



SEDA-COG JOINT RAIL AUTHORITY MEETING MINUTES
Wednesday, September 13, 2023
Union County Government Center, Lewisburg, PA
12:30 p.m.

AUTHORITY MEMBERS

Russ Graham, Centre County
John Spychalski, Centre County
John Gummo, Clinton County
Bob Hormell, Northumberland County
Rick Jenkins, Columbia County (via teleconference)
Frank Dombroski, Montour County
Brent Jones, Clinton County
Michael Krentzman, Mifflin County
Rick Maloyed, Snyder County
Dave Park, Snyder County
Rob Postal, Mifflin County (via teleconference)
David Schultz, Lycoming County
John Showers, Union County
Jennifer Wakeman, Montour County
Matt Weigle, Columbia County (via teleconference)
Eric Winslow, Union County (via teleconference)

JRA OPERATOR

Jeb Stotter, President & CEO
Diana Williams, Treasurer/Controller

GUESTS

Baron Emery, Carload Express
John Ashbridge, Carload Express
Sam Simon, Esq., Houston Harbaugh (for Carload Express) (via teleconference)
Todd Pysher, Pine Creek Township Engineer
Angela Harding, Clinton County Commissioner

JRA LEGAL COUNSEL

Tom Schrack, Esq. McQuaide Blasko

JRA CONSULTING PROFESSIONALS

Dan Mazur, Operating Agreement Consultant
Jason Shura, P.E., Stiffler McGraw (via teleconference)
Jeff Stover (via teleconference)

JRA STAFF

Michelle Ballou, Program Assistant

Steven Beattie, Executive Director

Kyle Postupack, Property & Maintenance of Way Manager

CALL TO ORDER

Call to Order

The Chairman called the meeting to order at 12:37 p.m.

Pledge of Allegiance

The Chairman led the Pledge of Allegiance.

Welcome – Chairman’s Statements

The Chairman stated that the use of audio or video recording devices at the public meeting is permitted. The Authority does not require pre-registration for recording purposes; however, any individual intending to record all or any part of the meeting must notify the Chairman or the Executive Director in advance of such recording. If the Authority recesses to Executive Session, no recording of that session shall be permitted.

Public Forum

Commissioner Angela Harding spoke on behalf of the Clinton County Commissioners, who have expressed concern over the decision to transfer a public asset constructed with grant dollars to a for-profit entity in Clinton County. While they wholly support industry, Jersey Shore Steel and South Avis Realty, there is concern with the lack of communication to Pine Creek Township and Clinton County Government. Both of whom have been long term partners of the JRA. Questions abound with the legality of the proposition, transparency in the process, and disregard of fellow governmental entities who govern the area. The Clinton County Commissioners expect municipal legal ramifications if you continue to move forward with this action. It not only disregards the original agreement outlined in the grant for the road but also shows blatant conflict of interest as the recipient of this transfer has been a sitting member of the board of directors, and is currently. The JRA board of directors are asked to halt any further advancement of the proposed transfer and begin the process of communication with Pine Creek Township, with the support of Clinton County Government.

Mr. Todd Pysher spoke on behalf of the supervisors of Pine Creek Township, Clinton County, who have expressed concern and ask the board to delay any action of the transfer to South Avis Realty for the Woodward Avenue extension. Mr. Pysher had spoken to a representative of DCED regarding this issue and was informed that the JRA had applied for IDP million-dollar grant and were successful in obtaining that grant. Mr. Pysher stated that the transfer could happen, but the grant would need to be

repaid to the Commonwealth of Pennsylvania. He further stated, that the roadway was constructed with grant funds and will need to remain a public road.

ADMINISTRATIVE ITEMS

Approval of the August 9, 2023, JRA Meeting Minutes

Ms. Wakeman made a motion for the Board to approve the August 9, 2023, Joint Rail Authority Meeting Minutes; Dr. Spsychalski seconded the motion; motion carried.

Treasurer's Report

Ms. Wakeman presented the Treasurer's Report for the month of August 2023, as well as the JRA's Loan Summary, Money Market Account Financial Statement, the PIB Loan Financial Statement, and the JRA's detailed accounting associated with the operating fees paid by the Operator.

Mr. Maloyed made a motion for the Board to accept the Treasurer's Report for the month of August 2023, Mr. Park seconded the motion; motion carried.

Staff Report and Events Calendar

- Mr. Beattie summarized the status of various construction projects and calendar highlights.
- Mr. Beattie was asked to speak at the Appalachian Regional Commission in Washington, DC in November, to represent the SEDA-COG Joint Rail Authority and the role it plays in economic development in the rural counties of Central Pennsylvania.
- Mr. Beattie stated that BHRS is in the process of moving their RDC to Bellefonte in preparation for Bellefonte Fall Fest and holiday excursions. The revised timetable is expected to be available at the October 11th meeting.
- The JRA staff was contacted concerning the conversion of a private crossing into a public crossing at the Centre County Summit Park Development, a commercial subdivision plan submitted in College Township. JRA staff is assisting with the PUC Submission.
- JRA staff worked with NSHR staff on RTAP 2023 grant submission for a rail safety upgrade from the North Shore interchange to just East of the yard track which is approximately 4,400 LF of rail replacement. The grant submission took place in August. The grant award announcement is anticipated in late 2023/early 2024.
- JRA staff has been working with Mr. Shura on three construction projects that have recently been awarded. They are currently in various points of executing the agreement, receiving bonds, and notice to proceed. A pre-construction meeting for LVRR Bridge Rehab occurs next Friday September 22nd.

Operator Status Report

A copy of the Operator's Report was provided to Board members via email and copies were provided to Board members at the meeting. Mr. Stotter provided the Operator's activities and rail traffic overview.

OLD BUSINESS

Bridge Engineer's Report

- Mr. Shura reviewed the Bridge Engineer's Report provided in the meeting packet.
- Contract 2023-01 LVRR Bridge Rehabilitation – Notice to proceed was issued to Lycoming Supply on August 28th, and the preconstruction meeting is scheduled for September 22nd.
- Contract 2023-02 Shamokin Valley Corridor - The project has been awarded. Bonding and insurance are in place. The agreement has been distributed to the contractor for signature. Once received it will be executed by the Joint Rail Authority. Notice to proceed will be issued and a pre-construction meeting will be scheduled. The notice to proceed is expected to be distributed by the end of the week.
- Contract 2023-03 Pipe Culvert at North Shore Mile Post 207.66 – Notice to proceed was issued on September 12th. The preconstruction meeting with Lycoming Supply will take place on September 22nd.
- There were no new plans reviews completed this past month. There are several items being tracked and awaiting update from applicants.
- Nittany Bald Eagle Moose Run Culvert in Milesburg – The plans specifications, and estimates, have been submitted to PennDOT, The Joint Rail Authority and Nittany Bald Eagle Railroad. Bid openings are expected in early December.
- Port Matilda Drainage – This is not a JRA project but does occur adjacent to the NBER. The project is expected to be completed next week.
- 2021 RTAP Bridges – NSHR Bridge 191.52 contract has been approved by the Bureau of Rail Freight and is ready to be advertised. Mr. Shura will continue to work with JRA staff to identify a bid opening date.
- Permit applications are anticipated to be submitted for two bridges on the NBER and three bridges on the JVRR later this month. The bid documents will be submitted to the Bureau of Rail Freight this month in anticipation of Fall bid dates. The easement documents will be submitted to JRA staff for acquisition.

NEW BUSINESS

Approval of Bids & Notice Award; Bell Yard/Helix Improvements

Bid opening occurred on September 6th. The bid results were under budget and under the grant award amount. A request has been submitted to PennDOT requesting a reallocation of grant funds for engineering costs incurred by the JRA. The project estimate was \$1,364,200. Chesapeake Thermite Welding was determined to be the lowest responsible bidder at \$1,194,752. This is contingent on PennDOT's notice to proceed and obtain acceptable insurance and bonding.

Dr. Spychalski made a motion to award JRA Contract 001.2023.01, NBER Bellefonte Yard and Hilex Turnout to the lowest responsible bidder, Chesapeake Thermite Welding, LLC at a bid of \$1,194,752 contingent on receiving approval from PennDOT and receipt of acceptable insurance/bonding; Mr. Gummo seconded the motion; motion carried.

Consideration of 2023-2024 Staff Services Budget

Each year the JRA reviews the annual Staff Services budget within the three-year agreement. This year's proposed budget is provided in the packet. Minor, reasonable adjustments are included in this 23-24 cycle due to staffing changes. One of the two company vehicles will most likely be sold to reduce expenses. The current gas cards will be cancelled, and one new individual card will be opened to cover the small amount of expenses incurred.

Mr. Postal made a motion to approve the proposed 2023-2024 Staff Services Budget for the years 2023-2024; Mr. Gummo seconded the motion; motion carried.

Ratify Financial Commitment for NSHR RTAP Application

Mr. Beattie indicated ratification is needed to the financial commitment of \$193,800 for NSHR. The project is phase I of three proposed phases. Phase I will be approximately 4400' of rail replacement on the NSHR. Much of the rail is old and in poor condition. The estimated construction cost for phase I is \$1,292,000.

Ms. Wakeman made a motion to approve the financial commitment of \$193,000 for the North Shore Railroad's Rail Replacement Safety Improvement project utilizing the 2023 RTAP grant program; Mr. Hormell seconded motion; motion carried.

REPORTS FROM COMMITTEES

No reports were issued

LEGAL

Solicitor Schrack stated he has nothing further to discuss in public session and recommended that the Board recess into executive session. Action taken to be determined.

Chairman Graham recessed the regular meeting at 1:05 p.m. to convene into executive session at 1:10 p.m.

Chairman Graham reconvened the regular meeting at 2:19 p.m.

Solicitor Schrack stated that the JRA Board then held an executive session with solicitors and JRA staff concerning a brief discussion addressing confidential personnel matters, potential real estate acquisitions, and updates in the litigations pending in Clinton and Columbia Counties. No action was taken in executive session and no action is recommended to be taken.

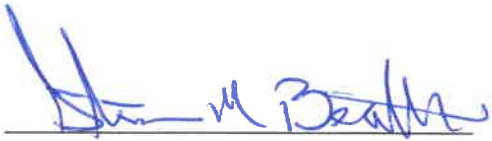
Approval of Quitclaim Deed for Transfer of Avis Access Roadway to South Avis Realty

Solicitor Schrack recommended this item to be tabled and further discussion to take place in executive session.

Mr. Hormell made the motion to table approval of quitclaim deed for transfer of Avis roadway to South Avis Realty; Mr. Krentzman seconded the motion, motion carried. Mr. Schultz abstained.

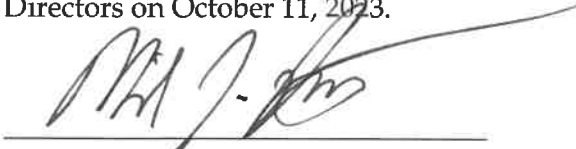
With there being no further business to come before the JRA Board, Chairman Graham adjourned the meeting at 2:20 p.m.

Respectfully submitted,



Steven M. Beattie, Executive Director

I hereby certify these minutes were approved by the SEDA-COG Joint Rail Authority Board of Directors on October 11, 2023.



Secretary/Assistant Secretary