

MINUTES OF THE COMMISSION MEETING HELD OCTOBER 6, 2010

A special telephone meeting of the Pennsylvania Turnpike Commission convened at 9:20 a.m. October 6, 2010 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was A. Michael Pratt, Commissioner. Available via telephone were Allen Biehler, P.E., Chairman/Secretary of Transportation; William K. Lieberman, Vice Chairman; J. William Lincoln, Secretary Treasurer and Pasquale T. Deon, Sr., Commissioner.

Others present for the meeting were Joseph G. Brimmeier, Chief Executive Officer; George M. Hatalowich, Chief Operating Officer; Jeffrey L. Garrett, Chief Engineer, Michael Baker Jr., Inc.; Nikolaus Grieshaber, Chief Financial Officer; Frank J. Kempf, Jr.-Chief Engineer; Doreen McCall, Chief Counsel; Craig Shuey, Director of Government Affairs; Joe Suess, Acting Chief Informational Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were William J. Capone, Director of Communications/Public Relations; Jason Falchek, Technician of PC/LAN; Donald S. Klingensmith, P.E., Manager of Contracts Administration; Donna Lapano, Executive Assistant; Patricia Schlegel, Director of Human Resources and Kathy Thomas, Administrative Secretary.

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

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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 PROMOTIONS, NEW HIRES, VACANIES AND A REQUEST TO POST AND FILL A POSITION IN THE MAINTENANCE DEPARTMENT.

THE COMMISSIONERS 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.

AT THIS TIME WE REQUEST ALL VISITORS TO STAND AND INTRODUCE YOURSELF AND YOUR ORGANIZATION.

THIS CONCLUDES THE PUBLIC COMMENT SECTION OF THE MEETING.

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held September 21, 2010 be approved and filed-was made by Commissioner Lincoln, seconded by Commissioner Pratt; 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 submitted-was made by Commissioner Pratt, seconded by Commissioner Lincoln; and passed unanimously.

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NEW BUSINESS

Reinvestments, Liquidations and Purchase of Securities

Upon the motion by Commissioner Lieberman, seconded by Commissioner Lincoln, the following Resolution was presented for adoption:

RESOLUTION

BE IT RESOLVED that The Pennsylvania Turnpike Commission hereby ratifies the action of the Assistance Chief Financial Officer, with the approval of the Chief Executive Officer and the Consulting Engineer, in directing the Trustee to make the foregoing reinvestments, liquidations and purchases; and

BE IT FURTHER RESOLVED that copies of the Resolution certified by the Assistant Secretary Treasurer shall be forwarded to the Trustee as required in Article VI, Section 602 of the 2001 Amended and Restated Trust Indenture.

The following members voted yea: Commissioners Biehler, Lieberman, Lincoln, Deon and Pratt. The motion passed unanimously.

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AGREEMENT

Motion-That the Commission approves the negotiation and execution of an Amendment to our Agreement with Travelers Marketing to sell advertising space at the Turnpike Interchanges, to extend the terms of the agreement until August 31, 2014-was made by Commissioner Lieberman, seconded by Commissioner Lincoln; and passed unanimously.

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RIGHT-OF-WAY REQUESTS

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

- a. Authorize the acquisition of Right-of-Way #17919, a total take parcel, necessary for construction of the Southern Beltway Project (US 22 to I-79), by issuing payment in the amount of \$179,566.77, payable to Urban Settlement Company, Escrow Agent; representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;
- b. Authorize the acquisition of Right-of-Way #14212-RA, a partial take parcel, necessary for the total reconstruction project from MP 40.00 to MP 48.00, by issuing payment in the amount of \$2,300.00, payable to StoneMor Pennsylvania, LLC; representing fair market value; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;
- c. Authorize the acquisition of Right-of-Way #2134-B, a partial take parcel, necessary for the bridge replacement project at MP 149.50, by issuing payment in the amount of \$2,400.00, payable to Duane and Marjorie Wilt; representing fair market value, moving costs and Section 710 fees; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;
- d. Authorize the acquisition of Right-of-Way #14128, a total take parcel, necessary for construction of the Southern Beltway Project (US 22 to I-79), by issuing payment in the amount of \$327,863.00, payable to Urban Settlement Company, Escrow Agent; representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory

damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department.

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

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ADVERTISING

Motion-That the Commission approves advertising for the annual independent audit services for the next three fiscal years-was made by Commissioner Deon, seconded by Commissioner Lincoln; and passed unanimously.

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AWARD OF BIDS, RENEWAL OF AN AGREEMENT, ISSUANCE OF PURCHASE ORDERS

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

- a. Exercising our option to renew the award for tires (November 1, 2010 – October 31, 2010):

Goodyear Tire & Rubber	\$132,000.00
Michelin North American Inc.	<u>\$110,000.00</u>
TOTAL	\$242,000.00

- b. GAI-TRONICS radio/intercom system for M15, M22 and M26 Interchanges on the Mon/Fayette Expressway, to GAI-Tronics Corporation; at a total award of \$156,329.70;

- c. Thirteen (13) REACT 350 permanent impact attenuators, to the lowest responsive and responsible bidder, M H Corbin, Inc.; at a total award of \$557,830.00.

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

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PTRC RECOMMENDATION

Motion-Approve the selection recommendation from the Procurement Technical Review Committee and authorize the negotiation and execution of an agreement for Employee Assistance Program (EAP) Services to ComPysch Corporation-was made by Commissioner Lincoln, seconded by Commissioner Pratt; and passed unanimously.

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ITEMS ADDED TO THE FORMAL AGENDA

SUPPLEMENT

Motion-Approve the preparation and execution of a Supplemental Agreement with Johnson, Mirmiran & Thompson, P.C. (JMT) for construction inspection/project management for the bridge reconstruction project MP 211.00 to MP 215.00, for an increase of \$875,972.51; increasing the not-to-exceed amount to \$10,293,950.30-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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CHANGE ORDERS

Motion-That the Commission approves the Change Orders for the items in memos "a" and "b":

- a. Change Order #4 for Contract #05-001-RC8D with Richard Pierson Construction Company, Inc. for the replacement of Bridge NB-106 and Bridge NB-115, for an increase of \$150,829.11 and a 42-day time extension; increasing the not-to-exceed amount to \$12,587,807.35;
- b. Change Order #1 for Contract #EN-00088-03-06 with Valley Quarries, Inc. for roadway and miscellaneous repairs between MP 179.44 and MP 241.87, for an increase of \$56,802.33; increasing the not-to-exceed amount to \$1,056,802.33.

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

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NEXT MEETING

MS. EDMUNDS: THE NEXT COMMISSION MEETING WILL BE HELD TUESDAY, OCTOBER 19, 2010.

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MR. BRIMMEIER: COMMISSIONERS, IN THE NEXT COUPLE DAYS WE ARE PUTTING UP THE RFP FOR ALL ELECTRONIC TOLLING. MARIA SALOPEK, WHO IS OUR FARE COLLECTIONS DISTRICT MANAGER IN DISTRICT TWO, SUBMITTED A PROPOSAL TO RICH DIPIERO, ME AND GEORGE A WEEK OR SO AGO. WE HAD A MEETING YESTERDAY AFTERNOON WITH ALL THE PEOPLE INVOLVED, FARE COLLECTION, E-ZPASS, JEFF WHITE, TOM COHICK, ETC. AND THE PROPOSAL SHE SUBMITTED SUGGESTED THAT WE START TO CONVERT FORT LITTLETON, WILLOW HILL AND BLUE MOUNTAIN INTERCHANGES, WHERE WE HAVE ANYWHERE FROM 350-500 TRANSACTIONS A DAY. WE LITERALLY ONLY HAVE ONE COLLECTOR ON EACH SHIFT AT THOSE INTERCHANGES. WE HAVE ABOUT NINE COLLECTORS IN TOTAL INVOLVED, SO WE ARE LOOKING TO CONVERT THOSE, HOPEFULLY IF EVERYTHING GOES OKAY SOMETIME AFTER THE FIRST OF THE YEAR, TO A CASHLESS TOLLING

FACILITY WHERE THE PATRONS WHO HAVE E-ZPASS WILL CONTINUE TO USE THAT AND THE PATRONS THAT DON'T HAVE E-ZPASS, WE ARE LOOKING AT LESS THAN 500 AT THE HIGHEST USED INTERCHANGE, WILL USE A CREDIT CARD. THEY WILL INSERT THE TICKET IN THE MACHINE LIKE YOU DO AT A PARKING GARAGE OR LIKE OHIO IS USING NOW; INSERT THE TICKET AND FOLLOW WITH A CREDIT CARD AND WE WILL GO ALL CASHLESS AT THOSE THREE INTERCHANGES. I JUST WANTED TO LET EVERYONE KNOW BECAUSE I NEGLECTED TO INCLUDE CRAIG IN THOSE DISCUSSIONS YESTERDAY AND HE IS GOING TO THE CAPITAL TODAY WHERE HE MAY BE ASKED QUESTIONS. WE ARE LEANING THAT WAY AND IF ALL THE TECHNOLOGY CAN BE COMPLETED, THAT IS THE WAY WE WILL GO.

COMMISSIONER LINCOLN: JOE, WHAT DOES THE UNION HAVE TO SAY ABOUT THAT?

MR. BRIMMEIER: WE HAVEN'T TALKED WITH THEM YET. WE DISCUSSED THIS WITH PAT CARO, WHO IS OUR LABOR RELATIONS GUY, WE DISCUSSED HOW WE WOULD DO THAT. MARIE BELIEVES THAT THREE OF THE COLLECTORS WILL RETIRE BECAUSE THEY HAVE ANYWHERE FROM 25-30 YEARS. THE OTHER SIX WILL BE ABSORBED PROBABLY AT BREEZEWOOD INTERCHANGE. ONCE WE FIND OUT WE CAN DO THIS, WE WILL THEN DISCUSS IT WITH THE UNION. JOCK HAPPENED TO BE IN THE BUILDING YESTERDAY, AND I TOLD HIM WHAT WE WERE TENTATIVELY LOOKING AT AND HE UNDERSTANDS. AS WE GET DOWN THE ROAD, WE WILL KEEP YOU POSTED.

COMMISSIONER LINCOLN: THANK YOU, WE APPRECIATE IT.

ADJOURNMENT

MS. EDMUNDS: COMMISSIONERS, I HAVE NO OTHER ITEMS FOR CONSIDERATION. IF YOU HAVE NOTHING FURTHER, I REQUEST A MOTION FOR ADJOURNMENT.

Motion-That this meeting of The Pennsylvania Turnpike Commission be adjourned at 9:28 a.m.-was made by Commissioner Lincoln, seconded by Commissioner Lieberman; and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

10-06-10

APPROVED BY:

J. William Lincoln
Secretary Treasurer

ATTACHMENT NUMBER 1

COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL,
DIRECTOR OF OPERATIONS REIVEW