing consent. Consensus can result from a vote taken at a Council meeting, or from a written ballot of the Council members conducted by Council staff. The Chairperson shall judge the extent to which members are affected by proposed Council actions and shall declare a consensus, or the lack thereof, as the case may be.

Council Meetings

The presence of a majority of voting members, defined as more than half, shall constitute a quorum of the Council, and a quorum shall be required for the Council to vote on an action. Each voting member shall be entitled to one vote on each action brought before the Council. The Chairperson or Secretary shall make a motion to vote on each action and record any negative vote(s). In order to carry a motion, there must be an affirmative vote by all voting members present, provided a quorum has been established. A duly passed resolution of the Council, on any matter properly brought before the Council, shall be the act of the Council.

Written Ballots

A written poll of the Council shall be conducted in the following manner:

1. Council staff shall distribute the proposed action and any supporting documentation to the voting members of the Council. The notice shall specify the deadline for response to the ballot and request confirmation of receipt. If, by the specified ballot deadline, Council staff has verified by phone or email that all voting members have received the ballot, and no negative responses have been received, the Chairperson shall presume concurrence and shall be empowered to declare the Council's approval of the proposed action.
2. Council members who wish to vote negatively, or who have comments, may indicate so by telephone, but are required to provide written confirmation of such action. Council members who vote negatively will be requested to provide the reason to assist Council staff or other members to address the issue prompting the negative vote.
3. If any negative votes are received, or if any member has questions, comments, or concerns about the proposed action, the Secretary may suspend, delay, or terminate the balloting until the matter is resolved.
4. The submission of a majority of voting ballots, defined as more than half of voting members, shall constitute a quorum of the Council, and a quorum shall be required for the Council to carry a motion.
5. When the poll has been concluded, either with the Council's approval, or by virtue of a termination of the balloting, the Secretary shall prepare a record of the decision.
6. In those cases where responses to a proposed action are required in a short period of time, wherein the conclusion of a written poll is unlikely, the poll shall be conducted by email. For email ballots, Council staff will include the voting member's Planning Committee representative in the ballot message.

ATTACHMENT 1
(Membership/Urbanized Area Classifications)

PDCTC Voting Membership Classifications for Dutchess County Municipalities

Municipality	Total Population[1]	Urbanized Area Population[2]	Percent Urbanized	Membership Classification
Dutchess County	**297,488**	**212,267**	**71%**	
Beacon city	15,541	15,541	100%	Urbanized
Poughkeepsie city	32,736	32,736	100%	Urbanized
Poughkeepsie town	42,399	42,399	100%	Urbanized
Fishkill town	19,936	19,164	96%	Urbanized
Wappinger town	22,468	21,594	96%	Urbanized
East Fishkill town	29,029	23,427	81%	Urbanized
Beekman town	14,621	11,493	79%	Urbanized
LaGrange town	15,730	11,274	72%	Urbanized
Hyde Park town	21,571	15,058	70%	Urbanized
Pleasant Valley town	9,672	5,060	52%	Partially Urbanized
Pawling town	6,116	2,550	42%	Partially Urbanized
Union Vale town	4,877	1,502	31%	Partially Urbanized
Fishkill village	2,171	2,171	100%	Urbanized Village
Pawling village	2,347	2,347	100%	Urbanized Village
Wappingers Falls village	5,522	5,522	100%	Urbanized Village
Dover town	8,699	429	5%	Non-urbanized
Amenia town	4,436	0	0%	Non-urbanized
Clinton town	4,312	0	0%	Non-urbanized
Milan town	2,370	0	0%	Non-urbanized
North East town	2,073	0	0%	Non-urbanized
Pine Plains town	2,473	0	0%	Non-urbanized
Red Hook town	8,240	0	0%	Non-urbanized
Rhinebeck town	4,891	0	0%	Non-urbanized
Stanford town	3,823	0	0%	Non-urbanized
Washington town	3,289	0	0%	Non-urbanized
Millbrook village	1,452	0	0%	Non-urbanized
Millerton village	958	0	0%	Non-urbanized
Red Hook village	1,961	0	0%	Non-urbanized
Rhinebeck village	2,657	0	0%	Non-urbanized
Tivoli village	1,118	0	0%	Non-urbanized

[1] Total population based on the 2010 Census.

[2] Urbanized Area population based on the total population within the Poughkeepsie-Newburgh NY-NJ and New York-Newark NY-NJ-CT Urbanized Areas. Does not include population in Urban Clusters that are not contiguous to the Urbanized Areas.

ATTACHMENT 2
(Project Selection Criteria)

Poughkeepsie-Dutchess County Transportation Council Project Selection Criteria

1. PURPOSE

The Council shall use the following criteria as a guide to evaluate and prioritize new projects proposed for inclusion in the Transportation Improvement Program (TIP). The criteria shall support the goals and recommendations identified in the Metropolitan Transportation Plan (MTP), community plans sponsored by the Council, and project selection criteria used by the New York State Department of Transportation (NYSDOT). The Planning Committee or, if formed, TIP Subcommittee shall be responsible for evaluating project proposals based on these selection criteria. The Council may also use these criteria to re-prioritize existing TIP projects. A project sponsor shall abstain from evaluating a project proposal submitted by the municipality or agency they represent.

2. PROJECT SELECTION CRITERIA

A project will be awarded points for each of the below criterion that it meets. Projects will then be rank ordered by total points. The rankings will guide the final recommendations of the Council, which will make the final determination as to which projects will be added to the TIP.

System Management and Preservation

Preserve the existing transportation system through appropriate maintenance, management, and operational improvements [three (3) points each].

1) Project needed to maintain a federal-aid eligible road or bridge in a state of good repair.
2) Project repairs a structurally deficient bridge, as rated under the New York State Department of Transportation (NYSDOT) bridge rating system or other local system.
3) Project repairs a road with below-average pavement condition, as rated under the NYSDOT sufficiency rating system or other local system.
4) Project required to maintain a non-motorized facility in a state of good repair.
5) Project required to maintain transit vehicles or facilities in a state of good repair.
6) Project required to maintain a Metro-North Railroad facility in a state of good repair, including infrastructure, tracks, signals, and stations.
7) Project directly improves passenger safety, security, and comfort on or access to a federally funded transit vehicle.

Mobility and Accessibility

Provide reliable, efficient, and cost effective options for movement within the area and to and from other regions [one (1) point each, unless specified otherwise].

1) Project required to maintain the existing capacity of a transportation facility, regardless of mode.
2) Project identified as a recommendation in the MTP.
3) Project reduces congestion on a road segment identified in the Congestion Management Process as experiencing congestion.
4) Project explicitly benefits elderly population, defined as sixty-five (65) years or older.[1]

5) Project explicitly benefits disabled population.
6) Project promotes non-motorized travel.
7) Project creates or improves an inter-modal connection, such as park-and-ride facilities and train stations.
8) Project was identified as a recommendation in a Council-sponsored plan or study.
9) Project includes use of Intelligent Transportation System (ITS) technology.

Land Use and Economic Growth

Integrate land use, economic development, and transportation activities to promote sustainable development in Dutchess County [one (1) point each].

1) Project located on a NYSDOT-identified trade, tourist, commuter, or inter-state passenger corridor (see New York State Transportation Plan).
2) Project supports or implements the provisions of Dutchess County's *Greenway Connections* and/or the *Centers and Greenspaces* program.
3) Project located in a *Greenway Compact* community.
4) Project identified by the Metropolitan Transportation Authority in its *20-Year Needs Assessment* or *Five-year Capital Program*.
5) Project located in a community that has adopted a local access management plan or ordinance.
6) Project results from a collaborative planning process between a local municipality and State and/or County planning/transportation agency.

Environment and Energy

Protect natural and man-made resources to enhance quality of life. Conserve energy resources and improve air quality in the region [one (1) point each].

1) Project improves the quality of life for areas identified in the MTP as above-average for minority, low income, or Limited English Proficiency populations.
2) Project enhances or improves environmental conditions in a Critical Environmental Area recognized by the NYS Department of Environmental Conservation (NYSDEC).
3) Project improves a federal or State-designated scenic byway.
4) Project provides alternatives to single-occupant vehicle use by promoting non-motorized and/or transit (bus and commuter rail) travel.
5) Project promotes the use of alternative energy sources.

Safety and Security

Improve safety of the transportation system for all users, and support County, regional, and State transportation security programs [one (1) point each].

1) Project identified by a member agency as being critical to improving the safety or security of the travelling public.
2) Project identified as a strategy in the NYSDOT Strategic Highway Safety Plan.

3) Project improves the capacity of federal, State, and local agencies to respond to emergencies or disasters.
4) Project uses signal pre-emption technology for emergency response vehicles.

[1] As defined by the Federal Transit Administration (FTA) in FTA Circular 9070.1G, dated June 6, 2014.

ATTACHMENT 3
(TIP Amendments and Administrative Modifications)

Poughkeepsie-Dutchess County Transportation Council TIP Actions

Type of Action	Revision Category[1]	
	Administrative Modification	Amendment
1. Addition or Removal of Project [2]		
a. Addition or removal of a transportation project funded by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) (except for 1.c. below).		✓
b. Addition or removal of a federally funded transportation project directly identified and approved by the President or Congress of the United States (e.g. High Priority Project) or other federal agency (non-FHWA or non-FTA only).	✓	
c. Removal of a completed project.	✓	
d. Addition or removal of a non-federally funded project.	✓	
2. Addition or Removal of Project Phase (Existing Project)		
a. Addition of Scoping, Preliminary Design, Detailed Design, Right-of-Way Incidental, or Right-of-Way Acquisition phase for an existing FHWA project (must also comply with 3.b below).	✓	
b. Addition of Construction or Construction Inspection phase for an existing FHWA project.		✓
c. Addition of Miscellaneous phase for an existing FTA project.	✓	
d. Removal of a completed project phase.	✓	
3. Project Cost Change (Existing Project)		
a. Funding increase or decrease of more than 25 percent of the total federal share for a FHWA or FTA funded project.[3]		✓
b. Funding increase or decrease of 25 percent or less of the total federal share for a FHWA or FTA funded project.[3]	✓	
c. Funding change for a non-FHWA or non-FTA funded project.	✓	
4. Fund Source Change (Existing Project)		
a. Change from non-federal to FHWA or FTA fund source, regardless of amount.[2]		✓
b. Change from federal to non-federal fund source.	✓	
c. Change between federal fund sources.	✓	
5. Schedule Change for Project or Phase in the Four-Year STIP		
a. Rescheduling an existing FHWA or FTA funded project or project phase within the four-year Statewide Transportation Improvement Program (STIP).	✓	
b. Deferring an existing FHWA or FTA funded project or project phase to the post four-year STIP period.		✓
6. Schedule Change for Project or Phase not in the Four-Year STIP		
a. Promoting a FHWA or FTA funded project or project phase from the post-STIP period into the four-year STIP.		✓

[1] Amendments require Council approval, while Administrative Modifications require Council staff approval.

[2] For those projects with capped funding, including those described in 1.b, the Council shall treat any request for additional FHWA/FTA funds as a new project request (i.e. Amendment) requiring Council approval.

[3] The total federal share is defined as the total amount of federal funds previously obligated and/or currently programmed in the TIP.

ATTACHMENT 4
(Public Participation Plan)

1. PURPOSE

The Council shall seek to increase public involvement in the metropolitan transportation planning process by educating the public about major transportation issues, soliciting information from a variety of interests, and providing citizens with ways to share their perspectives with policy makers in the region. The Council shall seek early and on-going participation on its work activities, with the Council website, email notifications, and newsletters serving as important tools to inform the public. The Council's Public Participation Plan has four main objectives:

a) Educate the public about the metropolitan transportation planning process in Dutchess County and the greater Mid-Hudson Valley.
b) Solicit substantive feedback from individuals and organizations during the development of Council plans and studies.
c) Build consensus among interested parties and local stakeholders.
d) Provide interested parties with an opportunity to share their perspectives with Council members before decisions are finalized.

The Council believes the key to successful public participation is the use of a variety of techniques tailored to the project, the geographic area, and target population. The Council relies on members and partner agencies to assist in identifying, contacting, and involving affected and interested parties. The Council will also continue to use those outreach and information strategies that have been successful in the past, and endeavor to improve processes and expand activities as needed.

2. STANDARD ACTIVITIES

The Council shall use the following standard participation activities to ensure that the public is aware of metropolitan transportation planning activities and has access to Council products:

a) Maintain a public information contact list to disseminate Council information such as meeting notices, project updates, and Council newsletters.
b) Add a person or agency to the contact list upon request and honor their communication preference (e.g. mail or email).
c) Issue press releases to local and regional media organizations about upcoming Council meetings and other activities as necessary.
d) Maintain a website to introduce the Council, post meeting notices, planning documents and presentations, and project updates, and to solicit comments.
e) Include information about related activities or programs sponsored by member organizations or allied organizations on the Council's website.
f) Provide notice of public meetings at least fourteen (14) days prior to the meeting date.
g) For a public meeting held in conjunction with a public comment period, have the public comment period extend at least seven (7) days after the public meeting.
h) Reserve time on meeting agendas for public comment. The Chairperson shall reserve the right to limit public comment to those issues being discussed at the meeting or limit the amount of time an individual may speak, which will be generally limited to five (5)

minutes. Council staff shall summarize and respond, in writing or verbally, to all significant written or verbal comments presented at a public meeting. Council staff shall prepare summaries of public meetings and make them available on the website and in printed format upon request.

i) Publish a newsletter summarizing the activities of the Council.
j) Use visualization techniques such as graphics, photos, charts and geographic information systems (GIS) maps to improve clarity, convey information, and add interest to documents.
k) Provide copies of documents in printed or digital format upon request (printing and/or postage costs may be charged).
l) Ensure the participation of agencies and organizations that serve the interests of subject population groups identified under Title VI of the Civil Rights Act of 1964 and federal Environmental Justice guidelines.
m) Use clear language that avoids jargon, spells-out acronyms and abbreviations, and defines terms that may be unfamiliar to the public.
n) Afford citizens, affected public agencies, private transportation providers, and other interested parties with reasonable opportunities to be involved in the planning process.
o) Consult with other organizations whose planning activities may be affected by transportation projects or policies promoted by the Council.

3. ADDITIONAL ACTIVITIES

The Council shall use additional public participation activities for the following major work products: Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and Unified Planning Work Program (UPWP). The goal of these activities is to provide the public with a greater opportunity to review and comment on core products.

a) Metropolitan Transportation Plan (MTP)

As they are completed, major MTP work products (e.g. chapters and presentations) will be posted on the Council website, summarized in the newsletter, and made available in paper or digital format upon request. The Council will accept public comments on these working drafts through development of the MTP. For the MTP, the Council will consult with state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation; federal land management, wildlife, and regulatory agencies will also be consulted as appropriate. During the development of the MTP, the Council may hold public workshops to identify local transportation needs and priorities. The Council may also use public surveys (web based or paper) to identify needs and priorities.

The complete Draft MTP will be available for public review for at least thirty (30) days prior to the Council taking action on adoption. The Draft MTP will be posted on the Council website for a minimum of thirty (30) days prior to Council action. During the public comment period, Council staff will hold at least one (1) public meeting at a transit accessible location. If, due to revisions, the Draft MTP differs significantly from the version discussed at the public meetings, at least one (1) additional public meeting will be held prior to Council

action. The Draft MTP public comment period will coincide with the thirty (30) day public comment period for any required air quality conformity determination. The accompanying conformity determination will also be posted on the Council website for a minimum of thirty (30) days prior to Council action. All significant written or verbal comments or questions made during the thirty (30) day public comment period, along with Council responses, shall be summarized and included in the Draft MTP that goes before the Council for action.

Any change to a recommendation or policy statement in an approved MTP shall require approval by the Council and shall be treated in the same manner as an Amendment to the TIP, which requires a fifteen (15) day public comment period. The proposed Amendment will be posted on the Council website for a minimum of fifteen (15) days prior to Council action.

b) Transportation Improvement Program (TIP)

Council staff shall make available draft project listings during the TIP development process. These draft listings shall be posted on the Council website and paper copies made available upon request. The Council shall solicit and accept public comments on these draft listings throughout the process.

In those instances when federal transportation funds are available for new projects, the Council will issue a call for new projects. The call letter will be sent to transportation agencies, municipalities, the public information list, and other interested parties. The letter will include information on the relevant funding programs and project eligibility, as well as a project application and anticipated schedule. Updates on the TIP process will be posted on the Council's website and included in the Council's newsletter. New projects will be prioritized using the Project Selection Criteria in Attachment 1.

The Draft TIP shall be available for public comment and posted on the Council website for at least thirty (30) days prior to the Council taking action on its adoption. The Council shall hold at least one (1) public meeting during the public comment period. The TIP public comment period will coincide with the thirty (30) day public comment period required for any associated air quality conformity determination. All significant written or verbal comments or questions made during the thirty (30) day public comment period, along with Council responses, will be summarized and provided to the Council prior to action.

The Council may endorse a Draft TIP prior to the completion of an air quality conformity determination, in order to permit public review of the State Transportation Improvement Program (STIP). However, Council approval of the TIP will not take effect until the conclusion of the thirty (30) day public comment period for conformity.

An Amendment to the TIP, as defined by the Council's Bylaws, requires a fifteen (15) day public comment period. Proposed Amendments will be posted on the Council website for a minimum of fifteen (15) days prior to Council action. If an Amendment involves a non-exempt project (as per 40 CFR Part 93), thus requiring a new air quality conformity determination, the public comment period will be thirty (30) days and the proposed

Amendment and conformity determination will be posted on the Council website for a minimum of thirty (30) days prior to Council action. A Summary of TIP Amendments and Administrative Modifications will be distributed to the Council for their review upon request.

c) Unified Planning Work Program (UPWP)

The Council shall make the Draft UPWP available for public review at least thirty (30) days prior to taking action on adoption. The Draft UPWP will also be posted on the Council website for a minimum of thirty (30) days prior to Council action. The Council may solicit for planning projects as necessary. All significant written or verbal comments or questions made during the thirty (30) day public comment period, along with Council responses, will be provided to the Council prior to action.

An Amendment to the UPWP requires a fifteen (15) day public comment period. Proposed UPWP Amendments shall be posted on the Council website for a minimum of fifteen (15) days prior to Council action.

4. OTHER ACTIVITIES

The Council shall pursue the following activities to increase public awareness of the metropolitan transportation planning process:

a) Community Planning Projects

The Council conducts planning projects that are specific to a certain topic or area (e.g. corridor management plans and local pedestrian studies). For these types of projects, the Council shall use its standard public involvement activities to disseminate information. If possible, the Council shall also develop processes specific to the project to gather as much public input as possible. For example, meeting notices may be mailed to residents along a study corridor. The Council will maximize the use of public meetings and other public engagement tools to gather input on community planning projects.

b) Outreach Activities

When possible, Council staff will accept requests to speak before civic groups, businesses, and educational organizations. The Chairperson shall be the official spokesperson for the Council, responsible for informing the public of the work of the Council and maintaining good relations with the media. Council staff may also grant interviews to local media organizations about current projects and other items of interest. Council staff will seek additional opportunities to speak with and engage organizations not normally involved in the planning process.

c) Public Comment Form

The Council shall provide a public comment form at public meetings and on the Council website. Interested persons may use the form to request information, make a comment, or

sign up for the public information contact list. The Council shall also use the *Dutchess Direct* tool on the Dutchess County website to manage inquiries about the program.

5. PERFORMANCE MEASURES

The Council shall measure the effectiveness of the public participation plan in accordance with the performance measures established in the most current MTP. The Council will use a variety of data sources to evaluate the effectiveness of its public participation activities, including information provided by the public at meetings or through correspondence, website activity, and number of persons and agencies on the Council's public information list.

6. PERIODIC EVALUATION

The Council shall review the Public Participation Plan at least every five (5) years. As per 23 CFR 450, the Public Participation Plan, and any subsequent changes to it, shall undergo a forty-five (45) day public review period prior to Council action. The Council will regularly investigate new public outreach and involvement techniques to improve the public's understanding and confidence in the transportation planning process.