

MARYLAND TRANSPORTATION AUTHORITY  
BOARD MEETING

THURSDAY, OCTOBER 27, 2022  
9:00 A.M.

2310 BROENING HIGHWAY, BALTIMORE MD 21224  
IN-PERSON & LIVESTREAMED OPEN MEETING

OPEN SESSION

R. Earl Lewis, Jr., Acting Chairman

MEMBERS ATTENDING:

Dontae Carroll – via Telephone  
William H. Cox, Jr.  
William C. Ensor, III  
W. Lee Gaines, Jr. – via Telephone  
Mario J. Gangemi  
Cynthia D. Penny-Ardinger, Esq. – via Telephone  
Jeffrey S. Rosen  
John F. von Paris

STAFF ATTENDING:

Abigail Alam  
Tekeste Amare  
Col. Kevin Anderson  
Chantelle Green  
James Harkness  
Natalie Henson  
Jeanne Marriott  
Selena McKissick  
Kimberly Millender, Esq.  
Sushmita Mitra  
Mary O'Keeffe  
William Pines  
John Sales  
Deb Sharpless  
John Wedemeyer

OTHERS ATTENDING:

Troy E. Palmer, Sr., MDTA Retiree  
Sergeant Rodney C. Winmond, MDTA Police Retiree

At 9:00 a.m. Acting Chairman R. Earl Lewis, Jr. called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held in-person at 2310 Broening Highway, Baltimore MD and was livestreamed on the MDTA Board Meeting web page.

**APPROVAL – OPEN SESSION MEETING MINUTES OF SEPTEMBER 29, 2022**

Upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, the open session meeting minutes of the MDTA Board meeting held on September 29, 2022 were unanimously approved.

**RESOLUTION – YEARS OF SERVICE RECOGNITION**

Mr. Will Pines read and presented Years of Service Recognition Resolutions to two retired employees: Troy E. Palmer, Sr. and Sergeant Rodney C. Winmond.

On the occasion of Mr. Palmer's and Sergeant Winmond's retirement from their distinguished careers of service, the Acting Chairman and Members of the Maryland Transportation Authority hereby express to them their most sincere appreciation for their excellence and commitment.

**APPROVAL – CANTON RAILROAD**

Mr. William Pines and Ms. Deborah Sharpless requested approval from the MDTA Board Members of the proposed Canton Development Corporation, Inc. (Canton) Board of Directors and designation of the Chief Financial Officer, or designee, as proxy to attend the Annual Meeting of stockholders of Canton on November 16, 2022 to vote to approve the election of the Canton Board of Directors.

Mr. Pines explained that the MDTA is the sole stockholder of Canton and the day-to-day operations of Canton are managed by Mr. John Magness, the President and CEO, with the oversight of a Board of Directors. Per the Corporate By-Laws, the stockholders are to gather annually and elect the members of the Board of Directors. Mr. Pines then turned the floor over to Ms. Sharpless to complete the presentation.

Ms. Sharpless explained that as the sole stockholder of Canton, the MDTA must vote on the election of members of the Canton's Board of Directors at Canton's Annual Meeting. Currently, the Canton Board consists of seven Directors, including a MDTA Board Member who serves in an *ex officio* capacity. The Directors serve three-year terms that are staggered, resulting in the election of two to three Directors each year.

The MDTA recommends the reappointment of Mr. Stephen Kauffman. Mr. Kauffman's reappointment is strongly endorsed by Mr. John Magness, Mr. William Hellman (Canton Chairman), and Mr. William Cox (Canton *ex officio* Director).

Upon motion by Member Jeffrey S. Rosen and seconded by Member Mario J. Gangemi, the Members unanimously approved the Canton Railroad Board of Directors and the designation of the Chief Financial Officer as proxy to attend the Annual Meeting of Stockholders to vote.

**APPROVAL – CONTRACT AWARDS**

• **BB-3017-0000 – Eastbound Bay Bridge Deck Replacement, Phase 1, Package 1**

Mr. Tekeste Amare requested contingent approval from the MDTA Board to execute Contract No. BB-3017-0000 – Eastbound Bay Bridge Deck Replacement, Phase 1, Package 1 with Kokosing McLean Joint Venture Inc. for a Guaranteed Maximum Price (GMP) of \$139,992,490.80.

Mr. Amare explained that the construction services of this project include the deck floor system replacement and up to 4'-0" widening for deck truss Spans T14-T22, MASH TL-4 barrier upgrade, truss strengthening at selected members, pin and hanger structural steel retrofits, and signal gantry replacement. The scope also includes utility relocations and off-site storm water management work.

Upon motion by Member Mario J. Gangemi and seconded by Member William C. Ensor, III, the Members unanimously gave contingent approval to execute Contract No. BB-3017-0000 – Eastbound Bay Bridge Deck Replacement, Phase 1, Package 1.

**APPROVAL – CONVEYANCE – HEAT CENTER (MC #22-7046)**

Mr. John Wedemeyer requested MDTA Board approval for the conveyance of property located at Route 22 at Technology Drive, Aberdeen, Harford County, Maryland. This property is known as Heat Center (MC #22-7046).

Mr. Wedemeyer explained that the MDTA plans to convey Parcel 1-A containing 14,196 sq. ft. or 0.326 acres, plus or minus, Parcel 1-B containing 37,970 sq. ft. or 0.872 acres, plus or minus, and Parcel 2 containing 13,688 sq. ft. or 0.314 acres, plus or minus. The MDTA is requesting to convey fee simple of Parcel 1-A to the City of Aberdeen under a 2001 unrecorded agreement between MDTA and City of Aberdeen to construct a water tower. The remainder of the property, Parcel 1-B & Parcel 2, will be convey fee simple to Harford County. The Harford County 2014 lease will be terminated and the lease did not contain any consideration.

He further explained that no consideration will be obtained from either fee simple conveyances with the condition that the County will maintain Park and Ride provisions on Parcel 1-B.

A request was made to the other divisions within MDTA to determine if there were any current or future needs for the subject property. It was determined and confirmed that there were no needs for this property.

Upon motion by Member Jeffrey S. Rosen and seconded by Member Mario J. Gangemi, the Members unanimously gave approval for the conveyance of property located at Route 22 at Technology Drive, Aberdeen, Harford County, Maryland (Heat Center - MC #22-7046).

**APPROVAL – LAND SWAP – ALLIED (CAPSA) 3510 HAWKINS POINT ROAD (MC #22-7047)**

Mr. John Wedemeyer requested MDTA Board approval for the land swap of property located at 3510 Hawkins Point Road, Baltimore, Maryland 21226 (MC #22-7047).

Mr. Wedemeyer explained that in 2018, MDOT SHA conveyed Hawkins Point Road parcel (Ward -25 Section – 09 Block – 7005 Lot – 17) to the MDTA for the use of a transportation purpose or other public purposes. The MDTA is now planning to build a new MDTA Police Academy at that location. During planning efforts, it has been proposed to swap land with Allied Contractors, Inc. (CAPSA) in order to facilitate MDTA design issues for the future Police Academy. This would be beneficial to both MDTA and Allied (CAPSA).

A request was made to the other divisions within MDTA to determine if there were any current or future needs for the subject property. It was determined and confirmed that there were no needs for this property.

Upon motion by Member William H. Cox, Jr. and seconded by Member William C. Ensor, III, the Members unanimously gave approval for the land swap of property located at 3510 Hawkins Point Road, Baltimore, Maryland 21226 (MC #22-7047).

**APPROVAL – MD 155 BRIDGE OVER I-95 DEDICATION TO SP/4 RONALD ANTHONY SPUDIS**

Mr. William Pines requested MDTA Board approval, pursuant to MDTA Board Policy A-MDT-STDR-0101, regarding the request by District 34 Senator Bob Cassilly, with support of District 34 Delegates Maryann Lisanti, Steve Johnson, and Susan McComas, to dedicate the MDTA MD 155 bridge over I-95 to SP/4 Ronald Anthony Spudis.

Mr. Pines explained that SP/4 Ronald Anthony Spudis was born and raised in Harford County, Maryland. He joined the Army after graduating from John Carroll High School in 1968 and was deployed to Vietnam. He was killed in action in Vietnam on December 11, 1971. For his heroism in action he was awarded the Silver Star of Valor, Bronze Star, Air Medal, Purple Heart, and the Vietnam Gallantry Cross. SP/4 Spudis is buried in Harford Memorial Gardens.

Upon motion by Member John F. von Paris and seconded by Member William H. Cox, Jr., the Members unanimously gave approval to dedicate the MD 155 bridge over I-95 to SP/4 Ronald Anthony Spudis.

**UPDATE – CONSOLIDATED TRANSPORTATION PROGRAM (CTP) PROCESS AND ADDITIONS**

Ms. Jeanne Marriott updated the MDTA Board on the Consolidated Transportation Program (CTP) Process and additions to the capital program. She explained that each year the Maryland Department of Transportation (MDOT) issues the CTP report which is Maryland's six-year capital budget for transportation projects. The MDTA portion of the CTP presents ongoing and new capital projects for MDTA facilities.

The CTP is updated twice a year and brought to the Board for approval in June as a draft and in November as a final. After approval by the Board Members in June, the Draft CTP is presented as part of the MDOT CTP Tour to State and local elected officials and citizens throughout the State of Maryland for review and comment. These meetings provide the local legislators and the public an opportunity to communicate their priorities and concerns in person.

She explained that new capital projects originate from five sources: long-range capital needs, inspection findings, regulatory compliance, increased capacity needs, and/or local priority letters/legislative requests.

The Fiscal Year (FY) 2023-2028 Final CTP includes four new projects: (1) MD 695 Ramps to I-95 Northbound Express Toll Lanes, (2) Replace Dynamic Messaging Signs (DMS) and Toll Rate Signs (TRS) at Various Facilities, (3) Replace Closed Circuit Televisions (CCTVs) at Various Facilities, and (4) Baltimore Harbor Tunnel Lane Use Signals (LUS) Extension. These projects will be presented to the Board for approval in November as part of the Final FY 2023-2028 CTP.

**UPDATE – ANNUAL UPDATE ON FACILITY CONDITION INSPECTIONS**

Mr. Tekeste Amare gave an update on the Fiscal Year 2022 Annual Facilities Inspections. He provided a brief overview of the types of inspections that have been completed as well as the Inspection Findings for all structures that were inspected.

**UPDATE – FISCAL YEAR 2022 INDEPENDENT AUDITORS' SERVICE ORGANIZATION CONTROL (SOC) 1 AND SOC 2 REPORTS**

Ms. Deborah Sharpless presented an overview of the results of the Fiscal Year 2022 Service Organization Control (SOC) 1 and SOC 2 Reports for the Maryland *E-ZPass* System. The audit period for both audits was from July 1, 2021 through June 30, 2022.

Ms. Sharpless explained that for the SOC 1 audit this was the first full year of Transcore and Kapsch after the transition from Conduent. There was a review of 11 Control Objectives by Transcore and 5 Control Objectives by Kapsch. There were no qualifications within the report; however, there were unmodified opinions issued.

She further explained that for the SOC 2 audit this was the first full year of Transcore. There were no findings; however, there were unmodified opinions issued.

**UPDATE – FISCAL YEAR (FY) 2021 SINGLE AUDIT REPORT**

Ms. Deborah Sharpless updated the MDTA Board with the results of the Independent Auditors' Report on Compliance for Major Federal Awards (Single Audit).

She explained that on September 25, 2022, CliftonLarsonAllen (CLA) issued its report on the MDTA's compliance with the types of compliance requirements required for federal awards. The report indicated that in the auditors' opinion, the MDTA complied, in all material respects, with the types of compliance requirements that could have a direct and material effect on the major federal program for the fiscal year ended June 30, 2021. However, the audit disclosed a deficiency as it relates to the tracking equipment purchased and disposed of with federal funds. The results of the audit, including the MDTA's response are attached.

She further explained that the MDTA concurred with the finding and that going forward the MDTA will separately identify and track equipment purchased with federal funds as required under the Equitable Sharing Program.

**UPDATE – EXECUTIVE DIRECTOR**

Mr. William Pines spoke on the following topics: Consolidated Transportation Program (CTP) Tour Meetings coming to an end on November 4<sup>th</sup>; reminders on the November 30<sup>th</sup> end to the Customer Assistance Plan, MDTA Recruitment Efforts being in High Gear this Past Year; Expanding Apprenticeship Initiatives on hard-to-fill positions primarily in the Skilled Trades (Electrician, HVAC, and Plumbing) and Heavy Equipment Mechanic (Diesel Technician); the October 5<sup>th</sup> Bay Bridge Reconstruction Advisory Group (BBRAG) Meeting; the October 12<sup>th</sup> Ceremony led by Governor Larry Hogan to dedicate and open the New Governor Harry W. Nice Memorial/Senator Thomas "Mac" Middleton Bridge which was completed on budget and three months ahead of schedule; the October 15<sup>th</sup> Belvidere Road Groundbreaking Ceremony led by Governor Larry Hogan; and the Bay Bridge Run which will take place on November 13<sup>th</sup>.

**VOTE TO GO INTO CLOSED SESSION**

At 10:34 a.m., upon motion by Member Mario J. Gangemi and seconded by Member William H. Cox, Jr., the Members voted unanimously to move into Closed Session under the Maryland Open Meetings Act, the MDTA Board met in Closed Session under the General Provisions Article, Section 3-305(b)(10) and (12) to receive an update on deployment of police staff and resources and other security measures; and to discuss pending investigative proceedings involving possible criminal conduct; and Section 3-305(b)(8) to receive a status update on all litigation currently pending against the MDTA.

In attendance for the Closed Session were Acting Chairman R. Earl Lewis, Jr.; Members Cox, Ensor, Gangemi, Rosen, and von Paris in-person; Members Carroll, Gaines, and Penny-Ardinger via conference call; Will Pines; Kimberly Millender, Esq.; Col. Kevin Anderson; and Natalie Henson.

**VOTE TO ADJOURN CLOSED SESSION**

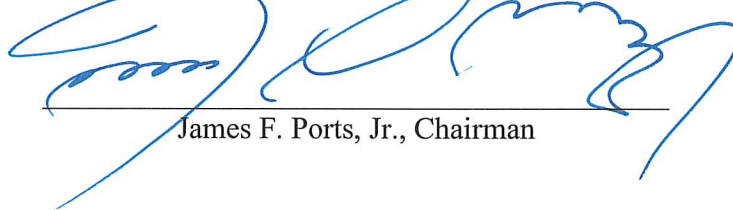
At 11:34 a.m., a motion was made by Member Mario J. Gangemi and seconded by Member William H. Cox, Jr., which was unanimously approved, to adjourn the Closed Session and return to Open Session. There were no actions taken in Closed Session that require ratification.

**VOTE TO ADJOURN MEETING**

There being no further business, upon motion by Member Mario J. Gangemi and seconded by Member William C. Ensor, III, the Members unanimously voted to adjourn the meeting at 11:35 a.m.

The next MDTA Board Meeting will be held on Thursday, November 17, 2022 at 9:00 a.m. at MDTA, 2310 Broening Highway, Baltimore MD and will be livestreamed on the MDTA Board webpage.

APPROVED AND CONCURRED IN:

A large, stylized handwritten signature in blue ink, written over a horizontal line. The signature is cursive and appears to read 'James F. Ports, Jr.'.

James F. Ports, Jr., Chairman