

MEETING MINUTES

- Subject:** Special Committee to Study and Make Recommendations
Regarding Truck Traffic & Freight Movements
Along SR 41, SR 48 & SR 7
- Date:** Wednesday, December 13, 2017
6:00pm
- Location:** Cooke Elementary School
2025 Graves Road
Hockessin, Delaware 19707
- Attendees:** *Committee Members*
Tigist Zegeye, Chair – Executive Director of WILMAPCO
Mike Begatto – Diamond State Port Corporation Board of Directors
Mike Censurato – Route 7 Representative
Jennifer Cohan – Secretary of DelDOT
Nick Ferrara – Route 48 Representative
Gale Hamilton – Route 48 Representative
Michael Lewandowski – Route 7 Representative
Mark Luszcz – Chief Traffic Engineer DelDOT
MaryAnn Summers – Route 41 Representative
Bill Taylor – Route 41 Representative
- Other Attendees*
Andrew Bing, Facilitator – Kramer & Associates
Jim Burnett, Technical Staff Support – RK&K
General public, see attached sign-in sheets
- Not Present:** Matthew Cox – Delaware State Police Truck Enforcement Unit

MEETING AGENDA

Welcome & Introductions

Andrew Bing, the Special Committee Facilitator, welcomed the public to the meeting. Andrew reminded attendees that the meetings are for the Special Committee Members, but if any members of the audience would like to make a comment, he encouraged them to sign-up for the public comment period held at the end of each meeting. Andrew also reminded attendees that for the duration of the meeting, he and the chair would only recognize those Members at the table for questions, comments, and participation.

Tigist Zegeye welcomed participants to the 8th Special Committee Meeting. All Committee Members introduced themselves, including their affiliation with the Committee.

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November 29, 2017 Meeting Minutes

Draft meeting minutes were emailed to Committee Members on December 5, 2017, and are included in the project notebook materials. Tigist asked if there were any questions or corrections regarding the November 29, 2017 Meeting Minutes.

Michael Lewandowski noted that on page 9 of 21, in the discussion and voting for potential recommendation #20, "Install engine compression brake prohibition sign with flashing beacons at PA state line," the minutes state that he indicated that the signs would need to be on two roads, but the text refers to "sign" singularly instead of "signs" as a plural noun. After the technical support staff reviewed the minutes and the final voting document, it was confirmed that the text that was voted on includes the word "sign" singularly, but the minutes reflect the intent that signs would be installed on both routes in the project area (SR 7 and SR 41) that enter the state at the Pennsylvania state line. Mike Censurato asked if it would be possible to add "Route 41 and Route 7" to the recommendation. Mark Luszczyk responded that he and his staff at DeIDOT would be the recipients of this recommendation and that he understands the intent. Mark indicated that as long as the minutes document that the intent of the Committee is to install signs on both SR 41 and SR 7 at the Pennsylvania state line, there would be no need for a formal motion and vote to change the language of the recommendation.

Mike Begatto asked if it was appropriate for DeIDOT, who recused themselves, to vote on approving meeting minutes. Tigist responded that yes, it is acceptable for DeIDOT to vote on approving meeting minutes. At the prior two meetings, DeIDOT recused themselves from voting on potential recommendations, but DeIDOT has been and continues to be involved in the Special Committee meetings and process.

MaryAnn Summers motioned to approve the November 29, 2017 Meeting Minutes. Michael Lewandowski seconded the motion.

- Ayes: Tigist Zegeye, Nick Ferrara, Gale Hamilton, Bill Taylor, MaryAnn Summers, Michael Lewandowski, Mike Censurato, Mark Luszczyk, Jennifer Cohan
- Nays: None
- Abstentions: Mike Begatto
- Not Present: Matthew Cox

Motion Carries. Final Meeting Minutes for Meeting #7 will be posted on the WILMAPCO website.

Follow-up Items from November 29, 2017 Meeting

Andrew confirmed with Mike C. that the discussion regarding the recommended engine compression brake prohibition signs at the Pennsylvania state line during the approval of meeting minutes was acceptable. Mike C. indicated that he was comfortable with documenting the discussion in meeting minutes with the understanding that the recommendation is for signs to be installed on both SR 41 and SR 7.

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Prioritization of Recommendations

Andrew reminded the Committee that over the course of several meetings the Committee progressed from ideas to voting. Andrew informed the Committee that based on the voting completed at the previous two meetings, there are a total of 24 recommendations that the Committee will make, based on majority vote, to the General Assembly and DeIDOT. Andrew stated that the next step in the process is to conduct a prioritization exercise.

Andrew provided the Committee Members an introduction to the prioritization exercise to explain why it is important to prioritize and why the technical staff developed the exercise presented to the Committee. Andrew reminded the Committee Members that, by majority vote, all 24 recommendations will go to the General Assembly and DeIDOT, and that prioritization does not minimize any of those 24 recommendations. Andrew stated that prioritization is important because it is unlikely that the General Assembly and DeIDOT can move forward on all 24 recommendations simultaneously after receiving the final report. Andrew stated that it may be helpful to the General Assembly and DeIDOT if the Committee Members indicate, through prioritization, which recommendations the Committee would like the General Assembly and DeIDOT to move forward first. Each Committee Member received eight (8) black dots (representing 1/3 of the total number of recommendations) to be used to indicate their eight (8) priority recommendations. Therefore, each Committee Member could indicate the top third of the recommendations that he or she thought should move forward first. Committee members were instructed to place only one dot on each of their eight (8) priority recommendations.

Andrew noted that Tigist received feedback about the prioritization exercise being public and clarified to the Committee why the technical staff structured the prioritization process as a public exercise. First, the entire process from the beginning has been transparent, including public votes and discussion that was captured in meeting minutes; therefore, the prioritization exercise was a natural extension of that transparency. Second, it may be helpful for elected officials and DeIDOT, who will receive the recommendations, to see which recommendations were priority recommendations for representatives from multiple corridors. Andrew noted that Mike B. expressed concerns with that process and opened the discussion to Mike B. and the other Committee Members regarding the planned, public, prioritization exercise.

Mike B. stated that he was uncomfortable as a representative of the Diamond State Port Corporation with the Port being identified with recommendations that Mike B. personally prioritized as a Special Committee Member. Mike B. indicated that he was concerned for himself or any other Committee Members being viewed as prioritizing a given recommendation because others may target individual Committee Members for their selections. Nick Ferrara stated that after hearing Mike B.'s points, he too has a concern with being identified personally and suggested that the Committee should give it serious thought. Andrew reminded the Committee that, per the Freedom of Information Act (FOIA), the voting process was public and the record clearly states already who voted yea, nay, or abstained or was not present for votes on each recommendation. Andrew also reminded the Committee that the prioritization exercise was not a vote, but rather an activity meant to give the General Assembly and DeIDOT guidance. Tigist also noted that looking at the 24 recommendations, with few exceptions, they are all applicable to all three of the corridors, rather than just one of them. Tigist reminded Committee Members that it may be helpful for public agencies to know that representatives from multiple corridors prioritize a subset of recommendations to determine which projects to implement first. Bill Taylor asked if DeIDOT would also

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recuse themselves from the prioritization. Secretary Cohan responded that they recused themselves from voting because voting to make recommendations to their own agency did not make sense, but if the Committee has angst over prioritization, the Committee can choose not to prioritize the 24 recommendations and the General Assembly and DeIDOT would then determine what they can do first and what will take more time. Bill stated that the six corridor representatives as an entity have the most to gain from the recommendations, and noted that their priorities would likely be different than the public agencies. Bill stated that he understands Mike's concern and suggested that they vote anonymously.

Mike Begatto motioned to vote anonymously. Andrew reminded the Committee that prioritization was not a vote, but rather an exercise. Mike Begatto motioned to complete the prioritization exercise anonymously. Gale Hamilton seconded the motion. Annie Cordo, the Deputy Attorney General who serves as General Counsel to DeIDOT and all related boards and committees, counseled the Committee that secret ballots or anonymous exercises would be a FOIA violation because the public has a right to observe the Special Committee's proceedings. Tigist asked the Committee Members if it would be acceptable to do the dot exercise as planned, but to remove the names initially shown at the top of each board (also printed in the project notebooks) so that the records would not indicate who placed each dot, but would indicate the consensus from the Committee. Committee Members agreed that covering the names would be acceptable. Annie confirmed that as long as public was able to watch the activity (i.e., no secret ballots or doing the exercise outside of a public meeting), the exercise would not be a FOIA violation.

Michael L. asked if only those in attendance would be participating. Andrew confirmed that yes, only those in attendance would participate in the exercise.

Tigist reminded the Committee Members that all 24 recommendations will be submitted to DeIDOT and the General Assembly, but that the prioritization would give additional guidance so that when funding becomes available decision-makers will know where to use the money first.

Gale Hamilton stated that she struggled with selecting her top eight (8) recommendations because she saw long-term recommendations as a way to honor future generations, but by choosing those, she was not prioritizing recommendations that could be done now and are also important.

Andrew emphasized to the Committee again that all 24 recommendations will be part of the report and that prioritization is not intended to minimize any of the recommendations that the Committee voted in favor of. Andrew reminded the Committee that the project team anticipated, based on their expertise, that prioritization may be helpful to the legislators because it is unlikely that the General Assembly and DeIDOT will be able to move forward immediately on all 24 recommendations.

After the project team taped over all names/identifiers on the prioritization boards, Andrew invited all Committee Members to place their dots on the boards. Mark Luszc and Secretary Cohan did not participate in the prioritization exercise and Captain Cox was absent from the meeting; therefore, there was a possible total of 64 dots that could be indicated on the recommendations.

After all Committee Members returned to their seats, Andrew read out the results of the exercise as follows:

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Special Committee Recommendation	Number of Priority Dots
How to reduce the number of trucks traveling along these roadways	
1. Conduct a feasibility study of constructing a bypass between US 1 and I-95	5
2. Conduct a feasibility study of constructing a passenger and freight rail spur from Wilmington that parallels the SR 41 corridor, including impacts to SR 7, SR 41, and SR 48	4
3. Conduct a feasibility study of constructing a dedicated freight line along the NE corridor from Perryville, MD to Newark, DE	3
4. Conduct a feasibility study of restricting trucks on SR 7, SR 41 and SR 48 during specified times, in specified directions, and based on loaded vs. unloaded conditions, determining impacts to, and improvements needed, on alternate routes	0
5. Conduct a feasibility study for improvements to the SR 896 corridor, including a potential alternate parallel route, to encourage trucks to use I-95 to SR 896	4
Any improvements in engineering, infrastructure, education and enforcement that can improve the quality of life for those that live along these corridors	
6. Perform a Road Safety Audit on SR 7, SR 41 and SR 48	7
7. Perform a traffic engineering study to implement a school speed limit zone on SR 41 near Cooke Elementary School	0
8. Perform a traffic engineering study to determine appropriate speed limits on SR 7, SR 41, and SR 48	5
9. Continue to study options described in the 2016 Delaware Valley Regional Planning Commission (DVRPC) Chester County New Castle County Transit Study.	0
10. Consider the use of quiet pavement technology on SR 7, SR 41 and SR 48	2
11. Relocate existing engine compression brake prohibition signs to downhill locations approaching signalized intersections	0
12. Install engine compression brake prohibition sign with flashing beacons at PA state line	1
13. Conduct signal warrant studies for the following locations: SR 48 and Old Wilmington Road SR 48 and Courtney Road SR 48 and Harlech Drive/Hedgegrow Place SR 48 and Old Hobson Farm	0
14. Install permanent YOUR SPEED XX MPH signs on SR 7, SR 41 and SR 48 and perform a “before” and “during” study to determine the effectiveness of these signs on arterial roadways over time	3
15. Perform a traffic engineering study to determine any potential improvements for intersections on SR 7, SR 41 and SR 48 that are currently operating at LOS E or worse, based on WILMAPCO’s Congestion Management Program Results	2
16. Provide additional enforcement of existing speed limits	1
17. Perform a study to identify feasible locations to install fixed virtual WIM stations on SR 7, SR 41 and SR 48	3
18. Increase the number of truck inspections	2

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Special Committee Recommendation	Number of Priority Dots
19. Recommend New Castle County Police increase enforcement of NCC Code Section 22.02.0008-B.2.a.i, which makes it unlawful to “race or gun any motor vehicle between the hours of 9:00 p.m. and 8:00 a.m.”	0
20. Increase enforcement of Delaware Code, Title 21 §4311(a), which makes it unlawful to “drive a motor vehicle, including a motorcycle, on a highway, including residential streets, unless such motor vehicle or motorcycle is equipped with a muffler in good working order and in accordance with manufacturer’s specifications and in constant operation to prevent excess or unusual noise.”	3
21. Increase enforcement of engine compression brake prohibition	3
22. Continue enhanced truck enforcement on SR 41 and SR 48, and expand enhanced truck enforcement to SR 7	6
23. Establish a bi-state working/coordination group to discuss and address issues associated with regional freight movement. The working group should be comprised of representatives from DelDOT, PennDOT, WILMAPCO, Delaware Valley Regional Planning Commission (DVRPC), Delaware State Police, Pennsylvania State Police, and other relevant stakeholders.	6
24. Request that existing legislation be re-written to bring Delaware’s truck length laws in-line with surrounding states	2

Andrew noted that five (5) of the 24 Committee Recommendations were prioritized by at least five (5) Committee Members:

1. Conduct a feasibility study of constructing a bypass between US 1 and I-95 **(5 dots)**
6. Perform a Road Safety Audit on SR 7, SR 41 and SR 48 **(7 dots)**
8. Perform a traffic engineering study to determine appropriate speed limits on SR 7, SR 41, and SR 48 **(5 dots)**
22. Continue enhanced truck enforcement on SR 41 and SR 48, and expand enhanced truck enforcement to SR 7 **(6 dots)**
23. Establish a bi-state working/coordination group to discuss and address issues associated with regional freight movement. The working group should be comprised of representatives from DelDOT, PennDOT, WILMAPCO, Delaware Valley Regional Planning Commission (DVRPC), Delaware State Police, Pennsylvania State Police, and other relevant stakeholders. **(6 dots)**

Andrew again reminded the Committee that all 24 recommendations, by virtue of majority votes, are important recommendations of the Committee. Andrew stated that these top five would be highlighted in the report to indicate priority recommendations to implement first. Andrew asked if any Committee Members had comments or questions about the results of the prioritization process. There were no comments or questions from the Committee.

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Discussion of Draft Report Outline and Schedule

Tigist turned the Committee's attention to the Draft Report Outline and Schedule included in the project notebook materials. Tigist walked the Committee through the proposed contents of the Draft Report and asked if there were any questions or comments.

Bill asked what response the Committee Members can expect from the General Assembly and DeIDOT after the report is submitted, and how the final report will be published. Secretary Cohan responded that DeIDOT's intent is to quickly send out a letter responding to the formal recommendations. The letter will state what DeIDOT can do, the timeframes for implementing recommendations that do not require direction from the General Assembly, and recommendations that DeIDOT cannot do without direction from the General Assembly. Tigist also responded that the final report will be online as part of the project webpage on the WILMAPCO website. Andrew also responded that the project staff were planning to invite the sponsors of Senate Resolution #10 to the next meeting and that Bill might ask the legislators at that time what their response might be.

Bill stated that the two sponsors are only some of the legislators involved in the region and that by his count there are seven (7) legislators that should be involved. Bill requested that the Committee Members receive an indication of how much cooperation they will receive from the legislators involved. Tigist responded that the document will be submitted to the entire General Assembly. Tigist also stated that it would be unlikely that all seven legislators that Bill counted would be able to attend the final meeting given that the legislative session starts the same week as the final meeting and due date for the final report. Bill responded that even if all of the legislators are not able to attend the final meeting, he would like to know how the General Assembly will respond. Mike C. stated that some of the recommendations seem to require legislation. Secretary Cohan responded that part of DeIDOT's first task after receiving the report will be to determine which recommendations DeIDOT can start on and which will require direction from the General Assembly. Secretary Cohan reminded the rest of the Committee that DeIDOT's response will be shared with everyone. Andrew stated that while the project team had already initiated contact with the sponsors of Senate Resolution #10, the Committee Members were welcome to invite any of the other legislators.

Gale asked when it would be appropriate to let others know about the recommendations and share information from the prioritization exercise. Andrew responded that all of the information, including votes, is on the project website. Andrew also stated that the results of the prioritization exercise will be reflected in the meeting minutes.

MaryAnn Summers asked Secretary Cohan how long it would take DeIDOT to assign timelines for each of the recommendations. Secretary Cohan responded that while MaryAnn's question is likely related to the process of getting projects into the Capital Transportation Program (CTP), there are programs in place to immediately start on some of the recommendations that do not require as much funding or lead time. Secretary Cohan stated that although she would not be able to give timelines at the present meeting for individual recommendations, DeIDOT will have a letter shortly after the report is finalized that provides that information.

Tigist walked the Committee through the proposed schedule to complete the final report by the January 12, 2018 deadline. Tigist indicated that the Committee Members would receive the draft report by

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December 20, 2017 and requested that Committee Members provide comments on the draft report by December 29, 2017, or before, if possible. Andrew stated that although Tigist was requesting the Committee to review the document at a time that might be inconvenient, the document will not be very long and will not contain any “new” information. Tigist stated that after the Committee submits comments, the project team will have one week to revise the document and will provide the revised semi-final report on January 8, 2018. Tigist requested that any major comments be included in the review due by December 29, 2017 and that there be minimal corrections following the semi-final report. Tigist requested that Committee Members not wait until the deadline/meeting to provide comments, but to email her. Tigist indicated that the report will be submitted electronically on January 12, 2018 to the General Assembly and DelDOT with hard copies to follow and that the Special Committee will also receive the final report at that time.

Next Meeting

Tigist thanked the Committee and noted that the next meeting will be on January 10, 2018 at Hockessin Fire Hall. Tigist informed the Committee that the tentative agenda for the final meeting is to finalize the final report; to invite the two sponsors of Senate Resolution #10 to provide remarks; and, as requested by Gale at an earlier meeting, to allow Committee Members to make closing remarks (up to five minutes).

Nick requested the names of the sponsors. Tigist responded that the sponsors of Senate Resolution #10 are Senator Anthony DelCollo and Senator Greg Lavelle.

Andrew asked that if any of the Committee Members choose to prepare a written copy of their closing remarks, that they provide a copy after the meeting to be included with the minutes. Andrew also asked everyone to make a note of the location change for the last meeting, to be held at the Hockessin Fire Hall.

Public Comment

Andrew opened the floor for public comment.

1. Senator Greg Lavelle thanked the Committee Members and provided answers about the legislative response they can expect after the final report. Senator Lavelle stated that although it will be the second day back in session, he plans to be at the final Special Committee meeting. Senator Lavelle also indicated that he and other members of the General Assembly will look for DelDOT to first review the report and determine which recommendations DelDOT can start with, and then to provide direction to the General Assembly about recommendations that require a decision from the entire General Assembly and what can be accomplished within the CTP process. Senator Lavelle also noted that information about the meetings and the process have been publicized in his newsletter and on Facebook to help raise awareness.

NEXT MEETING

Special Committee Meetings will be held on the second Wednesday of each month starting at 6:00pm for the duration of the project. In addition to the regularly scheduled meetings, two additional meetings were scheduled for October 25, 2017 and November 29, 2017.

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The next meeting will be held on Wednesday, January 10, 2018 at 6:00pm at Hockessin Fire Hall, 1225 Old Lancaster Pike, Hockessin, DE 19707.

If you have any additions, corrections or comments regarding these minutes please contact Tigist Zegeye at tzegeye@wilmaco.org.

Attachments: Committee Member Sign-in Sheet
General Sign-in Sheet

cc: Attendees




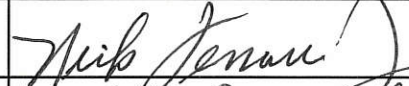
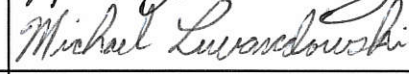


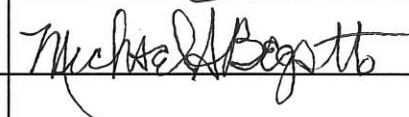


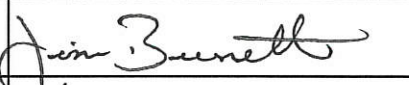
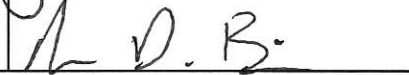
**Special Committee to Study and Make Recommendations
Regarding Truck Traffic and Freight Movements
Along SR 41, SR 48 & SR 7**

Wednesday, December 13, 2017

6:00pm

Cooke Elementary School, 2025 Graves Road, Hockessin, DE

Committee Member Sign-in Sheet

Member	Organization	Signature
MaryAnn Summers	Route 41 Representative	
Bill Taylor	Route 41 Representative	
Gale Hamilton	Route 48 Representative	
Nick Ferrara	Route 48 Representative	
Michael Lewandowski	Route 7 Representative	
Michael Censurato	Route 7 Representative	
Tigist Zegeye	Executive Director of WILMAPCO	
Mike Begatto	Diamond State Port Corporation Board of Directors	
Matthew Cox	Delaware State Police Truck Enforcement Unit	
Jennifer Cohan	Secretary of DeIDOT	
Mark Luszcz	Chief Traffic Engineer DeIDOT	
Staff Support		
Jim Burnett	RK&K	
Andrew Bing	Kramer & Associates	

Special Committee to Study and Make Recommendations
Regarding Truck Traffic and Freight Movements
Along SR 41, SR 48 & SR 7

Wednesday, December 6, 2017
6:00pm

Cooke Elementary School, 2025 Graves Road, Hockessin, DE

Sign-in Sheet

Name	Address	Phone Number	Email
Stephen Larrimore			
Justin Faucher			
Younes Abay			
John POWELL			
Don & Jean Beedle			
Tim Snow			
Greg Lavelle			