

MINUTES OF THE COMMISSION MEETING HELD JANUARY 3, 2017

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:19 a.m. on January 3, 2017 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was Barry Drew, Commissioner. Available via telephone were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie Richards, Secretary of Transportation.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Scott D. Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Assistant Director of Toll Collection-Fares; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Esquire, Director of Policy & External Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Jack Christensen, Director of FEMO; Richard S. DiPiero, Senior Fare Collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Rosanne Placey, Manager of Media & Public Relations; Mark Raup, Senior Engineer Project Manager; Lynn Stakem, Senior General Accountant; Mark Strause, Technician of PC/LAN Systems; Eric Madden, ACEC/PA; John Smith, Parsons Brinckerhoff; Kim Contino, KSA Group; and Paul McNamee, KCI.



Ms. Edmunds led the Commissioners, staff and visitors in the Pledge of Allegiance.



The Assistant Secretary Treasurer, Ann Louise Edmunds, called the roll and declared a quorum available.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a promotion, summer program, terminations, new hires 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

Ms. Edmunds: The public is welcome at this time 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 signed in a requested time to speak. If you have not done so, you are invited to do so at this time.

There were no requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held December 20, 2016 be approved and filed as submitted - were made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memo received from the Chief Counsel—was made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



PERSONNEL

Motion-That the Commission approves the Personnel as submitted-was made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

POLICIES

Motion-That the Commission adopts revisions to a Policy and repeals a Policy for the items listed in memos "a" and "b":

- a. Revisions to Policy 4.06, All Electronic Tolling Conversion Tuition Reimbursement Policy, to rename the policy and to reflect operational and procedural changes;
- b. Repeal Policy 2.17, Years of Service Program, as the program will be incorporated with a Human Resources Commission-Wide employee recognition program.

—was made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements for the items listed in memos "a" and "b":

- a. Release Agreement and Settlement with Everett Santarlas, Jr., and authorize issuance of the workers' compensation settlement payment;
- b. Agreement with Price Chopper Supermarkets to distribute E-ZPass in their Pennsylvania locations.

-was made by Commissioner Drew, seconded by Commissioners Lieberman, and passed unanimously.



RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Request for the items listed in memos "a" through "h":

- a. Acquisition of Right-of-Way #1020-A (Paul J. & Stacy Wheeler), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00 by authorizing payment of \$9,031.26 representing fair market value and pro-rated taxes to Paul J. & Stacy Wheeler; 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 the fair market value to the property owners is contingent upon the delivery of a Conservation Easement as prepared by the Legal Department;

- b. Acquisition of Right-of-Way #2068-D (New Enterprise Stone & Lime Co., Inc.), a partial take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50 by authorizing payment of \$92,601.74 representing fair market value and pro-rated taxes to New Enterprise Stone & Lime Co., Inc.; 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 prepared by the Legal Department;
- c. Acquisition of Right-of-Way #17747 (Kenneth G. McGregor), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$600.00 representing fair market value to Kenneth G. McGregor; authorize the appropriate Commission officials to execute the Temporary Construction Easement and other documents that might 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 the executed Temporary Construction Easement as prepared by the Legal Department;
- d. Adopt the proposed Property Acquisition Resolution for Right-of-Way #17953 (Steve Borda), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$2,600.00 representing Estimated Just Compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- e. Adopt the proposed Property Acquisition Resolution for Right-of-Way #17969 (Tseng Ta & Shu H. Peng), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$10,400.00 representing Estimated Just Compensation to The Law Office of Robert J. Wratsher LLC, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- f. Settlement of Right-of-Way #17968 (Valjean Stankas, Range Resources-Appalachia, LLC), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$86,700.00 representing Estimated Just Compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- g. Settlement of Right-of-Way #17232 (Reissing 45, LLC), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$28,820.50 representing the balance of settlement funds to Clark Hill, PLC, escrow agent; authorize the appropriate Commission officials to execute the Settlement and Mutual Release Agreement, as approved by the Legal Department; and payment of settlement funds to the property owner is contingent upon the receipt of the Settlement and Mutual Release Agreement as approved by the Legal Department;

- h. Settlement of Right-of-Way #179742 (Reissing 45, LLC, New Century Energy, Inc.), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$16,295.00 representing the balance of settlement funds to Clark Hill, PLC, escrow agent; authorize the appropriate Commission officials to execute the Settlement and Mutual Release Agreement and other documents that may be required for closing, as approved by the Legal Department; and payment of settlement funds to the property owner is contingent upon the receipt of the Settlement and Mutual Release Agreement as approved by the Legal Department.

-was made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



SUPPLEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #2 for open-end environmental engineering services with Skelly & Loy, Inc., for an additional \$1,000,000.00 to prepare the necessary documents and permit applications for the Commission's Metropolitan Separate Storm Sewer System (MS4) permit required by the PA DEP; for a revised not-to-exceed amount of \$2,000,000.00 -was made by Commissioner Drew, seconded by Commissioner Lieberman; Commissioner Logan abstained.

CHAIRMAN LOGAN: I abstain on this item because Skelly & Loy is a member of the Monroeville Area Chamber of Commerce, which I serve as President.



PURCHASE ORDERS

Motion-That the Commission approves the Award of a Bid and the Issuance of Purchase Orders for the items listed in memos "a" through "c":

- a. Tree clearing from MP 172.00 to MP 180.00, to the lowest responsive and responsible bidder, Land Clearing Specialists, Inc.; at a total award of \$1,091,631.00;
- b. ServiceNow license for 2-years, utilizing the Commonwealth's contract with Dell Marketing, LP; at a total award of \$214,839.83;
- c. HP computers and monitors for the E-ZPass CSC/VPC at East Park Drive; utilizing the Commonwealth's contract with HP, Inc.; at a total award of \$252,160.40.

-was made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-355.00P002-3-03 for the replacement of Bridge DB-237 at MP 353.96, to the lowest responsive and responsible bidder, Allan A. Myers, L.P.; at a not-to-exceed amount of \$6,628,555.00 and a contingency of \$300,000.00- was made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



CHANGE ORDER/FINAL PAYMENT

Motion-That the Commission approves Change Order #2 and Final Payment for Contract #EN-00124-03-05 for sinkhole repairs from MP 312.03 to MP 358.11 and from MP A20.00 to MP A70.07 with New Enterprise Stone & Lime Co., Inc. for a decrease of \$177,099.23 to balance to actual work completed; for a final contract value of \$1,322,900.77 and final payment due to the contractor of \$66,145.04- was made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, January 17, 2017 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania turnpike Commission be adjourned at 10:25 a.m. -was made by Commissioner Logan, seconded by Commissioner Drew, and passed unanimously.



PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

APPROVED BY:

Pasquale T. Deon, Sr.
Secretary Treasurer