

MINUTES OF THE COMMISSION MEETING HELD SEPTEMBER 4, 2012

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:18 a.m., September 4, 2012 at the Central Office located in Highspire, Pennsylvania. Available via phone for the meeting were William K. Lieberman, Chairman; J. William Lincoln, Secretary Treasurer and Pasquale T. Deon, Sr., Commissioner.

Present for the meeting were Craig R. Shuey, Chief Operating Officer; Larry Bankert, P.E., Chief Engineer, Michael Baker Jr., Inc.; William J. Capone, Director of Communications/Public Relations; Scott Fairholm, Chief Information Officer; Todd S. Garrison, Director of Maintenance; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Michael D. Begler, Director of Operations Review; Susan Carson-Casoni, Cash Manager; John Christensen, Director of FEMO; Jason Falchek, Technician of PC/LAN Systems; Donald S. Klingensmith, P.E., Director of Contracts Administration; Donna Lapano, Executive Office Assistant; Jeffrey A. Naugle, Manager of Treasury Operations; Brenda Szeles-Bratina, Director of Toll Revenue Audit and John Newell, NTM Engineering.

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

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

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SUNSHINE ANNOUNCEMENT

MS. EDMUNDS: THE COMMISSIONERS MET IN EXECUTIVE SESSION PRIOR TO TODAY'S FORMAL AGENDA SESSION TO CONSIDER MATTERS OF PERSONNEL, WHICH INCLUDED A TERMINATION, PROMOTIONS, NEW HIRES, VACANCIES AND REQUESTS TO ABOLISH AND CREATE; TO CREATE AND FILL; AND TO POST AND FILL POSITIONS IN THE EXECUTIVE OFFICES AND THE MAINTENANCE AND TOLL REVENUE AUDIT DEPARTMENTS.

THE COMMISSIONERS ALSO ENGAGED IN NON-DELIBERATIVE INFORMATIONAL DISCUSSIONS REGARDING VARIOUS ACTIONS AND MATTERS, WHICH HAVE BEEN APPROVED AT PREVIOUS PUBLIC MEETINGS.

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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, EFFICIENT, EFFECTIVE AND DIGNIFIED MEETING, ALL PERSONS WISHING TO ADDRESS THE COMMISSION SHOULD HAVE SIGNED IN AND REQUESTED TIME TO SPEAK. IF YOU HAVE NOT DONE SO, YOU ARE INVITED TO DO SO.

COMMISSIONERS, WE HAVE NO REQUESTS TO ADDRESS THE COMMISSION. AT THIS TIME WE ASK ALL VISITORS TO STAND AND INTRODUCE YOURSELF.  
JOHN NEWELL, NTM ENGINEERING

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### MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held August 14, 2012 be approved and filed as submitted-was made by Commissioner Lieberman, seconded by Commissioner Lincoln; and passed unanimously.

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### COMMUNICATIONS

Motion-That the Commission accepts and files the memo received from the Chief Counsel-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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### PERSONNEL

Motion-That the Commission approves the Personnel as amended-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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### NEW BUSINESS

#### PAYMENT OF INVOICES

Motion-That the Commission approves payments of the invoices listed in memos "a" and "b":

- a. Reimbursement payment to the E-ZPass Interagency Group (IAG) for expenses incurred in supporting the backup Virtual Private Network (VPN) Connection, from January through June 2012, in the amount of \$4,634.40;
- b. Payment for the Employee Liability Self-Insurance Program (ELSIP) invoice from the PA Department of General Services, which represents the annual premium due for the period June 30, 2012 to July 1, 2013, in the amount of \$37,472.00.

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

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AGREEMENTS

Motion-That the Commission approves the negotiation and execution of an Agreement and an Amendment for the items listed in memos “a” and “b”:

- a. Reimbursement Agreement with Duquesne Light Co., to reimburse Duquesne the costs to perform the facility relocation work necessary for the replacement of Wallace City Road Bridge, WB-228 at MP 22.60; at a not-to-exceed amount of \$62,696.00;
- b. Amendment to our agreement with Willis of Pennsylvania for OCIP wrap-up insurance coverage for Phase II of the Mon/Fayette Expressway; to extend the agreement thru February 2013, at an approximate additional cost of \$90,000.00.

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

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RIGHT-OF-WAY REQUEST

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

- a. Approve the acquisition of Right-of-Way #8995-R12, a partial take parcel, necessary for construction of the Rt. 903 Slip Ramp, by authorizing payment of fair market value and pro-rated taxes of \$1,007.50 to Robert E. McCulley; authorize the appropriate Commission officials to execute the agreement of sale and other documents as 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 his delivery of a deed as prepared by the Legal Department;
- b. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #12035-C2, a total take parcel, necessary for the Beaver River Bridge replacement project; authorize payment of the Estimated Just Compensation in the amount of \$500.00 to Babst Calland, Escrow Agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Acquisition Unit and approved by the Chief Counsel;
- c. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #12035-R3, a total take parcel, necessary for the Beaver River Bridge replacement project; authorize payment of the Estimated Just Compensation in the amount of \$1,500.00 to Babst Calland, Escrow Agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Acquisition Unit and approved by the Chief Counsel;
- d. Approve the acquisition of Right-of-Way #6058-KR2, a partial take parcel, necessary for the total roadway and bridge reconstruction project between MP 320.00 and MP 326.00, by authorizing payment of fair market value and pro-rated taxes of \$4,768.25 to John E. & Helen A. Friel; authorize the appropriate Commission officials to execute the agreement of sale; approve the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of statutory damages is contingent upon the property owners delivery of a deed as prepared by the Legal Department;
- e. Approve the acquisition of Right-of-Way #6058-IR1, a partial take parcel, necessary for the total roadway and bridge reconstruction project between MP 320.00 and MP 326.00, by authorizing

payment of fair market value and pro-rated taxes of \$2,842.00 to Glenn N. Gallo; authorize the appropriate Commission officials to execute the agreement of sale; approve the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of statutory damages is contingent upon the property owners delivery of a deed as prepared by the Legal Department;

- f. Approve the acquisition of Right-of-Way #6498-C, a partial take parcel, necessary for the total roadway and bridge reconstruction project between MP 320.00 and MP 326.00, by authorizing payment of fair market value of \$9,900.00 to The Vanguard School; authorize the appropriate Commission officials to execute the agreement of sale; approve the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of statutory damages is contingent upon the property owner's delivery of a deed as prepared by the Legal Department;
- g. Approve settlement of Right-of- Way #16706, a partial take parcel, necessary for construction of the Mon/Fayette Expressway, by authorizing payment of additional fair market value of \$6,000.00 to Joseph Antoon, Theodore Paul Antoon, John Michael Antoon and Rosemary Antoon Penglase, and authorize payment of statutory attorney's fees of \$500.00 to Simon B. John, Esquire; authorize the appropriate Commission officials to execute the post condemnation settlement agreement; and payment of the settlement amount to the property owners is contingent upon their delivery of a full and final release and settlement agreement as approved by the Legal Department.

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

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#### ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos "a" and "b":

- a. Retention of an engineering firm to perform environmental service systemwide;
- b. Swap Advisor Services.

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

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#### AWARD OF A BID AND ISSUANCE OF A PURCHASE ORDER

Motion-That the Commission approves the Award of a Bid and the Issuance of a Purchase Order for one (1) tunnel washing truck, utilizing the Commonwealth's contract with WW Engine; at a total award of \$536,778.65-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-242.00T002-3-02 for the replacement of Bridge EB-212 at MP 244.91, to the lowest responsive and responsible bidder, Susquehanna Valley Construction Corporation; at a not-to-exceed amount of \$3,577,855.00 and a contingency of \$150,000.00-was made by Commissioner Deon, seconded by Commissioner Lincoln; and passed unanimously.

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CHANGE ORDERS

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

- a. Change Order #1 for Contract #T-094.00R001-3-02 with New Enterprise Stone and Lime Co., Inc. for bituminous resurfacing between MP 94.13 and MP 99.15 and sign installation between MP 94.00 and MP 99.95, for an additional \$91,022.12 to eliminate an existing wide area and additional line removal necessary to apply “Triple Drop Paint”;
- b. Change Order #2 for Contract #T-122.18S008-3-02 with Mosites Construction Company for rehabilitation of the Allegheny Tunnel, for an additional \$796,709.62, for concrete repairs and safety mesh removal/replacement to the ceiling slab and MPT to complete this work.

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

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2013 TOLL INCREASE

Motion-That the Commissioner approves amending the 2013 Annual toll increase, which was previously approved July 18, 2012, to include revisions to the rates on the Southern Beltway, commercial account transponders, passenger account transponders and commercial accounts:

- Toll rates will be increased as previously described for the Mainline and all extensions except for the Southern Beltway, effective January 6, 2013;
- Southern Beltway cash toll rates will be increased by 50% and E-ZPass rates will increase by 25%, effective January 6, 2013;
- The cost of a Commercial Account transponder will be reduced to \$10.00 for an interior transponder and \$17.00 for an exterior transponder, effective January 1, 2013;
- The cost of a Passenger Account transponder that is lost/stolen will be reduced to \$10.00, effective January 1, 2013;
- Increase the annual usage requirement for post-paid Commercial Accounts to \$5,000.00 annual and increase the minimum surety to \$5,000.00, effective January 1, 2013.

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

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NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of The Pennsylvania Turnpike Commission will be a formal meeting on Thursday, September 20, 2012 beginning at 9:00 am.

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ADJOURNMENT

Motion-That this meeting of The Pennsylvania Turnpike Commission be adjourned at 10:23 a.m. -was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

09-04-12

APPROVED BY:

J. William Lincoln  
Secretary Treasurer