

MINUTES OF THE COMMISSION MEETING HELD SEPTEMBER 1, 2015

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:24 a.m. on September 1, 2015 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Scott Christie, Deputy Secretary of Transportation.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Scott D. Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Brad Heigel, P.E. , Chief Engineer; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity & Inclusion; Stacia A. Ritter, Esquire, Director of Policy & External Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Susan Carson-Casoni, Cash Manager; Jack Christensen, Director of FEMO; Richard C. Dreher, Assistant CFO/Financial Management; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Lynn Stakem, Senior General Accountant; Mark Strause, Technician of PC/LAN Systems; Steve Barber, Michael Baker, Jr., Inc.; Paul McNamee, KCI; John H. Smith, IV, Parsons Brinkerhoff; Kristi Reichard, Raudenbush Engineering; Herbert Long, Jr., Legion Design; Michael Gross, Wallace Montgomery and Eric Madden, ACEC/PA.



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 promotions, new hires, vacancies, and requests to abolish and to post and fill positions in the Information Technology and Finance and Administration departments.

The Commissioners also discussed PTC v. Tameric Enterprises LLC and Thomas Uecker, Docket Numbers: 12MAP2014 and 2015-CV-3511 and 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; all visitors stood and introduced themselves.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held August 18, 2015 be approved and filed as submitted-was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memo received from the Chief Counsel-was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



PERSONNEL

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



NEW BUSINESS

REALLOCATION OF FUNDS

Motion-That the Commission approves the following Information Technology (IT) projects (not previously included in the 2015 10-Year Capital Plan); and approve the reallocation of funds for these projects:

- IT-00098 Fuel System Replacement Requirements
- IT-00099 ASP/Fire and EMS Electronic Billing
- IT-00101 SAP Solutions Manager Administration
- IT-00103 OnBase Upgrade
- IT-00104 PTC Crash Analysis Application
- IT-00105 Enterprise Asset Management
- IT-00106 Technology Business Management
- IT-00107 Network Monitoring Configuration
- IT-00108 Identity and Access Management Program
- IT-00109 IT Security Initiatives
- IT-00110 Interchange Security Cameras

-was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



AGREEMENTS

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

- a. Settlement Agreement and Release with Thomas Eicher, and authorize issuance of the worker’s compensation settlement payment;
- b. Settlement Agreement and Release in the case, Isabelle Peters v. PTC; and authorize payment of the settlement amount;
- c. Settlement Agreement in the case, Thomas v. PTC, et al; and authorize payment of the settlement amount;
- d. Reimbursement Agreement with Marshall Township for the Township to reimburse the Commission the costs associated with construction of a right turn lane on Thornhill Road as part of the replacement of Bridge WB-400 at MP 29.33; at an approximate reimbursement of \$200,000.00.

-was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos “a” through “f”:

- a. Acquisition of Right-of-Way #17664-5 (Joseph Dolfi), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of fair market value of the mobile home of \$27,100.00 to Joseph Dolfi; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of the mobile home’s title certificate;
- b. Acquisition of Right-of-Way #17664-10 (Lisa Gregg), a partial take parcel necessary for the construction of the Southern Beltway by authorizing payment of fair market value of the shed of \$1,000.00 to Lisa Gregg; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; and to authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel;
- c. Acquisition of Right-of-Way #17664-1 (Jeffrey B. Sheader), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of fair market value of the mobile home of \$18,700.00 to Jeffrey B. Sheader; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of the mobile home’s title certificate;
- d. Acquisition of Right-of-Way #17664-2 (Genevieve S. Slater and JoAnn Poskin), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of fair market value of the mobile home of \$46,200.00 to Genevieve S. Slater and JoAnn Poskin; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel; and payment of fair market value to the property owners is contingent upon the delivery of the mobile home’s title certificate;
- e. Acquisition of Right-of-Way #17664-6 (Kimberly A. Smida), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of fair market value of the mobile home of \$35,300.00 to Fayette Professional Services, Inc., escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of the mobile home’s title certificate;

- f. Acquisition of Right-of-Way #17664-9 (John E. Bish), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of fair market value of the mobile home of \$51,500.00 to Fayette Professional Services, Inc., escrow agent, and authorize payment of replacement housing supplement and closing costs of \$20,643.30 to John E. Bish; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of the mobile home's title certificate.

-was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



POLICY LETTER

Motion-That the Commission approves Adopt Policy Letter 8.11, Information and Operational Technology (IT/OT) Standards, to provide authority to the Information Technology Department for development and promulgation of technical standards and procedures governing all IT/OT investments within the Commission-was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



AWARD OF BIDS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Asphalt sealant contract, exercising our option to renew the agreement for an additional year (October 1, 2015 – September 30, 2016) with Crafc0, Inc.; at a cost of \$250,000.00;
- b. Tires, exercising our option to renew the agreements for an additional year (September 1, 2015 – August 31, 2016):

Michelin North America	\$ 95,000.00
Valley Tire	1,500.00
Berkeley Tire	6,500.00
Service Tire	5,800.00
Carlisle Car & Truck	4,000.00
Jack Williams	5,300.00
Goodyear WTC	70,000.00
Wingfoot	<u>80,000.00</u>
TOTAL RENEWAL:	\$268,100.00

- c. Unleaded gasoline and ethanol (September, 1, 2015 – August 31, 2016) to the lowest responsive and responsible bidders:

Petroleum Traders	\$ 300,000.00	Homewood, Everett
Mansfield Oil Co.	300,000.00	Kegg, Burnt Cabins, New Cumberland
Glassmere Fuel	500,000.00	Gibsonia, Jeff Hills, Harris. City, Donegal, Greensburg
Export Fuel	100,000.00	Searights
Talley Petroleum	300,000.00	Newville, Mt. Gretna
PAPCO Inc.	600,000.00	Bowmansville, Slatington, Pocono, Wyoming Valley
Riggins Inc.	<u>300,000.00</u>	Devault, Trevoise, Quakertown
TOTAL AWARD:	<u>\$2,400,000.00</u>	

-was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



CHANGE ORDERS

Motion-that the Commissioner approves the Change Orders for the items listed in memos “b” and “d”:

- b. Change Order #2 for Contract #T-242.00T002-3-03 for roadway and bridge reconstruction from MP 241.98 to MP 245.33 with Trumbull Corporation, for an additional \$12,951.29 to balance items to actual work completed and emergency sinkhole repairs at MP 239.52; for a revised not-to-exceed amount of \$83,530,032.95;
- d. Change Order #3 for Contract #T-040.00T001-3-07 for the replacement of Bridge WB-429 at MP 43.13 with Trumbull Corporation, for an additional \$927,200.00 for additional mine void grouting needed for additional voids found during drilling; for a revised not-to-exceed amount of \$9,196,135.24.

-was made by Commissioner Deon, seconded by Deputy Secretary Christie; Commissioner Lieberman abstained.

VICE CHAIRMAN LIEBERMAN: I abstain on these items because Trumbull Corporation is a client of my firm.

Motion-that the Commissioner approves the Change Orders for the items listed in memos “a” and “c”:

- a. Change Order #2 for Contract #EN-00027-03-05 for the installation of signs between MP 245.75 and MP 359.00 and between MP A20.00 and MP A131.00 with William Orr and Sons, Inc., for a 65-day time extension for travel time, unanticipated rock drilling and delays associated with the fabricated steel;

- c. Change Order #1 for Contract #T-028.45T001-3-02 for the replacement of Bridge WB-400 at MP 29.33 with Joseph B. Fay Co., for an additional \$200,000.00 for a 35-day time extension for utility delays and construction of a right turn lane in Marshall Township; for a revised not-to-exceed amount of \$6,563,407.50;

-was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



Item Added to the Formal Agenda

Motion-That the Commission approved the Settlement Agreement and all necessary documents in the case, PTC v. Tameric Enterprises LLC, et al; and approve the settlement amount –was made by Commissioner Deon, seconded by Deputy Secretary Christie, and passed unanimously.



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, September 15, 2015 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:29 a.m.- was made by Commissioner Deon and seconded by Deputy Secretary Christie.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer