

MINUTES OF THE COMMISSION MEETING HELD JUNE 1, 2010

A formal meeting of The Pennsylvania Turnpike Commission convened at 11:17 a.m., June 1, 2010 at the Central Office, Pennsylvania Turnpike Commission located in Highspire, Pennsylvania. Present for the meeting were Allen D. Biehler, P.E., Chairman/Secretary of Transportation; J. William Lincoln, Secretary Treasurer and A. Michael Pratt, Commissioner.

Others present for the meeting were George M. Hatalowich, Chief Operating Officer; Robert F. Brady, Director of Operations/Projects-East; Rich DiPiero, Director of Fare Collection; Jeffrey L. Garrett, Chief Engineer, Michael Baker Jr., Inc.; Nikolaus Grieshaber, Chief Financial Officer; Jeffrey L. Hess, Director of Operations/Project-West; Frank J. Kempf, Jr., Chief Engineer; Doreen McCall, Chief Counsel; Valerie J. Payne, Director of Administration; Craig R. Shuey, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Michael D. Begler, Director of Operations Review; William J. Capone, Director of Communications/Public Relations; Derek S. Hansel, Assistant Chief Financial Officer; Donald S. Klingensmith, P.E., Manager of Contracts Administration; Donna Lapano, Executive Assistant; Anthony L. Maniscola, Special Investigator; Michael McGovern, Attorney IV, Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN; Patricia F. Schlegel, Director of Human Resources; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Kathy Thomas, Administrative Secretary and Rachel Bires, Summer Intern.



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



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



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, NEW HIRES AND THE SUMMER LAW CLERK POSITION.

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: FOR THE RECORDS, WE HAVE NO VISITORS PRESENT.



MINUTES OF MEETING

Motion - That the Minutes of the meeting held May 18, 2010 be approved and filed – was made by Mr. Lincoln, seconded by Mr. Pratt; and passed unanimously.



COMMUNICATIONS

Motion – That the Commission accepts and files the memo received from the Chief Counsel– was made by Mr. Lincoln, seconded by Mr. Pratt; and passed unanimously.



PERSONNEL

Motion – That the Commission approves the Personnel as amended – was made by Mr. Lincoln, seconded by Mr. Pratt; and passed unanimously.



UNFINISHED BUSINESS

There was no Unfinished Business to discuss.



NEW BUSINESS

Reinvestments, Liquidations and Purchase of Securities

Upon the motion by Mr. Lincoln, seconded by Mr. Pratt, the following Resolution was presented for adoption:

RESOLUTION

BE IT RESOLVED that the Pennsylvania Turnpike Commission hereby ratifies the action of the Assistant 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 and 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, Lincoln and Pratt. The motion passed unanimously.



### AGREEMENTS

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

- a. Agreements with Cecil Township Police (on behalf of Washington County SWAT team) and the Pittsburgh Police Department (on behalf of the National Tactical Officers Association) to use vacant homes, acquired during the construction of the Southern Beltway, for police training exercises;
- b. Amendment to our agreement with Talson Solutions LLC for construction auditing services; to exercise our third and final option to renew the agreement for an additional year; at an additional cost of \$100,000.00;
- c. Agreement with Willow Mill Development, LLC. to grant them temporary access easement across Commission owned property near the Willow Grove Interchange for their construction of a new Sonic Restaurant on property adjacent to the Interchange.

-was made by Mr. Lincoln, seconded by Mr. Pratt; 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 “g”:

- a. Authorize the settlement of Right-of-Way #1A053-B and #1A053-B-01, partial take parcels, necessary for the total reconstruction project from MP 67.00 to MP 75.00, by issuing settlement payment in the total amount of \$74,290.00, payable to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., Escrow Agent; authorize the appropriate Commission officials to execute the settlement documents; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the settlement amount to the property owners is contingent upon the delivery of a full and final release by each, as reviewed and approved by the Legal Department;
- b. Adopt the proposed Property Acquisition Resolution for Right-of-Way #1031-R09, a partial take parcel, necessary for the Somerset Interchange Five Legged Intersection project; authorize payment of Estimated Just Compensation in the amount of \$125,000.00, payable to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., Escrow Agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;
- c. Authorize the acquisition of Right-of-Way #17946, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$215,727.74, 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;
- d. Authorize the acquisition of Right-of-Way #17751, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$156,985.02, payable to Urban Settlement Company, Escrow Agent, representing fair market value, prorated taxes, recording fees and housing supplement; 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;
  - e. Authorize the acquisition of Right-of-Way #17529, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$210,999.94, payable to Urban Settlement Company, Escrow Agent, representing fair market value, prorated taxes, recording fees and closing costs; 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;
  - f. Authorize the acquisition of Right-of-Way #17914, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$260,715.77, payable to Urban Settlement Company, Escrow Agent, representing fair market value, prorated taxes, recording fees and housing supplement; 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;
  - g. Authorize the payment of all relocation costs and fees (including, but not limited to, utility connection fees, Township engineering fees, building permits, grading permits, occupancy permits, etc.) necessary for the relocation of the Plymouth Meeting Maintenance Facility; and authorize the appropriate Commission officials to execute the necessary documents.

-was made by Mr. Lincoln, seconded by Mr. Pratt; the motion passed unanimously.



PTRC RECOMMENDATION

Motion-That the Commission approves the vendor selection recommendation from the Procurement Technical Review Committee and authorize the negotiation and execution of a contract for an authorized service provider for MP 333.30-359.10 and MP A20.00-A30.00 to Rob's Automotive & Collision Center, Inc.-was made by Mr. Lincoln, seconded by Mr. Pratt; and passed unanimously.



AWARD OF A BID AND ISSUANCE OF A PURCHASE ORDER

**ITEM PULLED FROM AGENDA.** That the Commission approves the Award of a Bid and the Issuance of a Purchase Order for two (2) Mack Truck tractors, utilizing the Commonwealth's contract with Mack Trucks, Inc.; at a total award of \$201,528.00.



AWARD OF CONTRACT

Motion-That the Commission approves the Award of Contract #T-122.18F001-3-03 for the Allegheny Tunnel substation and transformer replacement, to the lowest responsive and responsible bidder, Lighthouse Electric Co., Inc.; at a total award of \$1,298,000.00; with a contingency amount of \$75,000.00-was made by Mr. Lincoln, seconded by Mr. Pratt; and passed unanimously.



**Items Added to the Formal Agenda**

FINAL SELECTIONS

Motion-That the Commission approves the consultant selection recommendations from the Technical Review Committee and authorizes the negotiation and execution of a contract with the first firm listed for the items in memos "a" and "b":

- a. Retention of an engineering firm to provide engineering designing services for the complete replacement of overhead Bridge WB-228 at MP 22.60; at a not-to-exceed amount of \$800,000.00 or three (3) years whichever occurs first:  
Reference #1-150  
Sucevic, Piccolomini & Kuchar Engineering, Inc.  
  
The EADS Group, Inc.  
TIE  
Whitney, Bailey, Cox & Magnani, LLC  
  
P. Joseph Lehman, Inc.
- b. Retention of an engineering firm to provide facilities/environmental engineering services for the management of the Commission's Storage Tank Program, systemwide; at a not-to-exceed amount of \$1,500,000.00, or five (5) years whichever occurs first:  
Reference #3-208  
Skelly & Loy, Inc.  
Onesky Engineering, Inc.  
GAI Consultants

-was made by Mr. Lincoln, seconded by Mr. Pratt; and passed unanimously.



CHANGE ORDER AND FINAL PAYMENT

Motion-That the Commission approves Change Order #1 and Final Payment for Contract #T-067.00T003-3-03 with Meadville Land Service, Inc. for construction of Brush Run Wetland Mitigation site, for a decrease of \$11,537.95; making the final contract value \$253,658.79, and the final amount due of \$13,763.09-was made by Mr. Lincoln, seconded by Mr. Pratt; and passed unanimously.



NEXT MEETING

MS. EDMUNDS: The next Commission Meeting will be held Tuesday, June 15, 2010 beginning at 10:00 am.



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 11:20 a.m. - was made by Mr. Lincoln, seconded by Mr. Pratt; and passed unanimously.



PREPARED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

06-01-10

APPROVED BY:

J. William Lincoln  
Secretary Treasurer

ATTACHMENT NUMBER 1

COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL