

## HARRISBURG AREA TRANSPORTATION STUDY AGREEMENT

THIS AGREEMENT, made and entered into this 11<sup>th</sup> day of <sup>February</sup>~~January~~,

A. D. 1965, by and among the Department of Highways of the Commonwealth of Pennsylvania (hereinafter called "the Department"), the County of Cumberland (hereinafter called "Cumberland"), the County of Dauphin (hereinafter called "Dauphin"), and the City of Harrisburg (hereinafter called "Harrisburg"),

WITNESSETH:

WHEREAS, the parties hereto desire to organize and conduct a continuing, comprehensive, coordinated transportation planning process for the Harrisburg area, consistent with Section 134 of the Federal Aid Highway Act of 1962, Title 23, United States Code, and with the policies of the Federal Government established pursuant thereto,

NOW, THEREFORE, the Department, Cumberland, Dauphin, and Harrisburg, in consideration of their mutual promises hereinafter expressed, and of the other valuable things hereinafter agreed, and intending to be legally bound hereby, do agree among themselves as follows:

1. The continuing, comprehensive, coordinated transportation planning process, hereinafter called "the Study", shall be in accordance with the Prospectus entitled "Prospectus for a Four-Phase Continuing Comprehensive Transportation Planning Process", dated February, 1964, and prepared by the Department, which is attached hereto, and hereby made a part of this Agreement, marked Exhibit A.

2. The area included in the Study hereby established shall be the area delineated in red on the attached map, made a part hereof, and marked Exhibit B, except that, with respect to Phase IV of this Study, the Coordinating Committee

*superseded*

may approve and direct changes in the Study area from time to time.

3. The scheme of organization shall be as indicated on the chart attached to this Agreement and made a part hereof, marked Exhibit C.

4. The parties hereto hereby establish a Coordinating Committee, which shall consist of the following members:

*Supervised*

Cumberland - Two voting members, appointed by Cumberland;

Dauphin - Two voting members, appointed by Dauphin;

Harrisburg - Two voting members, appointed by Harrisburg;

Department - Two members, appointed by the Secretary of

Highways of the Commonwealth of Pennsylvania, one of whom

shall act as chairman, having a vote only in the event of an even

division, the other a voting member;

Bureau of Community Development, Department of Commerce,

Commonwealth of Pennsylvania - One member, without vote;

Bureau of Public Roads, U.S. Department of Commerce - One

member, without vote;

Housing and Home Finance Administration - One member, without

vote.

It shall be the duty and responsibility of the Coordinating Committee to direct and control the policies and objectives of the Study, with due regard to the requirements and recommendations of its several represented agencies of government, in order to accomplish and maintain the Study.

5. The Coordinating Committee shall establish such regular meetings as from time to time it deems proper, and shall, in addition, meet upon call of the chairman. The Coordinating Committee shall elect a secretary, who need not be a member of the Committee. Actions of the Coordinating Committee and of the Technical Committee hereinafter established shall be by majority vote of members

present and entitled to vote.

6. The parties hereto hereby establish a Technical Committee, which shall consist of the following members:

Cumberland - Two voting members to be appointed by Cumberland;

Dauphin - Two voting members to be appointed by Dauphin;

Harrisburg - Two voting members to be appointed by Harrisburg;

*Suppressed*  
Department - Three members, appointed by the Secretary of Highways of the Commonwealth of Pennsylvania, one of whom shall act as chairman, having a vote only in the event of an even division, the other two voting members;

Bureau of Community Development, Department of Commerce, Commonwealth of Pennsylvania - One member, without vote;

Bureau of Public Roads, U.S. Department of Commerce - One member, without vote;

U.S. Housing and Home Finance Administration - One member, without vote.

It shall be the duty of the Technical Committee to study and report on technical aspects as directed by the Coordinating Committee, and to initiate studies and recommendations on technical aspects in pursuance of the objectives of the Prospectus.

7. The Technical Committee shall establish such regular meetings as, from time to time, it deems proper, and shall, in addition, meet upon call of the chairman. The Technical Committee shall elect a secretary, who may be a voting member of the Committee.

8. The parties hereto agree that, in connection with Phases III and IV, it is desirable to provide for local understanding of the matters involved in those phases by the creation of a Transportation Study Citizens Advisory Committee.

Excluding only the Department, the parties to this agreement, acting together, shall

establish such a Committee. It is further agreed that the Citizens Advisory Committee may elect its own chairman, and such other officers as it may deem appropriate. The Committee may communicate its various opinions and recommendations with respect to the Study to the parties creating the Committee and to the Coordinating Committee. The Coordinating Committee shall notify the parties hereto, other than the Department, of the appropriate time for creation of a Citizens Advisory Committee.

9. The parties hereto agree that Cumberland shall solicit the cooperation in the Study of all political subdivisions wholly or partly within the Study area in the County of Cumberland, and that Dauphin shall likewise solicit cooperation from such subdivisions within its jurisdiction. Such cooperation shall be through a Transportation Study Local Government Advisory Committee to be formed by Cumberland, and a Transportation Study Local Government Advisory Committee to be formed by Dauphin. Each committee shall have one member from each subdivision, appointed by the political subdivision. In lieu of the aforementioned two committees, Cumberland and Dauphin may, by joint agreement, establish a Joint Transportation Study Local Government Advisory Committee for all involved political subdivisions of the two jurisdictions. The County or Counties, or their representatives from the Joint Planning Commission, shall keep such Committees or Committee informed as to the progress of the Study, and it is agreed that the Counties shall represent the interests of such Local Government Advisory Committees or Joint Committee on the Coordinating Committee, and that the representatives of the Counties shall do so on the Technical Committee.

10. With respect to Phases I and II, the parties agree that the Study will be operated as outlined in the Prospectus, Exhibit A, and as described in further detail in the "Work Program for Phases I and II of the Four-Phase Continuing Comprehensive Transportation Planning Process", dated February, 1964, which has been prepared by the Department and which is attached hereto and hereby made a

part of this agreement, marked Exhibit D.

11. With respect to Phase III, the parties agree that a Work Program shall be submitted by the Technical Committee for approval by the Coordinating Committee and the Bureau of Public Roads prior to the completion of Phase II. The Coordinating Committee shall approve the selection of the alternate and final land use and transportation plans.

12. It is agreed that the Department will bear eighty-five per centum (85%) of the actual cost of Phase I of the Study, and the full cost of Phases II and III, as all of those are defined in the Prospectus as Department or Consultant responsibilities, and will provide, or cause to be provided, such data and services as are defined and indicated for it in the Prospectus. Cumberland, Dauphin, and Harrisburg, in accordance with resolutions heretofore enacted on October 24, 1964, October 28, 1964, and November 5, 1964, respectively, and attached hereto and made a part hereof as Exhibits E, F, and G, respectively, shall bear fifteen per centum (15%) of the actual cost of Phase I, not to exceed, in cash payment to the Department, twenty-eight thousand (\$28,000.00) dollars; and Cumberland, Dauphin, and Harrisburg shall also provide such data and services in all three phases as are indicated for them in the Prospectus and Work Programs.

13. With respect to Phase IV, the parties agree that the Study will be maintained, after the accomplishment of Phase III, as a continuing function of all of the parties in a manner to be recommended by the Coordinating Committee and approved by all of the parties to this agreement, by the Bureau of Public Roads, and by the Housing and Home Finance Administration, and that the Coordinating Committee and the Technical Committee shall remain in being for that purpose, with the parties hereto providing and performing, or causing same, such data and services for the continuing process as shall, from time to time, be deemed desirable by the Coordinating Committee. The Coordinating Committee shall determine when, and

in what respects, the plans developed in Phase III shall be re-evaluated and up-dated, and the necessary participations therein, it being understood that this should occur not less frequently than every fifth year after the accomplishment of Phase III.

14. The parties, other than the Department, agree that they, or any of them, will make available, or cause to be made available, work space for the Study in convenient locations and at convenient times, within the Study area, as requested by the Coordinating Committee or the Technical Committee for the purposes of the Study. Each party hereto agrees that it will, without expense to the other parties, keep, or cause to be kept, such files, data, and reports pertinent to the Study as the Coordinating Committee shall from time to time request, properly storing the same, and holding the same available for the further purposes of the Study.

15. The parties hereto agree that all Study reports shall be printed or otherwise put in form for publication, at the Department's expense, and shall be distributed without charge, and in adequate numbers, to the parties hereto, to the Bureau of Community Development, the Bureau of Public Roads, the Housing and Home Finance Administration, the members of the Coordinating and Technical Committees, and to such others as the Coordinating Committee shall determine, subject to required approvals for such publications and distributions.

16. This agreement shall remain in full force and effect so long as the parties hereto shall not mutually terminate it, except that any party to this agreement may terminate it upon six months' notice in writing, delivered by registered mail to the other parties hereto; in the case of the Department, such notice to be signed by the Secretary of Highways of the Commonwealth of Pennsylvania; in the case of any City or County, such notice to be accompanied by a certified and attested proof of the action of the Council or the Commissioners authorizing such notice of termination. Notice of rescission of any such notice of

termination prior to expiration of the six months, communicated as hereinbefore provided for the notice of termination, shall leave the Study in status quo ante.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF HIGHWAYS

*[Signature]*

BY *[Signature]*  
Deputy Secretary of Highways.

(SEAL)

*[Seal stamp]*  
Director of Department Budget

*OK for*

ATTEST:

COUNTY OF CUMBERLAND

*E. L. Brown*  
1-25-65 *Ch. of C. Bd.*

BY *[Signature]*  
(Title)  
*Donald E. Funder*  
*Herbert N. Stewart*

(SEAL)

ATTEST:

COUNTY OF DAUPHIN

*[Signature]*

BY *[Signature]*  
(Title)  
*C. P. B. B. B.*  
*Geo. Kumbel*

(SEAL)

ATTEST:

CITY OF HARRISBURG (Title)

*[Signature]*

BY *[Signature]*  
(Title)

(SEAL)

APPROVED AS TO FORM AND LEGALITY

APPROVED AS TO FORM AND LEGALITY

BY *[Signature]*  
Deputy Attorney General

*[Signature]*  
Asst. Attorney General

\_\_\_\_\_  
Governor

\_\_\_\_\_  
Budget Secretary

APPROVED AS TO FORM  
*[Signature]*  
ATTORNEY

RECORDED NO.             
CERTIFIED - FUNDS AVAILABLE  
UNOFF. ACTIVITY CODE             
*[Signature]*  
ASSISTANT COMPTROLLER

EXHIBIT B





SUPPLEMENT TO  
HARRISBURG AREA TRANSPORTATION STUDY AGREEMENT

THIS AGREEMENT, made and entered into this *9<sup>th</sup>* day of *December*, 1974, by and among the Department of Transportation of the Commonwealth of Pennsylvania (hereinafter called "the Department"), the County of Cumberland (hereinafter called "Cumberland"), the County of Dauphin (hereinafter called "Dauphin"), and the City of Harrisburg (hereinafter called "Harrisburg").

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the parties entered into an agreement dated February 11, 1965, being PennDOT Agreement No. 33738, providing for a continuing, comprehensive, coordinated transportation planning process for the Harrisburg area, consistent with Section 134 of the Federal-Aid Highway Act of 1962, Title 23, United States Code, and with the policies of the Federal Government established pursuant thereto; and,

WHEREAS, it is now necessary to amend said agreement by changing certain names and by altering the composition of the Coordinating Committee and Technical Committee as previously established in said original agreement; and,

WHEREAS, such is agreeable to the parties.

NOW, THEREFORE, the Department, Cumberland, Dauphin, and Harrisburg, in consideration of their mutual promises hereinafter expressed,

and of the other valuable things hereinafter agreed, and intending to be legally bound hereby, do agree among themselves as follows:

1. Said original agreement, PennDOT Agreement No. 33738, is hereby amended by changing the name Department of Highways, wherever it appears, to Department of Transportation.

2. Said original agreement, PennDOT Agreement No. 33738, is hereby amended by changing the name Bureau of Public Roads, U. S. Department of Commerce, to Federal Highway Administration, U. S. Department of Transportation, wherever it appears.

3. Paragraph 4 of said original agreement, PennDOT Agreement No. 33738, is hereby amended by expanding the non-voting membership of the Coordinating Committee to include one representative of the Federal Aviation Administration, one representative from the Federal Urban Mass Transportation Administration and one representative from the Pennsylvania Department of Environmental Resources, each of which is to be appointed by its respective organization.

Said paragraph 4 is further amended by providing that the chairman of said Coordinating Committee shall be elected annually from said committee membership by the voting members of said committee and it is further understood and agreed that the said chairman, during his term as such, shall have the right to vote.

Finally, said paragraph 4 is amended by providing that the two members appointed by the former Secretary of Highways (now Secretary of Transportation) of the Commonwealth of Pennsylvania, shall each be entitled to vote and be a voting member.

4. Paragraph 6 of said original agreement, PennDOT Agreement No. 33738, is hereby amended by providing that the Capitol Area Transit Authority appoint a "Transit Authority Representative", the Pennsylvania Department of Transportation, Bureau of Aviation may, in addition, appoint an "Airport Representative", and each such "Transit Authority Representative" and "Airport Representative" shall have the right to vote on said Technical Committee which is hereby and herewith expanded to include said new voting members.

Said paragraph 6 is further amended by providing that the non-voting membership of said Technical Committee is hereby expanded to include one representative of the Federal Aviation Administration, one representative of the Federal Urban Mass Transportation Administration and one representative from the Pennsylvania Department of Environmental Resources, each of which is to be appointed by its respective organization.

Finally, said paragraph 6 is further amended by providing that the chairman of said Technical Committee shall have a vote in all matters instead of only in the event of an even decision or tie as heretofore provided.

5. In all other respects said original agreement, PennDOT Agreement No. 33738, shall remain the same.

6. Any further corrections, changes or additions to said original agreement, PennDOT Agreement No. 33738, and this supplemental agreement, shall be in writing by supplemental agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

David Harsh

BY [Signature]  
Deputy Secretary of Transportation

(SEAL)

BUDGETARY CONTROL  
Personnel Fiscal Director

ATTEST:

COUNTY OF CUMBERLAND

[Signature]

BY [Signature]  
(Title)

(SEAL)

ATTEST:

COUNTY OF DAUPHIN

[Signature]

BY [Signature]

(SEAL)

(Title)

ATTEST:

CITY OF HARRISBURG

[Signature]  
(SEAL)

BY [Signature]  
(Title)

PRELIMINARILY APPROVED

APPROVED AS TO LEGALITY AND FORM

By [Signature]  
Assistant Attorney General

BY [Signature]  
Deputy Attorney General

RECORDED NO. 32233 H

CERTIFIED FUNDS AVAILABLE UNDER

ACTIVITY PROGRAM 213

SYMBOL 10.65.213

AMOUNT 10000

[Signature]  
Assistant Comptroller

SUPPLEMENT TO  
HARRISBURG AREA TRANSPORTATION STUDY AGREEMENT

THIS AGREEMENT, made and entered into this 24th day of March, ~~1976~~ <sup>1977</sup>, by and among the Department of Transportation of the Commonwealth of Pennsylvania (hereinafter called "The Department"), the County of Cumberland (hereinafter called "Cumberland"), the County of Dauphin (hereinafter called "Dauphin"), the County of Perry (hereinafter called "Perry"), and the City of Harrisburg (hereinafter called "Harrisburg").

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the parties entered into an agreement dated February 11, 1965, being PennDOT Agreement No. 33738, providing for a continuing, comprehensive, coordinated transportation planning process for the Harrisburg area, consistent with Section 134 of the Federal-Aid Highway Act of 1962, Title 23, United States Code, and with the policies of the Federal Government established pursuant thereto; and,

WHEREAS, the parties entered into a supplemental agreement dated December 9, 1974, being PennDOT Agreement No. 33738-A, said supplemental agreement amending original PennDOT Agreement No. 33738 by changing certain names and by altering the composition of the Coordinating Committee and Technical Committee as previously established in said original agreement; and,

WHEREAS, the parties find it now necessary to further amend original PennDOT Agreement No. 33738 and supplemental agreement No. 33738-A by changing the study area and by expanding the voting membership of the Coordinating Committee and Technical Committee; and,

WHEREAS, such is agreeable to the parties.

NOW, THEREFORE, the Department, Cumberland, Dauphin, Perry, and Harrisburg, in consideration of their mutual promises hereinafter expressed, and of the other valuable things hereinafter agreed, and intending to be legally bound hereby, do agree among themselves as follows:

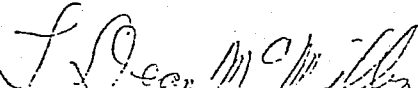
1. Paragraph No. 2 of said original agreement, PennDOT Agreement No. 33738, is hereby revised and amended to change the Study area boundary to the area delineated in red on the attached map, made a part hereof, and marked Exhibit "A".
2. Paragraph No. 4 of said original agreement, PennDOT Agreement No. 33738, is hereby amended by expanding the voting membership of the Coordinating Committee to include two representatives from Perry, each of which is to be appointed by the Perry County Commissioners.
3. Paragraph No. 6 of said original agreement, PennDOT Agreement No. 33738, is hereby amended by expanding the voting membership of the Technical Committee to include two representatives from Perry, each of which is to be appointed by the Perry County Commissioners.
4. In all other respects, the said original agreement, PennDOT Agreement No. 33738, and PennDOT Supplemental Agreement No. 33738-A, shall remain the same.
5. Any further corrections, changes or additions to said original agreement, PennDOT Agreement No. 33738, and the supplemental agreement thereto shall be in writing by further supplemental agreement.

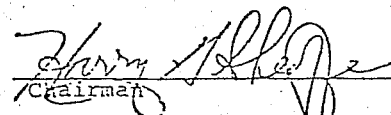
Addendum to  
SUPPLEMENT TO  
HARRISBURG AREA TRANSPORTATION STUDY AGREEMENT  
(PennDOT Agreement No. 33738-B)

"AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the County of Perry hereby recognizes, adopts and is willing, prospective only from this date, to participate in the Harrisburg Area Transportation Study Agreement entered into No. 33738 entered into in 1965 by and between the County of Cumberland, the County of Dauphin and the City of Harrisburg, and Supplemental Agreement No. 33738-A entered into by the same on December 9, 1974. To the intent and effect that the County of Perry, as evidenced by the signature of its duly authorized representative below, agrees to participate in the Harrisburg Area Transportation Study and to financially contribute annually, to support said agreement, the amount which will be subject to a separate legal agreement. The County of Perry does not agree to be liable for any costs incurred by said Harrisburg Area Transportation Study Agreement No. 33738 or Supplemental Agreement No. 33738-A prior to this date.

ATTEST:

County of Perry

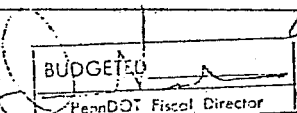
  
(Seal)

By   
Chairman

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Thomas J. Toth  
(SEAL)  BY John M. ...  
Deputy Secretary of Transportation

ATTEST:

COUNTY OF CUMBERLAND

Stanley J. Kittaker  
(SEAL) BY Nelson A. ...  
(Title) Chairman

ATTEST:

COUNTY OF DAUPHIN

Thomas E. ...  
(SEAL) BY James P. ...  
(Title) Chairman

ATTEST:

COUNTY OF PERRY

L. Dean McMillen  
(SEAL) BY Harry H. ...  
(Title) Chairman

ATTEST:

CITY OF HARRISBURG

Paul D. Bucher  
(SEAL) BY Howard ...  
(Title) Mayor

Paul D. Bucher  
PRELIMINARILY APPROVED BY Edward ...  
(Title) Controller

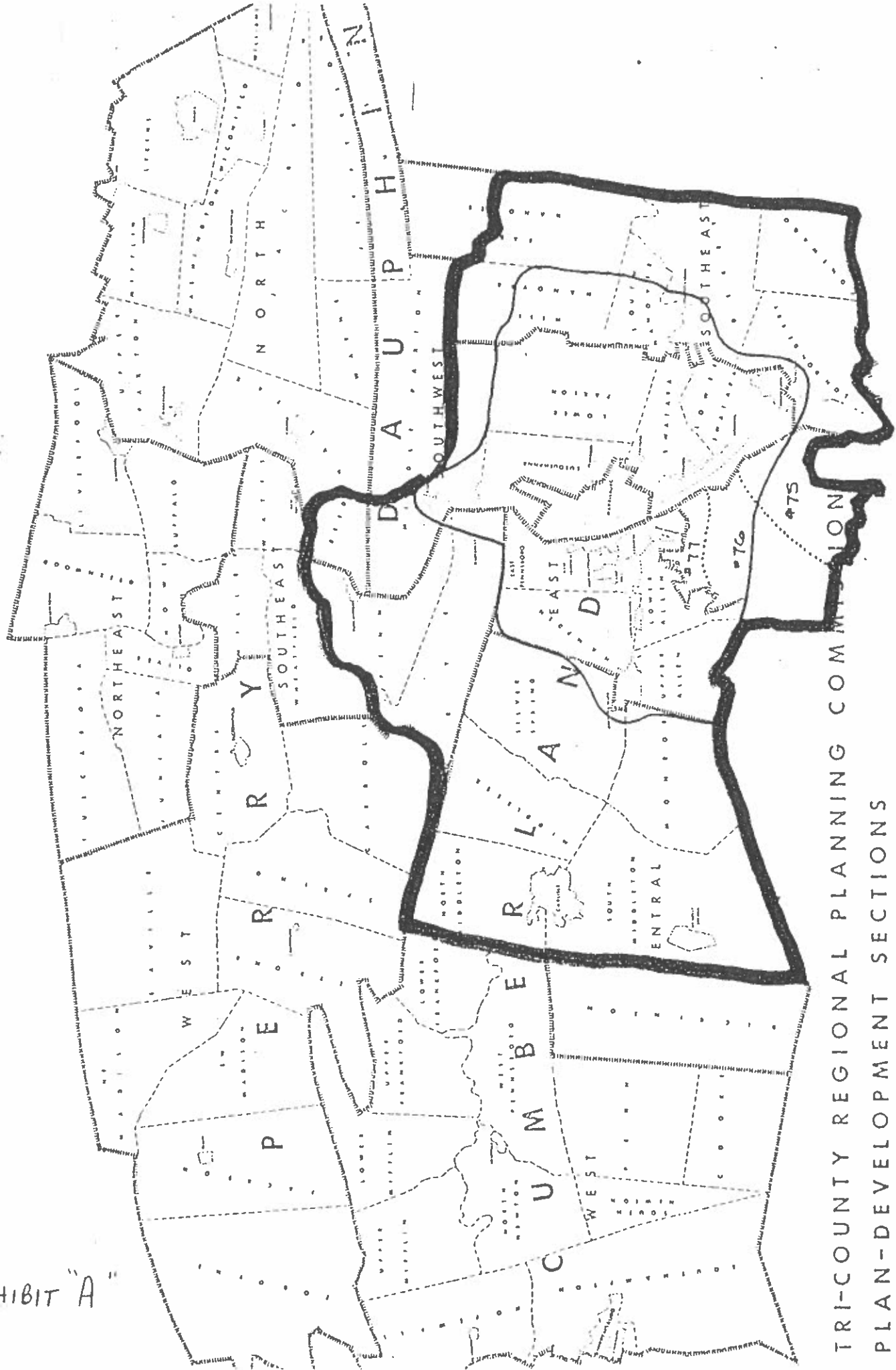
BY Stanley ...  
Assistant Attorney General  
RECORDED NO. 33738 B  
CERTIFIED FUNDS AVAILABLE UNDER  
ACTIVITY PROGRAM 213  
SYMBOL 10 08 556  
AMOUNT  
Earl E. Brown  
Assistant Comptroller

APPROVED AS TO LEGALITY AND FORM

BY George E. ...  
Deputy Attorney General  
Asst.



EXHIBIT "A"



TRI-COUNTY REGIONAL PLANNING COMMISSION  
PLAN-DEVELOPMENT SECTIONS

H.A.T.S. CORDON

PRESENT — NEW — RED



RECEIVED 3 8 1982

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
HARRISBURG, PENNSYLVANIA 17120

OFFICE OF  
SECRETARY OF TRANSPORTATION

March 3, 1982

Mr. James R. Zeiters, Executive Director  
Tri-County Regional Planning Commission  
2001 North Front Street  
Building #2, Suite #221  
Harrisburg, Pennsylvania

Re: Harrisburg Area Transportation Study  
Supplement to Study Agreement

Dear Mr. Zeiters:

Enclosed for your files is a copy of Supplemental Agreement Number 33738-C to the Harrisburg Area Transportation Study Legal Agreement which expands the voting membership of the Coordinating Committee with the addition of the Lower Dauphin Council of Governments and the West Shore Council of Governments.

Sincerely,

A handwritten signature in cursive script that reads "Harvey Haack".

Harvey Haack  
Deputy Secretary

HARRISBURG AREA TRANSPORTATION STUDY

SUPPLEMENTAL AGREEMENT

AGREEMENT NO. 33738-C

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1980, by and between the Department of Transportation of the Commonwealth of Pennsylvania (hereinafter referred to as "the Department"),

and

the County of Cumberland (hereinafter called "Cumberland"),

and

the County of Dauphin (hereinafter called "Dauphin"),

and

the County of Perry (hereinafter called "Perry"),

and

the City of Harrisburg (hereinafter called "Harrisburg").

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the parties entered into agreements, being Agreement Nos. 33738, 33738-A and 33738-B, providing for a continuing, comprehensive, coordinated transportation planning process for the Harrisburg area, consistent with Section 134 of the Federal-aid Highway Act of 1962, Title 23, United States Code, and with the policies of the Federal Government established pursuant thereto; and,

WHEREAS, it is now necessary to amend the original and supplemental agreements for the purpose of expanding the permissible voting membership of the Coordinating Committee.

NOW, THEREFORE, for and in consideration of the foregoing premise and the mutual promises set forth below, the parties agree, with the intention of being legally bound, to the following supplemental conditions:

1. Paragraph 4 of Agreement No. 33738 is hereby amended by expanding the voting membership of the Coordinating Committee to include one representative from the Lower Dauphin Council of Governments and one representative from the West Shore Council of Governments, to be appointed by their organizations.

2. In all other respects, the said original agreement, Agreement No. 33738, and its supplements, Agreement Nos. 33738-A and 33738-B, shall remain the same.

3. Any further corrections, changes or additions to said original agreement, Agreement No. 33738, and its supplements, Agreement Nos. 33738-A and 33738-B, and this supplemental agreement, shall be in writing by further supplemental agreement.

IT WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

*Thomas Teth*

(SEAL)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY *Harry Haack*  
Deputy Secretary of Transportation

ATTEST:

*Rosemarie Perillo*

(SEAL)

COUNTY OF CUMBERLAND

BY *Nelson A. Pent*  
(Title)

ATTEST:

*Lillian G. Reese*

(SEAL)

COUNTY OF DAUPHIN

BY *John E. Minnich*  
(Title)

ATTEST:

*L. Dean M. Miller*

(SEAL)

COUNTY OF PERRY

BY *R. Elwood Mohler*  
(Title)

ATTEST:

*Rosemary Berry*  
CITY CLERK

CITY OF HARRISBURG

BY *Paul ...*  
(Title) Mayor

APPROVED AS TO LEGALITY AND FORM

BY *David J. Williams*  
Deputy Attorney General

APPROVED AS TO LEGALITY AND FORM

BY *David J. Williams*  
Chief Counsel

*D.J.*



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
HARRISBURG, PENNSYLVANIA 17120

OFFICE OF  
SECRETARY OF TRANSPORTATION

RECEIVED MAY 16 1985

COPIES DELIVERED AT  
COORDINATING COMMITTEE  
MEETING MAY 29 1985  
TO MINNICH  
MYERS  
CONVEYAL

BY ED SENE TO  
PC COMMISSIONERS  
MAY 31 1985

May 13, 1985

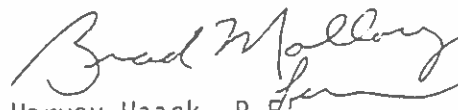
Mr. James Zeiters, Director  
Tri-County Regional Planning Commission  
112 Market Street  
7th Floor  
Harrisburg, Pennsylvania 17101-2015

Dear Mr. Zeiters:

Attached are five fully executed copies of Supplemental Agreement No. 33738-D to the Harrisburg Area Transportation Study Base Agreement entered into between the Department of Transportation, the County of Cumberland, the County of Dauphin, and the County of Perry. This agreement expands the Harrisburg Transportation Study to include all of Cumberland, Dauphin and Perry Counties and Fairview Township, York County.

Please distribute copies to the other signatories.

Sincerely,

  
Harvey Haack, P.E.  
Deputy Secretary

Attachments

220/GCS:smm/84B

11/27/84

PENNDOT AGREEMENT NO. 33738-D

## SUPPLEMENT TO

## HARRISBURG AREA TRANSPORTATION STUDY AGREEMENT

THIS AGREEMENT, made and entered into this 1st day of May, 1985, by and among the Department of Transportation of the Commonwealth of Pennsylvania (hereinafter called "The Department"), the County of Cumberland (hereinafter called "Cumberland"), the County of Dauphin (hereinafter called "Dauphin"), the County of Perry (hereinafter called "Perry"), and the City of Harrisburg (hereinafter called "Harrisburg").

## W I T N E S S E T H :

WHEREAS, the parties entered into an agreement dated February 11, 1965, being PennDOT Agreement No. 33738, and supplements thereto, Nos. 33738-A, 33738-B, and 33738-C, providing for a continuing, comprehensive, coordinated transportation planning process for the Harrisburg area, consistent with Section 134 of the Federal-Aid Highway Act of 1962, Title 23, United States Code, as amended, and with the policies of the Federal Government established pursuant thereto; and,

WHEREAS, the parties find it now necessary to further amend Agreement No. 33738 and supplements thereto, for the purpose of expanding the study area.

NOW, THEREFORE, the Department, Cumberland, Dauphin, Perry and Harrisburg, in consideration of their mutual promises hereinafter expressed, and of the other valuable things hereinafter agreed, and intending to be legally bound hereby, do agree among themselves to amend Agreement Nos. 33738, 33738-A, 33738-B and 33738-C, in accordance with the following:

1. Paragraph No. 2 of Agreement No. 33738 and Paragraph 1 of No. 33738-B are hereby revised and amended to change the Study area boundary to include all municipalities within Cumberland, Dauphin and Perry Counties and the Township of Fairview, York County.
2. In all other respects, Agreement No. 33738, supplemental agreements thereto shall remain in full force and effect.
3. Any further corrections, changes or additions to Agreement No. 33738, and/or the supplemental agreements thereto shall be in writing by further supplemental agreement.



IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

Andrea J. Peters

(SEAL)

ATTEST:

[Signature]

Title: CHIEF CLERK

(SEAL)

ATTEST:

Ledney A. Reese

Title: CHIEF CLERK

(SEAL)

ATTEST:

L. Dean McMillen  
Chief Clerk

Title:

(SEAL)

APPROVED FOR:  
Office of  
Budget and Administration

By [Signature]  
Comptroller  
Dept. of Transportation

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY Harvey Haack  
Deputy Secretary of  
Transportation

COUNTY OF CUMBERLAND

BY Marvin L. Snyder  
Title: County Commissioner

COUNTY OF DAUPHIN

BY John E. Minnich  
Title: CHAIRMAN

COUNTY OF PERRY

BY R. Elwood Mähler  
Title:

ATTEST:

CITY OF HARRISBURG

Rosemary Berry

Title:

City Clerk

Title:

BY [Signature]

Title: Mayor

BY [Signature]

Title: Controller

(SEAL)

APPROVED AS TO LEGALITY AND FORM

BY [Signature]  
CHIEF COUNSEL

BY [Signature]  
DEPUTY ATTORNEY GENERAL

PRELIMINARY APPROVAL

[Signature]  
[Illegible Title]

32733 32738

[Signature]  
Assistant Controller

## APPENDIX A

### Study Area Boundary Definitions

The several areas or boundaries related to the Harrisburg transportation planning and programming process are defined as follows.

#### Existing Urbanized Area

This is the area including Harrisburg City and surrounding closely settled areas. Two outlying centers which meet the criteria are also included. The specific criteria for the delineation of an urbanized area are as follows:

- 1a. A central city of 50,000 inhabitants or more in 1960, in a special census conducted by the Census Bureau since 1960, or in the 1970 census; or
- b. Twin cities, i.e., cities with contiguous boundaries and constituting, for general social and economic purposes, a single community with a combined population of at least 50,000 and with the smaller of the twin cities having a population of at least 15,000.
2. Surrounding closely settled territory, including the following (but excluding the rural portions of extended cities)
  - a. Incorporated places of 2,500 inhabitants or more.
  - b. Incorporated places with fewer than 2,500 inhabitants, provided that each has a closely settled area of 100 housing units or more.
  - c. Small parcels of land normally less than one square mile in area having a population density of 1,000 inhabitants or more per square mile. The areas of large nonresidential tracts devoted to such urban land uses as railroad yards, airports, factories, parks, golf courses, and cemeteries are excluded in computing the population density.
  - d. Other similar small areas in unincorporated territory with lower population density provided that they serve
    - to eliminate enclaves, or
    - to close indentations in the urbanized areas of one mile or less across the open end, or
    - to link outlying enumeration districts of qualifying density that are not more than 1½ miles from the main body of the urbanized area.

### Federal Aid Urban Area

The existing urbanized area and contiguous areas anticipated to become urbanized within 5 years compose the area eligible for Federal urban system aid. For the Harrisburg Area, the "FAU" Area as of 1972 is shown on the map.

### Intensive Study Area

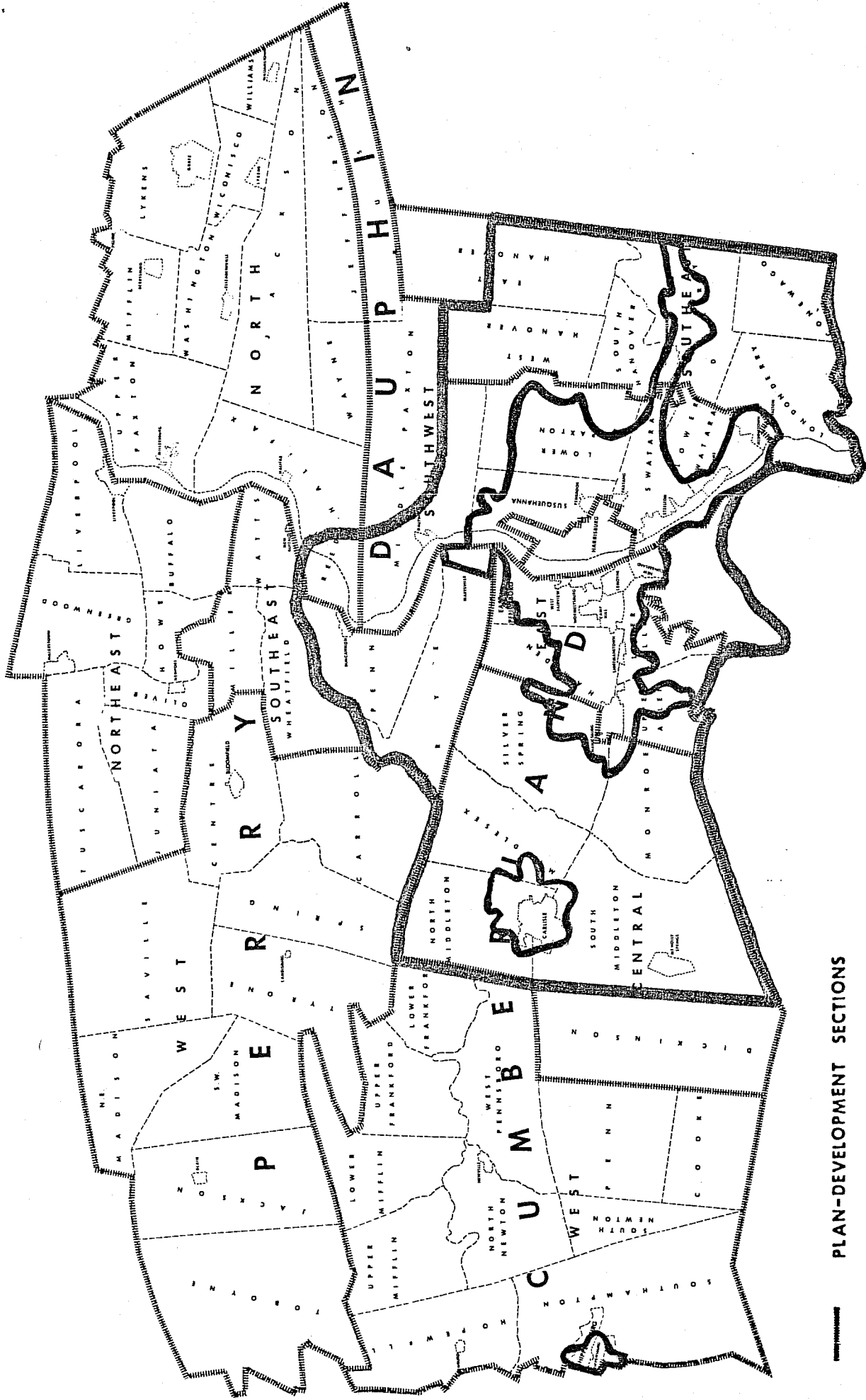
For longer-range planning, route classification and general funding purposes, an area which includes the existing urbanized area and contiguous areas expected to be urbanized in approximately 20 years is employed. This was last determined, by PennDOT in cooperation with FHWA, for the period ending in 1990.

### Total Study Area

The original study area, determined when HATS was established in 1965, was defined by these five conditions:

first, the contiguous, thickly populated suburban sections were included by the cordon; second, the line did not extend through a network of streets or roads, as this would necessitate too many external interview stations; third, it intersected all roads at points suitable to operate interview stations; fourth, its general course around the city was uniform in nature, without major deviations inward or outward; and fifth, when following along a road the cordon line was placed on the side opposite the internal area so that the road fell inside rather than outside of that area.

In 1975 the MPO found it desirable to expand the jurisdictional study area, due to the continued spread of residential and commercial development. Significant amounts of this development occurred in outlying boroughs and the surrounding townships, resulting in an excessive number of person-trips in and out of the 1965 "cordon" area. In conjunction with PennDOT, TCRPC prepared a 20-year estimate of future population by municipality. The land area of each municipality was adjusted for an large, uninhabitable areas, and the future population density computed. Municipalities which were thus found to have a probable future density of 300 persons per square mile were included in the expanded study area.



— FEDERAL AID URBAN AREA - 1972

— TOTAL STUDY AREA - 1975

PLAN-DEVELOPMENT SECTIONS

TRICOUNTY REGIONAL PLANNING COMMISSION



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
HARRISBURG, PENNSYLVANIA 17120

OFFICE OF  
SECRETARY OF TRANSPORTATION


June 30, 1986

Mr. Frederick S. Rice, Chairman  
Dauphin County Commissioners  
Court House  
Front and Market Streets  
Harrisburg, PA 17104

Dear Mr. Rice:

Attached for your reference and files is one (1) fully executed copy of the agreement entered into between the Counties of Cumberland, Dauphin and Perry, the City of Harrisburg and the Pennsylvania Department of Transportation. This agreement adds York County Planning Commission as a voting member of the Harrisburg Area Transportation Study (HATS) Technical Committee.

Sincerely,



Harvey Haack, P.E.  
Deputy Secretary

Attachment

cc: Cumberland County Commissioners  
Perry County Commissioners  
York County Commissioners  
Mayor Stephen R. Reed, City of Harrisburg  
Mr. James Zeiters, TCRPC  
Mr. Reed Dunn, YCPC

SUPPLEMENT TO  
HARRISBURG AREA TRANSPORTATION STUDY AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1985 by the Department of Transportation of the Commonwealth of Pennsylvania (hereinafter called "The Department"), the County of Cumberland (hereinafter called "Cumberland"), the County of Dauphin (hereinafter called "Dauphin"), the County of Perry (hereinafter called "Perry"), and the City of Harrisburg (hereinafter called "Harrisburg").

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the parties entered into an agreement dated February 11, 1965, being PennDOT Agreement No. 33738, and supplements thereto, Nos. 33738-A, 33738-B, 33738-C, and 33738-D, providing for a continuing, comprehensive, coordinated transportation planning process for the Harrisburg area, consistent with Section 134 of the Federal-Aid Highway Act of 1962, Title 23, United States Code, as amended, and with the policies of the Federal Government established pursuant thereto; and,

WHEREAS, the parties find it now necessary to further amend Agreement No. 33738 and supplements thereto, for the purpose of expanding the study area.

NOW, THEREFORE, the Department, Cumberland, Dauphin, Perry and Harrisburg, in consideration of their mutual promises hereinafter expressed, and of the other valuable things hereinafter agreed, and intending to be legally bound hereby, do agree among themselves to amend Agreement Nos. 33738, 33738-A, 33738-B, 33738-C and 33738-D in accordance with the following:

1. Paragraph No. 6 of Agreement No. 33738 is hereby revised and amended by providing that the York County Planning Commission shall be a member of and shall have the right to vote on the Technical Committee.

2. Any further corrections, changes or additions to Agreement No. 33738, and/or the supplemental agreements thereto shall be in writing by further supplemental agreement.

3. All other conditions of Agreement No. 33738 and the supplemental agreements thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.



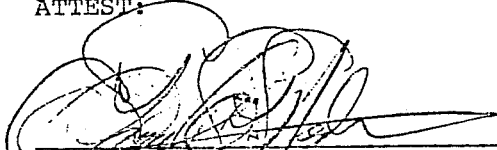
ATTEST:

\_\_\_\_\_  
(SEAL)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY \_\_\_\_\_  
Deputy Secretary of  
Transportation

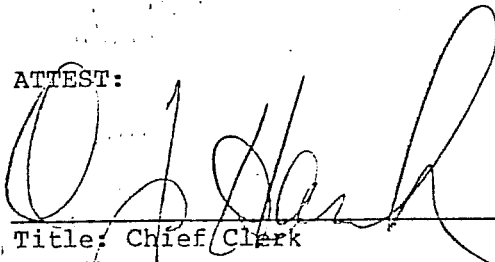
ATTEST:

  
\_\_\_\_\_  
Title: Chief Clerk  
(SEAL)

COUNTY OF CUMBERLAND

BY Marcia L. Myers  
Title: County Commissioner

ATTEST:

  
\_\_\_\_\_  
Title: Chief Clerk  
(SEAL)

COUNTY OF DAUPHIN

BY William P. Hines  
Title: Chairman  
Vice

ATTEST:

L. Dean McMillan  
\_\_\_\_\_  
Title: Chief Clerk  
(SEAL)

COUNTY OF PERRY

BY R. Elwood Mohler  
Title:

ATTEST:

Oscar Derudas, Jr.  
\_\_\_\_\_  
Title: City Clerk  
(SEAL)

CITY OF HARRISBURG

BY [Handwritten Signature]  
Title: Mayor



RECEIVED DEC 0 8 1987

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
HARRISBURG, PENNSYLVANIA 17120

December 3, 1987

OFFICE OF  
SECRETARY OF TRANSPORTATION

Mr. James Zeiters, Executive Director  
Tri-County Regional Planning Commission  
112 Market Street  
7th Floor  
Harrisburg, PA 17102

Re: Amendment to Harrisburg  
Area Transportation Study  
Agreement No. 33738-F  
File No. TS13C

Dear Mr. Zeiters:

Attached is a fully executed copy of the agreement entered into between the Counties of Cumberland, Dauphin and Perry, the City of Harrisburg and the Pennsylvania Department of Transportation. This agreement decreases the Technical Committee voting memberships to two (2) for the Department of Transportation. Also, the Chairman of the Technical Committee will be elected by the voting membership.

As secretary to the Harrisburg MPO, please distribute copies of the amendment to the Counties of Cumberland, Dauphin and Perry and the City of Harrisburg.

Sincerely,

Harvey Haack, P.E.  
Deputy Secretary

Attachment

cc: Cumberland County Commissioners  
Dauphin County Commissioners  
Perry County Commissioners  
York County Commissioners  
Mayor Stephen R. Reed, City of Harrisburg  
Mr. Reed Dunn, YCPC

SUPPLEMENT TO  
HARRISBURG AREA TRANSPORTATION STUDY AGREEMENT

THIS AGREEMENT, made and entered into this        day of  
                  , 1987 by the Department of Transportation of the  
Commonwealth of Pennsylvania (hereinafter called "The  
Department"), the County of Cumberland (hereinafter called  
"Cumberland"), the County of Dauphin (hereinafter called  
"Dauphin"), the County of Perry (hereinafter called  
"Perry"), and the City of Harrisburg (hereinafter called  
"Harrisburg")

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the parties entered into an agreement dated  
February 11, 1965, being PennDOT Agreement No. 33738, and  
supplements thereto, Nos. 33738-A, 33738-B, 33738-C, 33738-D  
and 33738-E, providing for a continuing, comprehensive,  
coordinated transportation planning process for the  
Harrisburg area, consistent with Section 134 of the  
Federal-Aid Highway Act of 1962, Title 23, United States  
Code, as amended, and with the policies of the Federal  
Government established pursuant thereto; and,

WHEREAS, the parties find it now necessary to further  
amend Agreement No. 33738 and supplements thereto, for the  
purpose of revising the Department's voting membership on  
the Technical Committee.

NOW, THEREFORE, the Department, Cumberland, Dauphin,  
Perry and Harrisburg, in consideration of their mutual  
promises hereinafter expressed, and of the other valuable  
things hereinafter agreed, and intending to be legally bound  
hereby, do agree among themselves to amend Agreement Nos.  
33738, 33738-A, 33738-B, 33738-C, 33738-D and 33738-E in  
accordance with the following:

1. Paragraph No. 6 of Agreement No. 33738 is hereby  
revised and amended as follows:

- a. The Technical Committee shall consist of two voting memberships for the Department to be appointed by the Secretary of Transportation of the Commonwealth of Pennsylvania.
  - b. The Chairman of the Technical Committee to be elected by the voting membership.
2. Any further corrections, changes or additions to Agreement No. 33738, and/or the supplemental agreements thereto shall be in writing by further supplemental agreement.
  3. All other conditions of Agreement No. 33738 and the supplemental agreements thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

\_\_\_\_\_

(SEAL)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY Harry Hank  
Deputy Secretary of  
Transportation

ATTEST:

[Signature]

Title: Chief Clerk  
(SEAL)

COUNTY OF CUMBERLAND

BY Marvin L. Myers  
Title: County Commissioner

ATTEST:

[Signature]  
Title: Chief Clerk  
(SEAL)

COUNTY OF DAUPHIN

BY [Signature]  
Title: Chairman

ATTEST:

L. Dean McMillan  
Title: Chief Clerk  
(SEAL)

COUNTY OF PERRY

BY [Signature]  
Title: CHAIRMAN

ATTEST:

[Signature]  
Title: City Clerk  
(SEAL)

CITY OF HARRISBURG

BY [Signature]  
Title: Mayor

**MINUTES  
HARRISBURG AREA TRANSPORTATION STUDY  
COORDINATING COMMITTEE**

Meeting 106

**Date:** January 24, 1992

**Time & Location:** 9:00 a.m., PennDOT District 8-0 Office  
21st & Herr Streets  
Harrisburg, PA

**1. Attendance and Introductions**

Members and those present are as noted on the attached attendance sheet. Secretary Zeiters called the meeting to order at 9:05 a.m.

**2. Membership and Election of Officers**

Mr. Zeiters noted that Dauphin County Commissioner Russell Sheaffer replaces Carol Peters and District Engineer Barry Hoffman replaces Robert Mueser as voting members.

The following officers were unanimously elected: Hawkins - Chairman, Kennedy - Vice-Chairman and Zeiters - Secretary. Mr. Hawkins then chaired the remainder of the meeting.

**3. Minutes**

Minutes of the September 27, 1991 meeting were approved as written.

**4. CAT Voting Membership on the Coordinating Committee**

Mr. Hawkins noted that the Committee had discussed this issue at its September meeting, and had decided to wait to take action until the new Federal Transportation Act was passed. The new Act, signed by the President in December, recommends transit provider membership on the Metropolitan Planning Organization (MPO). Mr. King noted that PennDOT views this issue as one that should be resolved to the satisfaction of the local members of the Committee and that the issue had been considered in the past. Previously, it was generally determined that CAT, whose Board is appointed by County and City officials, is adequately represented by the County and City officials on the Committee. On a motion by Mr. Close with a second by Ms. Faust the Committee added one voting membership for CAT. The PennDOT members abstained from the vote.

Mr. Miller, Chairman of CAT, was chosen by CAT to serve as the voting member.

**5. 1991-92 Highway/Bridge Transportation Improvement Program/Annual Element Amendments**

Mr. Weaver noted that copies of a revised TIP/AE with proposed amendments underlined had been mailed to the Committee. In addition to the PA 325 bridge project, the subject of a recent phone ballot, there are 17 other project amendments, 15 of which are bridge projects. Most of the bridge projects are on the second or third four year periods of the 12 Year Program and are proposed for the Annual Element for the design phase. The Department wants to move these projects forward because of additional state and federal bridge funding.

On a motion by Mr. Miller with a second by Mrs. Myers, the Committee approved the Annual Element amendments.

**ATTENDANCE**

Harrisburg Area Transportation Study  
Coordinating Committee Meeting

January 24, 1992

**VOTING MEMBERS**

**ATTENDING**

PennDOT

PennDOT Office of Planning:	Larry King	X
Alternate:	Dennis Lebo	
District 8-0 Engineer:	Barry Hoffman	X
Alternate:	Jeffrey Weaver	X
	John Rauzahn	X

Cumberland County

Commissioner:	Marcia Myers	X
Planning Commission:	<b>Chairman:</b> William Hawkins	X

Dauphin County

Commissioner:	Russell Sheaffer	X
Planning Commission:	Frank Siffrinn	X
Alternate:	<b>Secretary:</b> James Zeiters	X

Perry County

Commissioner:	<b>Vice-Chairman:</b> Edward Kennedy	X
Planning Commission:	Jack Glassburn	X
Alternate:	David Holcombe	X

Harrisburg City

Mayor:	Stephen Reed	
Alternate:	James Close	X
Dept. of Comm. & Econ. Development:	Terri Martini	X

Capitol Area Transit:

Richard Miller X

Lower Dauphin COG:

Marianne Faust X

West Shore COG:

Alternate:	Isabell Stathas	X
	Stephen Urban	

**ADVISORY MEMBERS**

USDOT - Federal Highway Admin.:	Robert Hall	
PennDOT - Program Center:	Michael Baker	X
TCRPC Staff:	Timothy Reardon	X
	David Royer	X

**OTHER PERSONS ATTENDING**

Capitol Area Transit:	Jim Hoffer	X
Sierra Club:	Larry Joyce	X
Dauphin Co. Dept. of Transp.:	Wanda Teter	X
Lower Paxton Twp.:	Daniel Flint	X
Derry Twp.:	Mike Schneider	X
Patriot News:	Frank Cozzoli	X
Others:	Lorena Lemons	X

April 12, 1996

Mr. James R. Zeiters, Executive Director  
Tri-County Regional Planning Commission  
112 Market Street, 7th Floor  
Harrisburg, Pennsylvania 17101-2015

Dear Mr. Zeiters:

Attached for your files is a copy of fully executed Memorandum of Agreement (MOA) between the Department, Tri-County Regional Planning Commission (TCRPC), Department of Environmental Protection (DEP) and Lebanon County as required by the Intermodal Surface Transportation Efficiency Act. The MOA excludes the non-urbanized portion of Lebanon County from the Harrisburg Area Transportation Study.

If you have any questions regarding the MOA, please do not hesitate to contact Mr. James A. Smedley of my office at (717)-772-1561.

Sincerely,

Larry M. King  
Deputy Secretary for Planning

Attachments

cc: Mr. William C. Kurtz, Lebanon County  
Mr. Manuel A. Marks, FHWA  
Mr. Sheldon A. Kinbar, FTA  
Mr. James Rue, DEP

520/SSP/ljb (w:\wp51\letter\lebmoa.jas)

bc: Mr. Larry M. King  
Mr. Michael Ryan, P.E.  
Mr. Dennis E. Lebo  
Mr. Gerald R. Fritz  
Mr. Thomas TenEyck, P.E.  
Mr. Barry Hoffman, P.E. DE 8-0  
Mr. Louis C. Schultz, P.E.  
Mr. Robert J. Janecko  
Mr. Thomas A. Kotay

~~MR. SAM STENACK~~



MEMORANDUM OF AGREEMENT

OGC 113097

This Memorandum of Agreement ("Agreement") is entered into among the Commonwealth of Pennsylvania (the "Commonwealth"), acting through the Secretary of the Pennsylvania Department of Transportation (PennDOT) and the Secretary of the Pennsylvania Department of Environmental Resources (PennDER), the Tri-County Regional County Planning Commission (TCRPC) on behalf of the Harrisburg Area Transportation Study (HATS) Metropolitan Planning Organization (MPO) and the County of Lebanon ("County").

**BACKGROUND:**

- A. The Intermodal Surface Transportation Efficiency Act of 1991 ("ISTEA") requires metropolitan planning organizations, in cooperation with the Commonwealth, to develop transportation plans and programs for urbanized areas of the Commonwealth in order to "encourage and promote the development of transportation systems embracing various modes of transportation in a manner which will efficiently maximize mobility of people and goods within and through urbanized areas and minimize transportation fuel consumption and air pollution." U.S. Code Title 23, Section 134(f), (g), (h) and (i) establishes federal requirements for transportation plans and programs.
- B. Title 23, Section 134(c) states that: "... the boundaries of a metropolitan area shall be determined by agreement between the metropolitan planning organization and the Governor. Each metropolitan area shall cover at least the existing urbanized area and the contiguous area expected to become urbanized within the 20-year forecast period and may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area as defined by the Bureau of Census. For areas designated as nonattainment areas for ozone or carbon monoxide under the Clean Air Act, the boundaries for the metropolitan area shall at least include the boundaries of the non-attainment area, except as otherwise provided by agreement between the metropolitan planning organization and the Governor."
- C. On June 2, 1992, the Governor delegated responsibility for designating metropolitan planning organizations and approving transportation improvement programs (TIPs) developed according to U.S. Code Title 23, Section 134 to the PennDOT Secretary of Transportation.
- D. The ISTEA also requires each designated transportation planning agency to prepare and adopt a regional transportation plan and regional transportation improvement program (TIP). The regional plan and program (TIP) that results must include consideration of the factors specified in Section 134 of ISTEA.

- E. The Federal Clean Air Act Amendments of 1990 (CAAA) mandate goals and milestone dates that each state must achieve if the ambient air quality standards are to be reached and maintained. The Pennsylvania Department of Environmental Resources has been designated by the Governor as the lead agency for development of the State Implementation Plan (SIP) for air quality which will set the stage for Pennsylvania's attainment of air quality standards prescribed in the CAAA.
- F. Section 176 of the CAAA requires metropolitan planning organizations (MPOs) to ensure that the regional transportation plans and programs developed pursuant to ISTEA conform to the SIP developed for the air basin.
- G. The Harrisburg Metropolitan Area ("Metropolitan Area") is USDOT's designated name for the federally-mandated transportation planning study area. The study area includes Cumberland, Dauphin and Perry Counties, Fairview Township in York County, the Borough of Palmyra and a portion of North Londonderry Township in Lebanon County. The Harrisburg Air Basin is the U.S. Environmental Protection Agency's (EPA's) name for the region's nonattainment area. As per the CAAA, this area covers the counties of Cumberland, Dauphin, Lebanon and Perry. The region has been designated as a nonattainment area for ozone under the CAAA. Both names will be used in this Agreement.
- H. The parties understand that the purpose of this Agreement is to establish a coordinated planning process between HATS and the County for air quality conformity analysis of projects within the jurisdiction of the County.

**METROPOLITAN PLANNING AREA:**

- A. HATS, as the designated MPO for the Metropolitan Area, and the Commonwealth, acting through the PennDOT Secretary of Transportation and the Secretary of the Department of Environmental Resources, agree to exclude Lebanon County, with the exception of Palmyra Borough and North Londonderry Township, from the metropolitan transportation planning area.
- B. For the purposes of local transportation planning, the County is, and will continue to be, responsible for transportation planning for the County of Lebanon. Nothing in this agreement will alter the County's ongoing relationship with HATS, PennDOT or PennDER. Transportation planning and programming support will continue to be provided by PennDOT's Engineering District 8-0 Office.

- C. For the sole purpose of Air Quality Conformity under the CAAA, HATS is the designated MPO for the metropolitan planning area, and is responsible for determining conformity of transportation plans and programs within the boundaries of the MPO.
- D. Air quality conformity for the County is coordinated and performed by PennDOT and its consultants.

**PROCESS FOR COORDINATING TRANSPORTATION PLANNING AND AIR QUALITY CONFORMITY ANALYSES:**

The HATS, the County and the Commonwealth agree to the following:

- A. The HATS, the County and the Commonwealth agree to coordinate transportation planning and programming processes for air quality conformity purposes only as defined in U.S. Code Title 23, Section 134, while maintaining separate institutional structures and separate but coordinated Transportation Plans and Programs.
- B. Nothing in this Agreement is intended to affect the existing relationship between either HATS and its member jurisdictions, or between HATS and the County. In no instance shall the activities set forth in this agreement take precedence over the HATS's and the County's ability to fulfill their own local, state and federal responsibilities.
- C. HATS, the County and the Commonwealth shall jointly develop a regional transportation planning database for the area within the Harrisburg Air Basin nonattainment area boundaries for purposes of determining air quality conformity. This database shall be sufficient to support the Commonwealth's efforts to satisfy the requirements of U.S. Code 23, Section 134, and the Federal Clean Air Act with respect to Lebanon County's Plans and Programs. This database shall be developed in a time and manner specified and agreed to by all parties. The Commonwealth shall specify its database standards and requirements to the County. Wherever the County's data is sufficient to meet air quality conformity requirements and standards, the Commonwealth shall use the County's data. The Commonwealth shall verify the content and accuracy of its database with the County.
- D. The County and the Commonwealth shall resolve any inconsistencies in the database prior to proceeding with the air quality conformity determination. In no case shall the database content for the boundaries of Lebanon County exceed the requirements that the Commonwealth has established for other transportation plans and programs in rural nonattainment counties.

- E. The Commonwealth shall review and analyze the County's projects for consistency with U.S. Code Title 23, Section 134, shall conduct an air quality conformity analysis, and shall make an air quality conformity determination consistent with the requirements of the CAAA in time to meet state and federal deadlines for submittal. The air quality conformity analysis will be conducted in accordance with the process and interagency consultation procedures defined in the Commonwealth's Transportation Conformity State Implementation Plan revision. The level of projects included for such review shall be agreed upon by all parties. During the development of a candidate project or list, the Commonwealth shall consult with the County. The County shall provide the Commonwealth with a list of policies, strategies, projects, programs and any air quality mitigation measures. The Commonwealth shall consider this list in developing the air quality conformity finding affecting the nonattainment area as defined by EPA. Should the Plan or a project be found non-conforming, the Commonwealth shall consult with the County and attempt to develop mitigation actions that will make the Plan or project conforming. Prior to the Commonwealth's formal submittal of the Regional Transportation Plan (RTP) air quality conformity determination, the County shall review the recommended air quality conformity determination, thereby attesting to the analysis and information contained therein.
- F. In no case shall any of the parties to this Agreement approve a project or Plan that does not conform to a State Implementation Plan for air quality adopted for the Harrisburg Air Basin.
- G. It will be the intent of all parties to identify and resolve inconsistencies as soon as possible prior to review of the Plan or project by the County. Notwithstanding the above, the Commonwealth shall allow the County sufficient time to comment on the draft air quality conformity finding, subject to a letter of mutual agreement, prior to final submittal. For purposes of this Agreement, the County's comments shall be limited to those portions of the project or Plan affecting the area within its boundaries or as provided for in this Agreement.
- H. The Commonwealth shall provide the County with a list describing data requirements necessary to sufficiently define projects to meet air quality conformity requirements of the CAAA. The Commonwealth shall also identify those data items maintained as part of the County's local transportation planning database that are compatible for transportation improvement program (TIP) air quality conformity analysis.
- I. The Commonwealth shall provide the County a mutually agreed upon list of projects for inclusion in a transportation network for the air quality conformity analysis. Projects on the list shall be developed by the Commonwealth in consultation with Lebanon County. All sources of funding must be identified by the Commonwealth.

and sufficient data must be provided to meet the requirements of paragraph H above. The Commonwealth will provide the County with the project list to facilitate timely action for the air quality analysis and conformity determination.

- J. The Commonwealth shall conduct an air quality conformity analysis and make a conformity determination according to the requirements of EPA and the U.S. Department of Transportation (USDOT) regulations and the Commonwealth's Conformity SIP approved by the EPA.
- K. The County and the Commonwealth shall agree on the projects selected or developed for inclusion in the transportation network for the air quality conformity analysis.

#### GENERAL PROVISIONS:

- A. This Agreement constitutes an expression of desire for, and a means of accomplishing, the general requirements for a comprehensive transportation planning and air quality planning process in the Harrisburg Air Basin. It may be amended, altered, revised, or expanded as deemed appropriate to that end by further written agreement of the parties in the form of an amendment to this Agreement.
- B. HATS and the County agree to conform with the requirements of the Commonwealth Contractor Integrity Provisions and the Provisions concerning the Americans with Disabilities Act, attached as Exhibits A & B, respectively. HATS and the County also agree to comply with all other Commonwealth and federal laws, rules and regulations pertaining to transportation and air quality requirements.

DER/DEP:

GRJ WMC

- A. Effective July 1, 1995, all references in this memorandum to the Department of Environmental Resources (DER) shall be instead be deemed to read the Department of Environmental Protection (DEP).

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed by their respective officers, duly authorized.

ATTEST:

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

By Frances C. McQuay 8/28/95  
Signature Date

By Bredley Z. Mellon 8/15/95  
Secretary of Transportation Date

By Reggie L. Sullivan 10/21/95  
Signature Date

By [Signature] 10/21/95  
Deputy Secretary of Environmental Resources Date

ATTEST:

By [Signature] 6-6-95  
Signature Date

By James R. Zetser 6-6-95  
Executive Director, Tri-County Regional Planning Commission Date

By [Signature] 6-15-95  
Signature Date

By William H. Carpenter 6-14-95  
Chairperson, Lebanon County Commissioners Date

PRELIMINARILY APPROVED

By [Signature] 9-1-95  
Assistant Counsel Date

APPROVED AS TO LEGALITY AND FORM

By [Signature] WBC 9/26/95  
Chief Counsel, DEP Date

APPROVED FOR  
Office of Budget

By [Signature] 4/3/96  
Comptroller Date

By [Signature]  
Deputy Attorney General Date

Certified Funds Available Under  
Activity Program \_\_\_\_\_  
Symbol \_\_\_\_\_  
Amount \_\_\_\_\_

APPROVED FOR FORM AND LEGALITY

By [Signature] 10/27/95  
Chief Counsel, DOT Date

By [Signature] 4/3/96  
Assistant Comptroller Date

Approved for Form  
and Legality

MAR 20 1996

[Signature]  
Deputy General Counsel



# HARRISBURG AREA TRANSPORTATION STUDY

PLANNING STAFF OFFICE: TRI-COUNTY REGIONAL PLANNING COMMISSION

112 MARKET ST., 8<sup>TH</sup> FLOOR, HARRISBURG, PA 17101-2015

(717) 234-2639

FAX (717) 234-4058

HATS@TCRPC-PA.ORG

To create an organization that will more appropriately respond to the objective of conducting a continuing, comprehensive, coordinated transportation planning process for the Harrisburg area, the five signatories of the Harrisburg Area Transportation Study have met to discuss issues associated with the organizational structure of the group. At the meeting several revisions to the HATS structure were developed. The decisions and their justifications are as follows:

1. Amend the original agreement (#33738) dated February 11, 1965, to remove Sections 8 and 9 creating a Citizens Advisory Group and Transportation Study Local Government Advisory Committee.
  - The Signatory Committee feels a more proactive arrangement is created through the use of committees as they are needed. In addition, with current practices, there is an emphasis on more open public review/comment policy early and throughout the planning and programming development phase. For example, the Long Range Transportation Plan uses a diverse committee to give direction to the staff for the development of the Plan. Also, an active Bike/Ped Committee develops the recommendations for that Plan. All plans are presented to HATS for adoption after the public participation process has been completed.
2. Amendment 33738-C will be removed. This amendment added COGs to the HATS Coordinating Committee membership.
  - The entirety of each county is more than adequately represented by its elected officials and their appointed voting membership. To continue the inclusion of COGs and other independent transportation organizations adds an additional layer of review to the HATS process, which has given rise to doing double reviews of many projects. The process has been made duplicative, inefficient, and counter-productive.
3. HATS will formally request through PennDOT, a study group be convened to discuss and make recommendations concerning, if, when and how the MPO can monitor all transportation funds directed to the Harrisburg area. This includes, but is not limited to all aviation, rail and PA Turnpike Commission funding, in addition to the highway and transit funding already part of the process.
  - This will allow the MPO to better coordinate all transportation planning and programming activities in the region, thereby enabling a more efficient intermodal/multi-modal system to be established and maintained.
4. The HATS Technical Committee will create ex-officio/non-voting members for the following major transportation providers:

- ▶ Amtrak
  - ▶ Norfolk Southern
  - ▶ Susquehanna Area Regional Airport Authority (SARAA)
- This would allow the MPO to take advantage of the expertise availed by these transportation providers to assist in making its multi-modal decisions.
5. The HATS Signatory Committee will meet not less than annually to discuss organizational issues of the HATS Coordinating and Technical Committees. It would be our collective purpose to manage the process as efficiently and fairly as possible.
- To enable the Signatory Committee the opportunity to discuss legislation and transportation issues with its local legislators and officials pertinent to its objective of maintaining the continuing, comprehensive, coordinated transportation planning process for the Harrisburg area.
  - The Signatory Committee would also like to work with District 8-0 Engineer to participate in the District's annual legislative briefings.

Signatory Committee - December 21, 2001

City of Harrisburg - Mayor Stephen R. Reed

Cumberland County - Commissioner Nancy A. Besch

Dauphin County - Commissioner John D. Payne

Perry County - Commissioner Mark K. Keller

PennDOT Deputy Secretary of Planning - Larry M. King



**H A T S**  
**Coordinating Committee Meeting**  
PennDOT District 8-0  
Conference Room 10  
Meeting # 145  
December 21, 2001  
9:00 A.M.  
**MINUTES**

**Attendance**

Members and guests present are noted on the attached attendance sheet.

**1. Welcome and Introductions**

Mr. Hawkins called the meeting to order at 9:00 A.M. by welcoming everyone to PennDOT District 8-0. He then asked everyone else to introduce themselves.

**2. Minutes of October 5, 2001**

As the first order of business, Mr. Hawkins asked if there were any comments concerning the minutes of the October 5, 2001 HATS Coordinating Committee meeting. There were no comments; Mr. King made a motion to accept the October 5, 2001 minutes. The motion was seconded by Ms. Stathas and carried unanimously.

Mr. Hawkins noted both the December 7, 2001 HATS Technical Committee meeting minutes and November 15, 2001 HATS Technical Committee workshop notes were also included in the committee member's packets for their review.

**3. Presentations**

Before discussing the items on the printed agenda, Mr. Hawkins allowed various people to make brief presentations regarding issues previously discussed by HATS.

The first presentation was made by Reverend Donald Seiple, representing the concerns about US 11 (Carlisle Pike) in the New Kingstown area, Silver Spring Township, Cumberland County. Mr. Seiple stated recently there had been a traffic accident resulting in a fatality on US 11 in New Kingstown. He added that since the PA 581 connector was completed in 1995, there have been on average 18.3 serious accidents per year, up from 10 accidents/year prior to the highway's completion, and a total of 30 accidents per year on US 11 in that area. Mr. Seiple mentioned on-going efforts have been made since 1971 to improve the safety of the road in that area, but satisfactory improvements have not been completed in the 30-year interval. He asked the members of the Coordinating Committee when the work will be completed. Mr. Hawkins responded that the project has been reviewed multiple times by the Technical Committee and the project currently ranks 10<sup>th</sup> on the project list out of the 125 projects submitted to HATS for inclusion on the 2003 TIP. He added the problem with the project at this time was not one of merit, but rather one of funding; currently there is not enough money available to HATS to complete the project or other "new" projects. Mr. Adams mentioned he calculated the current project cost; he estimated it would cost \$7.1 million to complete all phases. Mr. Link asked if PennDOT owned the right-of-way in the area that would be used to widen the road, Mr. Adams replied PennDOT did own the right-of-way. Commissioner Besch mentioned it bothered her that worthy projects with a positive projected impact on safety could not get on the TIP. She also noted the safety concern in this area, heavy tractor-trailer traffic, is a very large issue in the region in general; she pointed out Carlisle was the #2 trucking area in the entire country. Commissioner Besch said she thought it was imperative committee members and others in the Harrisburg area contact their local U.S. Representative and emphasize to him/her the need for more federal transportation money to be allocated to the region.

#### *Route 39/743 Study*

Mr. Millard said the RFQ/RFP for the study had been sent out to prospective consultants on November 27<sup>th</sup> and were due back to the TCRPC office by January 4<sup>th</sup>. He stated after the RFPs were received by TCRPC, the Study Group would discuss them at its January 14<sup>th</sup> meeting, and would eventually short list and then select the consultant for the study.

#### *UPWP*

Mr. Szyborski stated the UPWP needed to be completed by late February. Currently, there were 3 proposed special projects that could be included within the UPWP: the PA Turnpike/I-81 connector in Cumberland County, the Route 39/743 Study in Dauphin County, and the SCAPEG Goods Movement Study, which encompassed not only the HATS area but also the Lancaster and York areas. Mr. Hawkins expressed concern about the Goods Movement Study receiving funding from HATS before the other 2 HATS-area projects, but added he supports the idea of HATS submitting the Goods Movement Study application to PennDOT. Mr. King mentioned unless HATS submitted the Goods Movement Study, that study would not be considered. He also noted HATS should coordinate its efforts with the Lancaster and York MPO's. Mr. Hoffman clarified that HATS needed to support the Goods Movement Study initiative but did not necessarily have to sponsor it. The special studies would be prioritized in the UPWP as they compete for limited funding.

#### City of Harrisburg

##### *Southern Gateway Project*

Mr. Link stated there was a public display at Strawberry Square in the fall to gather public input, and over 100 people had visited the site. Some people did make comments about the study.

#### **8. Other Business**

Mr. Hawkins stated everyone received in their packets a notice listing the HATS meeting dates for the coming year. He pointed out all HATS meetings will be held at CAT's board room in 2002.

Before adjourning, Mr. Hawkins mentioned the HATS Signatory Committee, a committee composed of the original entities that were part of HATS at its formation in 1966 (each of the 3 counties, the city of Harrisburg, and PennDOT) had met over the last year to discuss the current structure of HATS and to determine if the structure should be altered in any way to create a more representative committee. Commissioners Payne, Besch, and Keller, Mayor Reed, and Mr. King all were involved in the HATS restructuring process. A listing of the recommendations was then handed out to all those present, and Mr. Hawkins described each point in detail for the group. The changes included the following:

- 1) The original agreement, signed in 1965, was altered deleting sections 8 and 9, which dealt with the creation of a Citizens Advisory Group and a Transportation Study Local Government Advisory Committee. The committee determined the current more open public review/comment process, which allows the public to be more aware of what is going in the HATS area, lessened the need for specialized committees except when determined to be needed.
- 2) Amendment 33738-C, which added multi-municipal Councils of Government to HATS Coordinating Committee membership, was deleted. The committee felt each municipality is already more than adequately represented by its elected officials and appointed voting membership. The committee also decided including COGs on the Coordinating Committee added another level of review to the transportation process that was duplicative and unnecessary.
- 3) The signatory committee determined HATS needed to be better aware of what transportation funds were being allocated to the Harrisburg area, particularly those funds awarded to rail (both freight and passenger) and aviation entities, as well as those allocated to the Pennsylvania Turnpike Commission. To meet that need, HATS will formally request through

PennDOT a study group be formed to monitor and advise HATS about transportation funding is being given to the region. This will allow HATS to better coordinate all transportation planning activities within the region and help create a more efficient multimodal transportation network.

- 4) The HATS Technical Committee will create ex-officio/non-voting positions on its committee for Norfolk Southern, Amtrak, and the Susquehanna Area Regional Airport Authority (SARAA). This will allow HATS to use those entities' expertise in making multimodal transportation decisions and also will help HATS better meet point #3 above.
- 5) The signatory committee agreed they would meet a minimum of once per year to discuss organization issues on both the HATS Coordinating and Technical Committees. This will allow the signatory committee to more easily discuss legislative/transportation issues with local officials. The signatory committee also would like to work more closely with the PennDOT District 8-0 Engineer in the District's annual legislative briefings.

Mr. Turner asked regarding point #4 if a representative from the trucking industry should be included as an ex-officio member on the Technical Committee. Mr. Hawkins replied the signatory committee discussed at length whether or not to include trucking concerns within HATS but ultimately determined the trucking industry also uses highways and if the trucking industry was included, the automobile industry would also have to be invited to "join" HATS, creating a potentially unwieldy setup. Ms. Stathas expressed concern over the West Shore COG being excluded from HATS. Mr. Hawkins responded no COGs would be excluded; they could still participate in the meeting without formally voting. He added other COGs have existed both in the past and in the present and have not had a vote on the HATS Coordinating Committee. Commissioner Besch added she feels she and other Cumberland County HATS members already represent the West Shore COG at the county level. Commissioner Payne stated the signatory committee had already discussed the issue. He then called for a motion to approve the changes to the HATS structure. Commissioner Keller seconded the motion, and the motion passed 11-1, with Ms. Stathas voting against the changes. After the vote, Commissioner Payne thanked both HATS staff and PennDOT staff for their work on the TIP update. Commissioner Besch then thanked Ms. Stathas for her work with the West Shore COG. Before ending the meeting, Mr. Eichelberger asked if projects submitted twice, by both the West Shore COG and an individual municipality within the COG, would still be considered for inclusion on the TIP. HATS staff answered those projects would still be considered.

#### **9. Adjournment**

There being no other business, Mr. Hawkins adjourned the meeting at 11:50 AM.

Respectfully Submitted,

James W. Szymborski  
Secretary

**ATTENDANCE**  
**Harrisburg Area Transportation Study**  
**Coordinating Committee Meeting**  
**December 21, 2001**

**Voting Members:**

		<b>Attending</b>
<u>PADOT</u>		
PADOT Office of Planning:	Larry King	X
Alternate:	Dennis Lebo	
	Walt Panko	X
District 8-0 Office:	Barry Hoffman	X
Alternate:	Jeff Weaver	
	Terry Adams	X
<u>Cumberland County</u>		
Commissioner:	Nancy Besch	X
Alternate:	Earl Keller	
	<b>Chairman</b> William Hawkins	X
<u>Dauphin County</u>		
Commissioner:	John Payne	X
Alternate:	Lowman Henry	
Planning Commission:	Ron Marsico	X
Alternate:	Vacant	
<u>Perry County</u>		
Commissioner:	<b>Vice-Chairman</b> Mark Keller	X
Alternate:	John Amsler	
Planning Commission:	James Turner	X
Alternate:	Robert Shaffer	
<u>Harrisburg City</u>		
Mayor:	Stephen Reed	
Alternate:	Jim Close	X
City Engineer:	Joseph Link	X
Alternate:	Terri Martini	
<u>Capitol Area Transit</u>		
Alternate:	Richard Miller	
	James Hoffer	X
<u>West Shore COG</u>		
Alternate:	Isabell Stathas	X
	Gary Eichelberger	X
<u>Lower Dauphin COG</u>		
	Harold Kling	
<b>Advisory Members:</b>		
<u>TCRPC</u>		
	<b>Secretary</b> James Szyborski	X
	Tim Reardon	X
	Diane Myers-Krug	X
	Carl (Chip) Millard, III	X

**Guests:**

		<b>Attending</b>
PennDOT District 8-0	Kelly Steiner	X
Lower Allen Township	John Eby	X
Silver Spring Township	Don Seiple	X
Silver Spring Township	Kelly Kelch	X
Silver Spring Township	Paulette Krewson	X
Silver Spring Township	Muriel Bronakoski	X
ACPA, Northeast Chapter	John Becker	X
Harrisburg Bicycle Club	Tom Helm	X
Norfolk Southern Corporation	Rich Timmons	X
Peoples Bridge Coalition	David Morrison	X
Peoples Bridge Coalition	Carol Witzeman	X
Sierra Club	Larry Joyce	X
Buchart-Horn, Inc.	R. Jerry Frost	X
Senator Mowery's Office	Joe Marsicano	X
Representative Marsico's Office	Pat Herigan	X
Carlisle <i>Sentinel</i>	Karla Browne	X