

MINUTES OF THE COMMISSION MEETING HELD JULY 5, 2023

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:01 a.m. on Wednesday, July 5, 2023 at the Central Office located in Middletown, Pennsylvania. Present for the meeting was Michael Carroll, Chair. Available via telephone were Pasquale T. Deon, Commissioner; Sean Logan, Secretary Treasurer; and Keith Leaphart, Commissioner.

Also available for the meeting were Mark Compton, Chief Executive Officer; Craig Shuey, Chief Operating Officer; Brad Heigel, Chief Engineer; Carl DeFebo, Director of Communication and Customer Experience; Doreen McCall, Chief Counsel (via telephone); Kelli Roberts, Director of Policy and External Affairs (via telephone); Rick Dreher, Chief Financial Officer; Robert Taylor, Chief Technology Officer; Tom Porter, Michael Baker Intl.; Stacia Ritter, Esq., Asst. Chief Operating Officer/Toll Collection; and Jeff Naugle, Asst. Secretary Treasurer.

Others available via telephone were Ann Louise Edwards, Cash Manager; Anthony Maun, Asst. CFO/Accounting & Budget; Catherine Clements-Jenkins, Director of Diversity & Inclusion (in person); Daniel Russell, Consultant (in person); Don Klingensmith, Asst. CFO-Financial Administration; Gina Murray, Manager of Professional Services Procurement; Holly Herdman, Debt & Derivatives Manager; Kelly Horvath, Executive Administrative Assistant; Nerma Peco, Finance Trainee; Sean Laudenslager, End User Support Supervisor (in person); Sheri Norris, Director of Human Resources; Stephanie Newbury, Senior Procurement Specialist; Steve Marroni, Communications Specialist (in person); Steve Barber, Michael Baker Int'l. (in person); Ashley Palmer, Modjeski; Bernie Bydlon, Navarro Wright; Brad McCullough, HDR Inc.; Brian Kimmet, Rock the Capital (in person); Camille Evans, Virtus LLP; Ed Reese, GPD Group; Eric Epstein, Rock The Capital (in person); George Settelmaier, KSE; Jason Bono, HDR; Jason Gagen, GPI; Jeff Davis, TranSystems; Jeff Hans, HDR Inc.; Jennie Louwerse, WSP; Luz Santana, Susquehanna Civil, Inc.; Michele Donaghy, T.Y. Lin; Michelle Underwood, Modjeski; Richard Campbell, Visual Sound (in person); Roger Eaton, HDR Inc.; and Seemon Georges, GPI;



Chair Carroll led the Commissioners, staff and visitors in the Pledge of Allegiance.



The Asst. Secretary Treasurer, Jeff Naugle, called the roll and declared a quorum present. Mr. Naugle welcomed the Commissioners, employees and guests on the WebEx and made the following statement:

With the lifting of the Commonwealth's mask and occupancy limitation related to the COVID-19 emergency, the Pennsylvania Turnpike Commission Meetings are being held in person. However, the Commission will also continue to post call-in/WebEx information for those who wish to attend the meeting via telephone/WebEx. The WebEx information was posted at least 48 hours in advance of the meeting. This meeting is being recorded and the Commission will post the recording on its website.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a reclassification, performance incentive, department reorganization, new hires, promotions, and vacancies.

The Commissioners also engaged in non-deliberative, informational discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Mr. Naugle: Copies of today's agenda are located in the Large Board Room for those attending in person. The agenda is also available on the Commission website at least 48 hours in advance of the meeting. The public is welcome to address the Commission regarding items listed on the agenda or other items not listed on the agenda that are within the Commission's authority or control. In order to conduct an orderly and effective meeting, all persons wishing to address the Commission should have requested time to speak at least 48 hours in advance of this meeting.

The Commission recognized Eric Epstein of Rock the Capital (RTC). Mr. Epstein discussed testimony that he filed with the State Ethic Commission that involved the Turnpike and the Office of Open Records regarding deliberation and state agencies in general.



REORGANIZATION

MR. NAUGLE: The first item of business on the agenda is the election of Officers. We will begin with the election of a temporary Chair; the duties of the temporary Chair will be to accept nominations for Chair. Do I have a nomination for a temporary Chair?

COMMISSIONER DEON: I nominate Commissioner Logan for temporary Chair.

MR. NAUGLE: Are there any other nominations?

MR. NAUGLE: Hearing none, may I have a motion to close the nominations?

COMMISSIONER DEON: I move to close the nominations.

MR. NAUGLE: May I have a second?

COMMISSIONER LEAPHART: I second the motion.

MR. NAUGLE: All those in favor of closing the nominations said I, opposed? Motion carries. We will now vote for Temporary Chair. All those in favor of Commissioner Logan for temporary Chair said I, opposed? Motion carries.

MR. NAUGLE: Temporary Chair Logan will now accept nominations for Chair.

TEMPORARY CHAIR LOGAN: May I have a nomination for Chair?

COMMISSIONER DEON: I nominate Secretary Carroll for Chair.

TEMPORARY CHAIR LOGAN: Are there any other nominations?

TEMPORARY CHAIR LOGAN: Hearing none, may I have a motion to close the nominations?

COMMISSIONER LEAPHART: I move to close the nominations.

TEMPORARY CHAIR LOGAN: May I have a second?

COMMISSIONER DEON: I second the motion.

TEMPORARY CHAIR LOGAN: Any discussion. Hearing none, I call for the vote.

MR. NAUGLE: We will now have a roll call vote for the election of Chair.

Commissioner Carroll

Commissioner Deon

Commissioner Leaphart

Commissioner Logan

MR. NAUGLE: The vote is unanimous. Commissioner Carroll has been elected Chair.

MR. NAUGLE: The newly elected Chair will now accept nominations for the following offices:

Vice Chair

Secretary Treasurer

Assistant Secretary Treasurer

Assistant Secretary Treasurer

CHAIR CARROLL: May I have nominations for Vice Chair.

COMMISSIONER DEON: I nominate Commissioner Lieberman for Vice Chair.

CHAIR CARROLL: Are there any other nominations for Vice Chair?

CHAIR CARROLL: Hearing none, may I have nominations for Secretary Treasurer.

COMMISSIONER DEON: I nominate Commissioner Leaphart for Secretary Treasurer.

CHAIR CARROLL: Are there any other nominations for Secretary Treasurer?

CHAIR CARROLL: Hearing none, may I have nominations for Asst. Secretary Treasurer's?

COMMISSIONER DEON: I nominate Ann Louise Edwards and Jeffrey Naugle for Assistant Secretary Treasurer.

CHAIR CARROLL: Are there any nominations for Asst. Secretary Treasurer?

CHAIR CARROLL: Hearing none, may I have a motion to close the nominations.

COMMISSIONER DEON: I motion to close the nominations.

CHAIR CARROLL: May I have a second?

COMMISSIONER LOGAN: I second the motion.

CHAIR CARROLL: Any discussion, hearing none, I call for the vote. All those in favor of closing the nominations said I, opposed?

CHAIR CARROLL: Motion carries.

MR NAUGLE: We will now have a roll call vote for the election of the nominated slate of officers.

Commissioner Carroll

Commissioner Deon

Commissioner Leaphart

Commissioner Logan

MR. NAUGLE: The vote is unanimous. The Commission reorganization is complete. For the record:

Michael Carroll has been elected Chair;

William Lieberman has been elected Vice Chair

Keith Leaphart has been elected Secretary Treasurer

Ann Louise Edwards and Jeff Naugle have been elected Assistant Secretary Treasurer’s
MR. NAUGLE: Congratulations. We will now proceed with the Formal Agenda.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held June 20, 2023, be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.



COMMUNICATION

Motion-That the Commission approve the memo received from the Chief Counsel-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.



PERSONNEL

Motion-That the Commission approve personnel as submitted-was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



UNFINISHED BUSINESS

No Unfinished Business to consider.



TEAMSTERS

Motion-That the Commission approve a Memorandum of Understanding (MOU) with Teamsters Local Union 30S; authorize the execution of the MOU in accordance with such terms and authorize the appropriate Commission officials to execute the MOU as prepared by the Legal Department-was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approve the Change Orders and Issuance of Purchase Orders for the items listed in memos “a” and “b”:

- a. Change Order for calcium chloride to cover requirements (through June 2024) for flaked calcium chloride and liquid calcium chloride for the winter season; and approval for staff movement of funds between contracts as needed:

SAL Chemical Co., Inc.	flaked calcium chloride	\$ 5,000.00
EnviroTech Services, Inc.	liquid calcium chloride	<u>70,000.00</u>
TOTAL RENEWAL		\$75,000.00

- b. Lehigh tunnel controls preventative maintenance, to add funding to cover the final quarterly invoice for preventive maintenance services through May 2023 with Honeywell Building Solutions/Honeywell International, Inc.; at a cost of \$84,967.33.

-was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



RIGHT-OF-WAY

Motion-That the Commission approve the Right-of-Way requests for the items listed in memos “a” through “e”:

- a. Acquisition of Right-of-Way #14S353 (Borough of West Mifflin), a partial take parcel necessary for the construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$182,500.00 representing fair market value to the Borough of West Mifflin; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of a deed as approved by the Legal Department;
- b. Acquisition of Right-of-Way #12035-J4 (Conley-Beaver Corporation), a partial take parcel necessary for Beaver River Bridge replacement project by authorizing payment of \$3,600.00 representing fair market value to Conley-Beaver Corporation; and extend the Temporary Construction Easement Agreement for an additional two (2) years for a total term of five (5) years; authorize the appropriate Commission officials to execute the required Temporary Construction Easement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value is contingent upon the delivery of a Temporary Construction Easement Agreement as approved by the Legal Department;
- c. Settlement of Right-of-Way #6047-H (Rongjian Xie and Cai Hong Zheng), a partial take parcel necessary for the total reconstruction project from MP 312.00 to MP 316.00 by authorizing payment of \$33,000.00 representing final settlement to Rongjian Xie and Cai Hong Zheng; authorize the appropriate Commission officials to execute the Settlement Agreement and General Release as reviewed and approved by the Legal Department; and payment of the settlement funds is contingent upon the delivery of an executed Settlement Agreement and General Release;
- d. Approve the Right of Entry License and Indemnification Agreement for Right-of-Way #14S059 (SBA Towers, Inc.), a partial take parcel necessary for the construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing the execution of the Right of Entry License and Indemnification Agreement as reviewed and approved by the Legal Department; and authorize the appropriate Commission officials to execute the agreements;

- e. Acquisition of Right-of-Way #7077-D (CCT Partnership, LP), a partial take parcel necessary for construction of the I-95 Interchange, Section A2, by authorizing payment of \$53,879.50 representing fair market value and pro-rated taxes to CCT Partnership, LP; also authorized payment of \$68.75 representing recording fees to Bucks County Recorder of Deeds; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of a deed as approved by the Legal Department.

-was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



Chair Carroll welcomed Dr. Keith Leaphart to the Board.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, July 18, 2023 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:15 a.m.-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Asst. Secretary Treasurer

Dr. Keith Leaphart
Secretary Treasurer

ATTACHMENTS:

Memo received from the Chief Counsel

Memo received from Eric Epstein, Rock the Capital