



**MAINE TURNPIKE AUTHORITY
MEETING
October 17th, 2024**

1. Pursuant to notice, a meeting of the Maine Turnpike Authority was held at 9 a.m. on October 17th, 2024

The following were present:

Daniel Wathen, Chair
Michael Cianchette, Vice Chair
Nina Fisher, Member
Jane Lincoln, Member
Andrew McLean, Member (*via Zoom – after 10:10 A.M.*)
Thomas Zuke, Member
Bruce Van Note, MaineDOT Commissioner

2. Chairman Daniel Wathen called the meeting to order. He said that this would be his last meeting after over 13 years on the board. He said he had enjoyed the educational aspect of it, as well as working with the current and past members of the board. He said that he had always appreciated the work that MTA employees did maintaining and operating the highway that was the gateway to Maine. He said he believed the structure of the MTA, with its tolling capability and revenue bonding abilities, allowed it to be run independently and well, which was essential because the Maine Turnpike was uniquely situated as essentially the only route into and out of Maine. Chairman Wathen welcomed the board's latest member, Nina Fisher, and turned chairmanship of the meeting over to Vice Chair Michael Cianchette who had recently been appointed by the Governor's office as the new MTA chairman.
3. Chairman Wathen left the meeting at this point and Chairman Cianchette presided over the rest of the meeting.
4. On motion of Thomas Zuke, seconded by Bruce Van Note, and with unanimous approval of the members present, it was voted to approve the minutes of the board's September 5th meeting.

5. John Sirois, Chief Financial Officer and Treasurer, reported on traffic and revenue. He said that his written report showed larger increases than normal, which resulted from the fact that image processors had finally caught up with the backlog of I-Tolls that had accumulated over the summer. Mr. Sirois said that the MTA was \$ 5.5 million ahead on its deposits as compared to this time in 2023, and that the return on investments was still strong.
6. Commissioner Bruce Van Note asked what the most recent percentage for MTA customer E-Z Pass participation was. John Sirois answered that it was around 78 percent.
7. On motion of Thomas Zuke, seconded by Jane Lincoln, with unanimous approval of the members present, it was voted to approve investments of money to the credit of Maine Turnpike Authority funds made during the month of September, 2024, as detailed on a report submitted to this meeting by Bangor Savings Bank, dated October 7th, 2024
8. Acting Executive Director Peter Merfeld reported that MTA staff was working with the Federal Highway Administration to obtain their concurrence with an MTA initiative to end the practice of posting lane closure signs in the median area. Mr. Merfeld said that Pennsylvania had discontinued this practice and that he felt it would be a significant improvement for worker safety.
9. Customer Service Representative Alex Paquette was recognized by the board for his exceptional performance. Director of E-Z Pass Pamela Lambert spoke to the board about Mr. Paquette, saying her employees were mostly excellent performers, but that Alex stood out among them. She said that his call average was around 3 minutes, which was 2 minutes less than the department average. She said that Mr. Paquette was the top performer in the department, took pride in his work, and was always eager to assist his colleagues.
10. Director of Fare Collection Richard Barra introduced Teller John Heffernan to the board. He said that Mr. Heffernan was retiring from the MTA on November 13th after over three decades of service. He said that John's duties involved travelling throughout the day between toll locations with cash, and that he had travelled over 600,000 miles and gone through three vans in his time at the MTA. Chairman Michael Cianchette thanked Mr. Heffernan for his service on behalf of the board.
11. Deputy Director of Engineering Krist VanOoyen reported on the activities of the Employee Development and Training Committee. She said the committee was developing a single draft policy document describing all the different training opportunities available at the MTA. She said that once that document was complete the committee's work would be largely complete.
12. Deputy Director of Engineering Kristi VanOoyen reported on the activities of the Employee Policy Committee. Miss. Van Ooyen said that the committee was slowly working its way through all existing policies, with the goal of looking for discrepancies or aspects of the policies that might be missing, rather than attempting to "wordsmith" every policy.

13. Nina Fisher asked how the Policy Committee solicited feedback from other employees in other departments, such as Fare Collection and Highway Maintenance. Ms. Van Ooyen replied that there were no representatives of these departments on the committees but that she hoped to keep all employees informed through the MTA newsletter and website.
14. Director of Public Safety and Special Services Greg Stone updated the board on the work of the Employee Ethics Committee and presented a draft Ethics Code that had been developed by the committee. Mr. Stone said that the committee had chosen to draft a document that was foundational, articulating basic principles, rather than attempting to formulate specific examples or cover every possible situation.
15. Tom Zuke said that his company, Kennebunk Savings Bank, had taken a similar approach to their ethics policy and that he liked the structure of the draft document. Acting Executive Director Peter Merfeld said that management was planning to issue guidance at some point to illustrate how to apply these principles to specific situations. Chairman Cianchette asked if staff had solicited input from contractors on the draft code, since it purported to apply to them as well. Mr. Stone replied that this had not been done.
16. Tom Zuke reported on the recent joint meeting of the Finance and Long Range Planning Committees and reviewed the minutes of that meeting with the board.
17. John Sirois, Chief Financial Officer and Treasurer, presented the proposals received from four firms in response to the MTA's External Auditor procurement process. Mr. Sirois said that staff recommended the contract be awarded to RKO. He noted that RKO was not the low bid, but that their bid was competitive and that they had scored highest in the evaluation process. He noted that RKO had previously worked with the MTA, from 2008-2012, and was their current compliance auditor.
18. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, it was voted to award the MTA's External Auditor contract to Runyon Kersteen Ouellette (RKO), in accordance with a document provided to the board entitled "2024 External Auditor RFP – Bidder Review and Scoring."
19. Director of Communications Erin Courtney presented a proposed draft agreement between the MTA, MaineDOT and the Greater Portland Transit District to fund a rapid transit study in the Gorham to Portland corridor. Ms. Courtney said that the MTA would be responsible for a maximum of \$ 96,000 under this agreement.
20. On motion of Jane Lincoln, seconded by Thomas Zuke, and with unanimous approval of the members present, it was voted to authorize staff to enter into an agreement substantially in the form of the agreement presented to the board entitled "Gorham-Westbrook-Portland Rapid Transit Conceptual Design Study Three-Party Partnership Agreement."
21. Acting Executive Director Peter Merfeld present a proposed draft agreement between the MTA, MaineDOT and the New Hampshire DOT governing management of the Part Time Shoulder Use (PTSU) system on the Piscataqua River Bridge. Mr. Merfeld said that this

agreement would govern three years of maintenance and operations of the PTSYU system with an option to renew.

22. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, it was voted to authorize staff to enter into an agreement substantially in the form of the agreement presented to the board entitled “Memorandum of Agreement Between the New Hampshire Department of Transportation, the Maine Department of Transportation, and the Maine Turnpike Authority for the Continued Development and Operations of an Active Transportation Management System On the Interstate 95 High Level Bridge Over the Piscataqua River.”
23. Acting Executive Director Peter Merfeld presented a draft proposed agreement between MaineDOT and the MTA under which the MTA would reimburse the MaineDOT for 37.5% of the cost of the Streetlight Data contract for five years, in return for which the MTA would have full access to the software.
24. Chairman Cianchette asked Mr. Merfeld to provide information for the board at their November meeting on the precautions Streetlight Data took to protect the privacy of its data sources.
25. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, it was voted to authorize staff to enter into an agreement substantially in the form of the agreement presented to the board entitled “Cooperative Agreement Between the Maine Department of Transportation and the Maine Turnpike Authority – Cost Sharing for Streetlight Data, Inc.”
26. Tim Cote of HNTB Corporation presented the results of HNTB’s annual inspection of MTA facilities. Mr. Cote reminded the board that as the MTA’s Consulting Engineer, it was HNTB’s responsibility under the MTA’s Bond Resolution to inspect the Maine Turnpike on an annual basis. He described the components inspected and the findings of the inspection. He said that all MTA facilities were in good repair, though high traffic was imposing increasing demands in some areas. He said that 2023 had been an all time record year for number of trips and Vehicle Miles Travelled (VMT) on the turnpike. Mr. Cote noted that the MTA had begun the process of swapping out equipment from the earlier plazas to be converted to the MTA’s current Infinity toll collection system, such as New Gloucester.
27. Mr. Cote reviewed the 2025 Reserve Maintenance Deposit calculations with the board, describing the costs categorized under Perennial Expenditures, Reserve Maintenance and Capital Projects. He described the process of calculating the final required deposit which involved adjusting existing account balances by expected outlays to the end of the year in order to arrive at the necessary amount. He said that the \$ 42 million result was consistent with prior years, and that consistency in these deposits was positive because it helped to maintain steady debt service ratios for the purposes of financial planning.

28. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, it was voted to approve the recommended 2024 Reserve Maintenance Deposit in the amount of \$42,000,000.00.
29. John Sirois, Chief Financial Officer and Treasurer, presented the MTA's 2025 Operating Budget for final approval. Mr. Sirois said that the budget had been originally approved by the board in 2023 and it had not changed since that approval.
30. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, it was voted to approve a final 2025 Operating Expense Budget, as presented to the board, in the amount of \$51,492,024.00, plus a contingency of \$5,149,202.00 for a total budget of \$56,641,227.00.
31. John Sirois, Chief Financial Officer and Treasurer, presented the MTA's 2026 preliminary Operating Budget for approval. Mr. Sirois noted that this budget showed a 9 percent increase over the 2025 budget, due primarily to Maine State Police costs, several increases in Maintenance Department positions, and the fact that this was a "catch up year" for union contract increases, meaning that increased costs from the last contract renewal, such as cost of living, step and length of service increases, which had not yet been finalized at the time of the 2025 budget and were therefore covered by contingency in that year's budget, appeared for the first time in the 2024 budget.
32. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, it was voted to approve a preliminary 2026 Operating Expense Budget, as presented to the board, in the amount of \$56,132,905.00, plus a contingency of \$2,806,645.00 for a total budget of \$58,939,550.00.
33. On motion of Thomas Zuke, seconded by Bruce Van Note, and with unanimous approval of the members present, it was voted to approve the grant of a license to FirstLight Fiber to install a communication line to cross the Maine Turnpike's Falmouth Spur on existing CMP poles near the Route 9 Overpass.
34. Acting Executive Director Peter Merfeld presented the October Contract Consent Agenda to the board. He pointed out that the mower repair on the agenda was for the MTA's "boom mower", which was 10 to 12 years old and had needed an extensive overhaul.
35. Chairman Michael Cianchette asked if there were any questions or objections related to items on the consent agenda. There were none, and the October Contract Consent Agenda was considered approved.
36. Deputy Director of Engineering Kristi Van Ooyen presented the current bid schedule for construction contracts, noting that the Stevenstown Bridge Repair project had been added to the list.

37. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, it was voted to award the following contracts:

- Contract 2025.09 – Roadside Clearing, in the amount of \$159,040.00, to Comprehensive Land Technologies.
- Contract 2025.05 – Bridge Concrete Haunch Removals, in the amount of \$595,000.00, to CPM Constructors.

38. Andrew McLean joined the meeting via Zoom at this time.

39. On motion of Michael Cianchette, seconded by Thomas Zuke, and with unanimous approval of the members present, it was voted to approve final payment on Contract 2023.04 – Emergency Vehicle Ramps, to Sargent Corporation, in the amount of \$54,947.95, for a final contract amount of \$658,369.35.

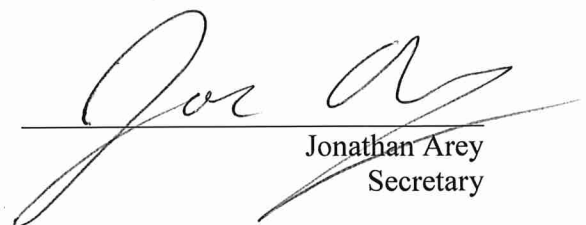
40. Deputy Director of Engineering Kristi Van Ooyen updated the board on ongoing construction projects. She said that the Saco Interchange project was slowing down for the winter, though some work was continuing on toll plaza buildings and work on Route 112 would finish in the spring. Ms. Ooyen said that there had been a successful bridge deck pour on the Route 127 project, and that the project should wrap up this year. She said that the retail space had been relocated to the rear of MTA Headquarters in order to renovate the current space. She said that good progress was being made on the Kittery Paving project and that, while some work needed to be completed next year, that was still within the project schedule.

41. Erin Courtney, Director of Communications, updated the board on subjects relating to her department. Ms. Courtney said that the MTA's first newsletter in ten years had been published the previous month, with the next one planned for mid-November. She described the MTA's response to a latest text based scam, which had been to put out a press release, and reach out to the Attorney General's Office and the State Police. She said that law enforcement was not equipped to deal with these situations, but that she felt the MTA had done a fairly good job getting out the word. She described planned changes to the Gorham Connector project page on the website, in line with the recent decision to 'step back' on that project. She noted that staff would be making MTA board minutes available on the website in the near future.

42. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, it was voted to enter executive session for the purposes of:

- Discussion, pursuant to 1 MRSA § 405(6)(A)(1) of policies relating to internet and mobile phone reimbursement, the employment of relatives and vehicle assignment and use, as these policies involve discussion of the assignments and compensation of a group of public employees.

- Discussion, pursuant to 1 MRSA § 405(6)(C) of the disposition and use of an access easement owned by the Maine Turnpike Authority in Saco, Maine.
 - Discussion, pursuant to 1 MRSA § 405(6)(E) of the legal rights and duties of the Maine Turnpike Authority under the Maine Freedom of Access Act and in relation to four potential personnel related claims.
43. On motion of Thomas Zuke, seconded by Bruce Van Note, and with unanimous approval of the members present, the grant of an access easement in Saco, Maine to Northeastern Hospitality Holdings, LLC, substantially in the form of the draft easement presented to the board, was approved.
44. On motion of Jane Lincoln, seconded by Thomas Zuke, and with unanimous approval of the members present, a document entitled “Policy on Employment and Business with Relatives”, dated October 1st, 2024, was adopted as a replacement for the MTA’s previous policy, provided that MTA staff add the following:
- A provision requiring that employees disclose to the MTA changes in their family situation which might make violations of the policy more likely.
 - A provision outlining how employees should report possible violations of the policy.
45. On motion of Thomas Zuke, seconded by Jane Lincoln, and with unanimous approval of the members present, the draft Authority Vehicle Policy presented to the board was approved, provided that:
- MTA Staff would require that all MTA staff granted an Assigned Vehicle or Take Home Vehicle under the policy would sign off on the policy when they received the vehicle, and that MTA Staff would develop an appropriate form.
 - The document entitled “List of Board Approved Positions Eligible for Take Home Vehicles”, as presented to the board, should be incorporated into the policy.
46. Adjourned at 12:05 P.M.


Jonathan Arey
Secretary

October, 2024

11/21/24
Date