

MINUTES OF THE COMMISSION MEETING HELD FEBRUARY 19, 2019

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:30 a.m. on Tuesday, February 19, 2019 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was John Wozniak, Commissioner; and available via telephone were Leslie S. Richards, Chair; William K. Lieberman, Vice Chair; Barry Drew, Secretary Treasurer and Pasquale T. Deon, Sr., Commissioner.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Michael Baker, Inc.; Robert F. Brady, Director of Operations/Projects-East; John DelRicci, Director of Maintenance; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity & Inclusion; Stacia A. Ritter, Esquire, Director of Policy and Fare Collection and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Kathryn Hartzell, Director of Technology and Innovation; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Jeffrey A. Naugle, Manager of Treasury Operations; Lynn Stakem, Senior General Accountant; Harry Sigley, CMTS; Mike Gross, Wallace Montgomery; Ron Spacht, Cherry Weber; Mike Houser, Markosky; and Matt Walerysiak, Markosky.



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 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

Ms. Edmunds: 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 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 February 5, 2019 be approved and filed as submitted - was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memos received from the Chief Counsel and the Director of Procurement & Logistics-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

BOND RESOLUTION

Motion-That the Commission approves the defeasance of a portion of the Pennsylvania Turnpike Commission's Registration Fee Revenue Refunding bonds, Series A of 2005, with available moneys in the Oil Franchise Tax General Fund and the investment of such moneys in government obligations; authorize the execution and delivery of an escrow deposit agreement and any other necessary or appropriate documents or certificates; appointing bond counsel and financial advisor; authorizing the taking of any and all such other action and transactions as may be required or as may be deemed appropriate to carry out and consummate the transactions by the Commission as contemplated by this Resolution; and declaring that this Resolution shall be liberally construed-was made by Commissioner Wozniak, seconded by Commissioner Deon, and approved unanimously.



AGREEMENTS

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

- a. Settlement Agreement and Release in the case, PTC v. Syed and Barbush Rentals; and accept the pro rata settlement of the property damage claim and approve a write-off of the balance due;
- b. Reimbursement Agreement with PECO Energy Company to reimburse PECO the cost for the engineering and utility relocation work necessary for the total reconstruction project from MP 308.00 to MP 312.00 (Bridge EB-719, MP 310.36); at a not-to-exceed amount of \$94,496.91;
- c. Settlement Agreement and Release with Charles Bechter, and authorize issuance of the workers' compensation settlement payment;
- d. Settlement Agreement and Release with Elizabeth Staranowicz-Lawless, and authorize issuance of the workers' compensation settlement payment.

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



RIGHT-OF-WAY REQUEST

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

- a. Acquisition of Right-of-Way #14S332 (William Peter & Geraldine M. Crevar), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$128,104.65 representing fair market value, pro-rated taxes and recording fees to Closure Settlement LLC, escrow agent; 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 owners is contingent upon their delivery of a deed as prepared by the Legal Department;

- b. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S218-1 (Gary L. Dora, Jodie Dora, Kellie Wardman), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$79,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- c. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S217 (Susanne L. Peroni), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$80,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- d. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S216 (Cheryl L. Burkhart, n/k/a Cheryl L. DiDolce and Scott DiDolce), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$77,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; 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 #14S215 (Davkel Properties, LLC), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$76,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- f. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S214 (Derek J. Miller), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$79,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- g. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S222 (Raymond M. Hernandez), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$79,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- h. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S220 (Karen S. Bajus), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$82,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- i. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S221-1 (June A. Bruschi, Davonna Odem), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$79,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- j. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S223 (Heather C. Miller, Christine Spencer), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$76,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- k. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S219-1 (Walter E. & Nadine C. Lee, Kristina & Nick Flavo), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$81,500.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- l. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S224-1 (Joseph W. Friel, Jr., Cheryl Rajcan), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$76,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- m. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S225 (David S. Osterhus), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$79,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- n. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S243 (Pamela Barkey), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$73,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- o. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S242 (Cynthia M. Emmerich), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$76,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- p. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S244 (Gary A. & Kathleen F. Frizzi), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$73,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- q. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S245 (Yvonne Denise Consonery), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$79,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- r. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S246 (Janice M. Gaydos), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$73,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- s. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S247-1 (Diane Majernik, John Majernik), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$76,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- t. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S248 (Ruth J. Ackerman), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$73,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- u. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S249 (Mary Jane Senn), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$76,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- v. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S250 (Carolyn B. Papciak), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$76,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- w. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S251 (Rose Martinez), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$73,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- x. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S252-1 (Matthew J. Nagy, Tykisha Beck, Eddie Walker), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$73,000.00 representing estimated just compensation to Babst Calland, Attorneys at Law, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel.

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



#### ADVERTISING

Motion-That the Commission approves advertising for a firm to perform open-end material inspection and testing services from MP 200.00 to the Delaware River Bridge and on the Northeast Extension-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



#### PURCHASE ORDERS

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

- a. Fifty (50) Cannon copiers, utilizing the Commonwealth's contract with Fraser Advanced Information Systems; at a total award of \$176,250.00;
- b. Video wall system upgrades for the Traffic Operations Center, utilizing the Commonwealth's contract with Vistacom, Inc.; for a total award of \$275,424.93;
- c. Barco video wall laser upgrade for the Traffic Operations Center, utilizing the Commonwealth's contract with Vistacom, Inc.; at a total award of \$332,275.00;
- d. Seven (7) Caterpillar GP18N5 forklifts for the maintenance sheds, utilizing the Commonwealth's contract with Equipment Depot; at a total award of \$171,786.65;

- e. Catch basin and sweeper rentals (April 1, 2019 – March 31, 2020), to the lowest responsive and responsible bidder, PA Public Works Equipment Co.:

District 1	\$ 116,325.00
District 2	89,250.00
District 3	58,800.00
District 4	93,357.00
District 5	<u>19,990.00</u>
TOTAL AWARD:	\$377,722.00
District 4 & 5 (as needed)	29,400.00
Contingency	<u>29,400.00</u>
TOTAL AWARD VALUE	\$436,522.00

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



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #M-000.00R001-3-02 for concrete pavement repairs between MP M0.06 and MP M7.86, to the lowest responsive and responsible bidder, Golden Triangle Construction Co., Inc.; at a not-to-exceed amount of \$7,030,855.99 and a contingency of \$300,000.00-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



SUPPLEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #3 for design of the I-95 Interchange project, Section A, with McCormick Taylor, Inc., for an additional \$4,500,000.00 to complete final design, additional coordination with PennDOT on its U.S. Rt. 1 reconstruction project, additional safety improvements within the Bensalem Interchange ramps, and post-design services for the construction contracts; for a revised not-to-exceed amount of \$15,500,000.00-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held via telephone on Tuesday, March 5, 2019 beginning at 2:00 p.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:36 a.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

