

MINUTES OF THE NINETY-EIGHTH MEETING  
MAY 17, 1955

Pursuant to By-Laws, the Ohio Turnpike Commission met in regular open session in the Village Hall in the Village of Strongsville, Ohio at 10:00 A. M. (Eastern Daylight Saving Time) on May 17, 1955 with the key members of its staff, representatives of the Consulting Engineer, of the Trustee, members of the press, and others in attendance.

The meeting was called to order by the Chairman, the roll was called, and the attendance was reported to be as follows:

Present: Linzell, Teagarden, Allen, McKay, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

A motion was made by Mr. Allen, seconded by Mr. Teagarden, that the minutes for the meeting of April 5, 1955, which had been examined by the members of the Commission, and upon which the required corrections had been made, be approved without reading.

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Allen, Teagarden, McKay, Linzell, Shocknessy.

Nays: None.

The Chairman declared the motion carried.

The Chairman thanked Mayor E. A. Sprague of Strongsville and the officials of Strongsville for making the meeting place available to the Commission. He said that the building was very attractive and that the Commission was very happy to be there. He invited Mayor Sprague to join the Commission on its tour to inspect the construction in the

vicinity of Strongsville and asked that Mayor Sprague place the cornerstone box in the cornerstone of the Administration Building. Mayor Sprague agreed to do so.

The Chairman said that Governor Lausche had expected to attend the meeting but that he could not be present. He said further that he had talked to the Governor on the telephone that morning and had told him that the Commission would ask Mayor Sprague to place the cornerstone box in the absence of the Governor. The Chairman reported that the Governor had said that he was very glad to know that a local official, a man of the community where the Commission's Administration Building was being constructed, would place the cornerstone box.

The Chairman read Governor Lausche's letter of May 10, 1955, addressed to the Chairman.

"Mr. James W. Shocknessy  
Chairman  
Ohio Turnpike Commission  
139 East Gay Street  
Columbus, Ohio

Dear Mr. Shocknessy:

Thank you very much for the kind invitation extended me to attend and participate in the ceremonies for the laying of the cornerstone for the Administration Building on Tuesday, May 17, 1955, in the Village of Strongsville.

While I would like very much to be with you on this occasion, it is with regret I must tell you that a previous engagement for that date will not permit me to do so.

I would, however, like to take this opportunity to extend, both personally and officially, to the Commission and those in attendance my most cordial greetings and sincere best wishes, and to the citizens of Strongsville, congratulations on this milestone of progress.

Sincerely yours,

2637.

/s/

Frank J. Lausche

FJL:els:cmj"

The Chairman reported that the Governor had said that morning that he was glad and proud that the Commission was enjoying success both in its construction and in the operation of the Eastgate Section. The Chairman said further that the Commission's success was symbolized by the Eastgate Section's service and by its acceptance by the traveling public to a degree greater than anticipated when it was determined to pay a premium in order to get the Eastgate Section opened early. He said also that the Governor had taken notice of that in his conversation that morning and had mentioned the progress that the construction of the Administration Building indicated, and had said further that he hoped that the Commission would continue to confront any obstacles which might obstruct the completion of the turnpike on its schedule just as it had been confronting such obstacles in the past. He said that the Governor had admonished the Commission to make certain that nothing within its control or within the control of those bearing a contractual relationship with the Commission be permitted to deny the fulfillment of its scheduled opening of the whole remaining portion of the turnpike on October 1, 1955.

The Chairman said that the Commission was getting fine cooperation from the contracting industry. He said further that the Commission was getting fine cooperation from labor and that both industry and labor seemed united to make the construction of the project a success. He said further that the Commission had had strikes here and there but that he believed that the Commission had had no strike that had thus far impeded its progress. He said that the leaders of labor had indicated to the Commission that they would do everything in their power to assure the continued construction operations without any interference.

The Chairman said further that the Commission realized that there might be honest disputes between labor and management and disputes between the contractors and the Commission. He said further that he did not want it to be interpreted that any dispute that the Commission had with any

individual contractor carried over to any other. He said also that the Commission recognized that its schedule of construction was a tight schedule but that it had been thoughtfully prepared, thoughtfully accepted and thoughtfully undertaken. He said that the Commission's schedule had been established by the Commission after advice from the best experts the Commission could find. The Chairman reported further that Major H. H. Allen, the senior partner of the J. E. Greiner Company, was present at the meeting and that Major Allen had been spending time and would continue to spend time assuring himself that everything was being done to complete the turnpike in accordance with the schedule. He said further that there were some contracts that were not on schedule and that special efforts had been made both by the Commission and by the Consulting Engineer and by the Contracting Engineers to speed up those contractors who were not on time. He said that there had been publicity in Cleveland recently about one contract in particular and he asked the Executive Director to discuss that contract, its status, and its impact upon construction.

The Chairman mentioned that in the Cleveland Press for May 13, 1955, there had been a little editorial which had given the Commission a great deal of satisfaction. He read the editorial.

"Welcome to Ohio

Have you been on the new Ohio Turnpike yet?

The men at the toll houses, whether you're paying or just taking a ticket, smile and give a friendly greeting.

It's a pleasant gesture that should make friends for the Turnpike - and for Ohio."

The Chairman said that it was a great satisfaction to the Commission that it was having such reaction from the public as represented by that editorial. The Chairman complimented the Executive Director on the courtesy of the toll collectors and on the good impression that the staff of Eastgate Section was making on the public. He said further that the

Comptroller and the Eastgate Section Project Manager had had a lot to do with the training of those people.

The Executive Director reported that he had sent to the members of the Commission copies of a letter which he had written to Lombardo Brothers Construction Company under date of May 6, 1955 regarding the poor progress and poor planning on Contract C-22. He said that he firmly believed that that letter had had salutary results. He said that he had been quite serious in what he had said in that letter for he had fully expected that on May 17 he would have recommended to the Commission that it declare the contract forfeited. He said further that the Commission just had had nothing to lose and that unless things had been better immediately he probably would have taken that action.

The Executive Director said that on May 11, 1955, engineers from the Commission's staff together with Mr. John J. Jenkins, Jr., of the J. E. Greiner Company and some of his associates, and representatives of the Contracting Engineer had met on the site of the work and in the office of the Contracting Engineer with the Contractor. He said that at that time practically all phases of the work were lagging. He explained that by that he meant that the grading had been lagging, that there had been no preparations in evidence of any moment of getting ready to do any paving, that there had been no paving setup and no paving equipment, that the structures had been lagging, that the preparation of the subbase material had been lagging. He reported further that since that meeting additional equipment had been brought in by the grading subcontractor, that the contractor had been operating two shifts on structure operations and on preparation of subgrade material, that the paving subcontractor had brought in some of his equipment for his batching plant and was erecting that equipment, and that the contractor, the Lombardo Brothers Construction Company, had brought in a second grading subcontractor, Cenci Brothers of Columbus which he described as a good contractor, to augment the grading equipment and operations. The Executive Director

said further that it would appear, therefore, that adequate corrective measures had been taken and that it was just a case of management and of putting all of the equipment and know-how that apparently were present on the job to work. He said further that he thought that the work could be completed but that he wanted to see some actual results before he definitely made any recommendation to the Commission.

In response to a question by the Chairman, the Executive Director confirmed that he was not recommending that the contract be forfeited that morning and that he was not saying that he might not have to make such a recommendation if the progress which he had seen in the last several days were not continued.

The Chairman said in reply that the Commission would be called into special session within twenty-four hours if the Executive Director should decide to make any recommendation to forfeit. He said further that that thing could not and would not be permitted to drag so that the Commission expected the Executive Director to keep momentarily abreast of the progress on Contract C-22 as well as on everything else, but particularly on Contract C-22, and that the Commission would convene at the Executive Director's request at anytime within twenty-four hours to take action upon that contract or any other.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that since the last meeting of the Commission the following had been sent to all members.

1. Unaudited financial reports for period ending March 31, 1955, mailed April 12, 1955.
2. Detail of investment transactions during April, 1955, mailed May 2, 1955.
3. Unaudited financial reports for period ending April 30, 1955, mailed May 7, 1955.
4. Auditors' report for period ending March 31, 1955, mailed May 10, 1955.

5. Traffic and revenue report for April, 1955, mailed May 3, 1955.
6. Draft of the minutes of the meeting of April 5, 1955, mailed May 10, 1955.
7. Letter with reference to the selection of depositaries, mailed May 5, 1955.

The Assistant Secretary-Treasurer reported further that income from investments at the end of April, 1955, was \$15,569,000 compared to the original forecast for that period of \$6,593,000, or a gain of \$8,976,000. He said that the income had been steady the last four months but would drop somewhat in May, 1955, and more sharply thereafter.

The Assistant Secretary-Treasurer reported further that interviews with toll collector applicants would start the night of June 3, 1955 in Strongsville, and that interviews would be held at some location every weekend in June and on as many other days in June as should be required to complete the job. He said further that it was contemplated that interviews would be held at Youngstown, Milan, Fremont, Toledo, Wauseon, and Montpelier, in addition to Strongsville. He said that applications were being received in substantial quantities and that it was estimated that the Commission had received about 1500 so far. He said further that 150 men would be needed in addition to those already employed on the Eastgate Section, for collectors, senior collectors and tellers.

The Assistant Secretary-Treasurer reported further that toll revenue for the first twelve days of May, 1955, had been slightly behind the first twelve days of April, 1955, but that that period in April had included the heavy Easter weekend. He said further that heavy traffic was expected over the Memorial Day weekend and that plans were being made to have some additional lanes open at both Eastgate and at Niles-Youngstown interchange. He said also that the number of trucks on Eastgate Section during the past several months had been fairly steady and that the trend toward more miles per trip appeared to be continuing.

The Assistant Secretary-Treasurer reported further that operating expenses for the first four months of 1955 had been less than one per cent under the budget in total. He said

further that, however, that was the net result of some items being over the budget and others correspondingly under the budget. He said that the auditing department was working with the Eastgate Manager in particular in trying to control all elements of cost, regardless of whether they were under or over the budget.

Resolution No. 30-1955, providing for the disposition of the proceeds of certain property disposed of under the provisions of Section 713 of the Trust Agreement, was moved for adoption by Mr. Allen, seconded by Mr. Teagarden, as follows:

Resolution No. 30-1955

"WHEREAS the Commission may, from time to time, sell, exchange, or otherwise dispose of machinery, fixtures, apparatus, tools, instruments, or other movable property in accordance with the provisions of §713 of the trust agreement dated June 1, 1952, entered into between it and The Ohio National Bank of Columbus, as trustee, and The National City Bank of New York (now The First National City Bank of New York), as co-trustee;

WHEREAS the Commission, by resolution No. 23-1955, authorized its executive director to sell, exchange, or otherwise dispose of such property; and

WHEREAS the Commission desires to direct the disposition to be made of the proceeds of such property so sold;

NOW, THEREFORE, BE IT

RESOLVED that the proceeds from the disposition of any machinery, fixtures, apparatus, tools, or other movable property sold, exchanged, or otherwise disposed of as provided by §713 of the trust agreement aforesaid shall be applied to the replacement of the property so sold or disposed of in each case in which the executive director determines that the property so sold or otherwise disposed of shall be replaced;



FURTHER RESOLVED that if, in any such case, there be an excess of the proceeds from the disposition of any such property after application of such proceeds to the replacement of the property as aforesaid, such excess shall be paid to The Ohio National Bank of Columbus, as trustee, to be held for the credit of the "reserve maintenance fund" created by the aforesaid trust agreement.

FURTHER RESOLVED that when such property so sold, exchanged, or otherwise disposed of is not so replaced, such proceeds shall be paid to The Ohio National Bank of Columbus, as trustee, to be held for the credit of the "reserve maintenance fund" aforesaid; and

FURTHER RESOLVED that the comptroller shall, acting for and on behalf of the Commission, notify said trustee of the disposition of any such property so sold, exchanged, or otherwise disposed of, and of the amount and disposition of the proceeds thereof. "

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Allen, Teagarden, Linzell, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Mr. Linzell said that he had nothing to report as Director of Highways.

The Executive Director reported that as of May 13, 1955, construction of Ohio Turnpike Project No. 1 had been 71.65 per cent completed as against a scheduled completion of 72.3 per cent.

The Executive Director reported further that the Chief Engineer and Mr. John J. Jenkins, Jr. of the Consulting Engineer had met with the contractor for Contract C-8, 9 & 10 on the site on May 10, 1955, and that since that date the contractor had started paving work with his own organization and had also

subcontracted the interchange and a certain portion of the mainline and had augmented his grading equipment on construction section 8. He said that he felt that that contract could be completed on time.

The Executive Director reported further that he was still somewhat concerned about the paving on Contract C-43, 44 & 45 but that representatives of the Chief Engineer had made a detailed inspection of the work on that contract the previous week and that those representatives were confident that the contractor could accomplish the work within the scheduled time.

The Executive Director reported that he was concerned also about Contract C-28 & 29 for which the prime contractor had sublet a great portion of the work. He said further that a meeting had been held with the prime contractor and with his grading subcontractor in the offices of the Commission on May 13, 1955 and that the contractor and the subcontractor had agreed that additional equipment would be brought to the work and that grading operations would be increased to the point that would make it possible to complete the work on schedule.

The Executive Director reported that progress on Contract C-16 was satisfactory and that progress on Contract C-16, 17 & 18 likewise was satisfactory. He reported that another contract which was giving concern was Contract C-47, 48 & 49. He said that representatives of the Chief Engineer, of the Consulting Engineer, and of the Contracting Engineer had met with the contractor on the site on May 9, 1955, and that he had directed the Chief Engineer to arrange another meeting with the contractor which would be attended by, among others, himself and some senior partner of the Consulting Engineer.

The Executive Director reported that building contracts were not progressing too well and that a conference had been held the previous week between the engineers and the contractor for Toll Plazas , Contract TP-4 to 10, inclusive, and that a meeting would be held the following day with the contractor for Toll Plazas Contract TP-11 to 17, inclusive. The Executive Director said that he was not too concerned about the toll plazas because there was not much work to be

accomplished that could not be done if the contractors would just get at it.

The Executive Director reported that service-plaza building contracts also were not moving too satisfactorily and that at the present rate of progress on several buildings it was very doubtful that those buildings would be ready by October 1, 1955. He said that he believed that the other service buildings would be ready by the opening date.

The Executive Director reported further that most of the maintenance buildings were coming along rather satisfactorily but that the contractor for Maintenance Building No. 3 was definitely behind schedule.

The Executive Director reported further that the contractor that had the sewer and water contracts on Service Plazas 1, 2 & 3 had not been making satisfactory progress, and that the Commission and the Consulting Engineer were going to have to get after the contractor pretty strongly.

The Executive Director reported that the lighting contractor was behind schedule but that he thought that that contractor would complete his work all right.

The Executive Director commented that operating costs on Eastgate Section were running about one thousand dollars under the budget despite unexpectedly high maintenance costs during the previous winter. He said that he thought that the Commission probably would be able to operate within the budget for the period up to the first of October, 1955. He said that the maintenance force had done some mud-jacking of pavement slabs that had settled somewhat on the Eastgate Section and that the maintenance force would have to do some work on the bituminous-macadam shoulders where the heavy pounding of traffic had caused some settlement below the adjacent concrete slabs. He said further that the maintenance force had been reduced appreciably for the summer and that leaves of absence had been given to some maintenance employees who were working for contractors but who would return to their jobs with the Commission during the winter.

The Executive Director reported that the total of all accidents for the month of April, 1955 on the Eastgate Section

had been the lowest of any month since operations on the section began despite the occurrence of the first fatality during that month.

The Executive Director reported that additional lead-in signs would be erected in the near future on highways leading to the Eastgate Section. He said that it was believed that such signs resulted in increased usage of the Turnpike.

The Executive Director reported that at least five contractors already had elected to saw the transverse joints in the concrete pavement. He said further that it was expected that sawing the joints would cut down on the main - tenance required.

The Executive Director reported further that as of April 12, 1955, the Consulting Engineer had reported that increased costs of construction on account of changes in design, additional work, and quantity overruns had amounted to \$4,783,075.

The Executive Director reported that he planned to put into effect the issuance of special hauling permits in accordance with the procedure and the forms of which he had advised the members of the Commission by letter on May 13, 1955. He said further that several permits already had been granted for overheight, overwidth, or overlength vehicles but that none had been granted for overweight vehicles and that he was not inclined to grant any for overweight.

The Executive Director reported that Mr. Andrew Little of Knappen-Tippetts-Abbett-McCarthy, the project engineers on design section 7, and Mr. F. Spencer Weber of Hazelet & Erdal, the project engineers on design section 6, were present at the meeting and would guide the inspection party over their respective design sections.

Mr. McKay asked whether he had understood correctly that at least a substantial part of the difficulty with progress on several contracts had grown out of the subcontracts rather than out of the prime contracts. The Executive Director in reply pointed out that the Commission dealt only with the prime contractors and that the prime contractors were responsible for subcontractors. He said that generally the fault on contracts behind schedule lay more with the subcontractor than with the average prime contractor. Mr. McKay said that he was a

little astonished about the toll plaza contractor who had sublet contracts for all but one of the toll plazas involved in his contract. He suggested that the Commission might write up a procedure for future contracts which would involve close scrutiny on approval of subcontractors.

The Chairman said that he thought that the Commission already had learned its lesson on that. He said that there were arguments on both sides of that question but that he thought that by far the preponderance of good logic indicated that a prime contractor should be required to be responsible for the actual construction of a certain appreciable percentage of his contract. He said also that he did not believe that a prime contractor should be permitted to be an outright broker. Mr. McKay said that he thought that the policy outlined by the Chairman was a good one.

Resolution No. 31-1955, authorizing the Executive Director to settle, collect, and receipt for proceeds in payment for certain claims for damages, was moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

Resolution No. 31-1955

"WHEREAS, from time to time, the Commission has suffered and may suffer loss or damage to property held by it other than loss or damage contemplated by §§707 and 708(a) of the trust agreement dated June 1, 1952, entered into between the Commission and The Ohio National Bank of Columbus, as trustee, and The National City Bank of New York (now The First National City Bank of New York), as co-trustee;

NOW, THEREFORE, BE IT

RESOLVED that, in addition to the general counsel who is possessed of authority with respect to claims of and against the Commission, the executive director be, and he hereby is, granted authority to settle, on behalf of the Commission, all claims for such loss of or damage to property held by the Commission in any instance in which the executive director determines that the amount of such loss or damage does not exceed \$5,000.00 in which the claim is not the subject of litigation to which the Commission is a party; and

FURTHER RESOLVED that the executive director be, and he hereby is, authorized to collect and receipt for all sums due to the Commission in payment for any such loss or damage, and to execute such proofs of loss, receipts, releases, and other instruments as may be necessary and proper in effecting any such settlement or collection."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Teagarden, McKay, Linzell, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 32-1955, directing the closing of the Commission's principal office on certain Saturdays in 1955, was moved for adoption by Mr. McKay, seconded by Mr. Linzell, as follows:

Resolution No. 32-1955,

"RESOLVED that the principal office of the Commission shall be closed on Saturday, May 28, 1955, on Saturday, July 2, 1955, and on Saturday, September 3, 1955."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: McKay, Linzell, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The Chairman read a letter under date of May 11, 1955, addressed to him from Major H. H. Allen of the J. E. Greiner Company as follows:

"Mr. James W. Shocknessy, Chairman  
Ohio Turnpike Commission  
1 39 East Gay Street  
Columbus 15, Ohio

Dear Mr. Chairman:

Upon receipt of your letter of the ninth instant, addressed to the writer, we initiated a schedule of meetings to be held in several field offices on the Ohio Turnpike.

The meetings will be attended by available members of the Contracting Engineers' organizations, one or more principals of the General Contractors' organizations, and several members of J. E. Greiner Company staff, including the writer.

We are arranging the schedule in order to begin with the construction contracts which we believe to be the most critical insofar as delayed completion appears to be a possibility.

By the end of next week, we will be in a position to report to you in detail upon prospectively effective measures which we have instituted to assure that the whole project will be opened to traffic not later than October 1, 1955.

Very truly yours,

J. E. GREINER COMPANY

by /s/

H. H. Allen

HHA:KM

cc: Governor Lausche  
Members of the Commission  
Executive Director  
Chief Engineer  
Blyth & Company, Inc.  
B. J. VanIngen & Co., Inc.  
The Ohio Company"

The Chairman recognized the presence at the meeting of Mr. Ernest M. Green, President of the Ohio Highway and Turnpike Association, and of Mr. Harold Ladd who had come out in

response to an invitation the Commission had given to Mr. Frank Converse of the same association. The Chairman said that both the contractors and the labor organizations had been doing everything possible generally to cooperate in the construction of Ohio Turnpike Project No. 1. He said that the Commission believed in the integrity of the contracting industry and that it believed that its contractors had the capacity and generally the will to do the job and if they had the capacity and the heart the job would be done. The Chairman said further that he had read in the press about Mr. Converse's statement about the cooperation that he would insure, insofar as it was possible to him, from labor to the project and that the Commission had been having it.

Resolution No. 33-1955, ratifying actions of administrative officers, was moved for adoption by Mr. Linzell, seconded by Mr. Teagarden, as follows:

Resolution No. 33-1955

"WHEREAS the executive director, acting deputy executive director, executive assistant, chief engineer, general counsel, assistant secretary-treasurer, comptroller, administrative assistant to the executive director, and chief, right-of-way section of the Commission have, by various written and oral communications, fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting, and the Commission has duly reviewed and considered the same;

NOW, THEREFORE, BE IT

RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on April 5, 1955 are hereby ratified, approved, and confirmed."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Linzell, Teagarden, Allen, McKay, Shocknessy.



Nays: None.

The Chairman declared the resolution adopted.

There being no further business to come before the Commission, a motion was made by Mr. Allen, seconded by Mr. Linzell, that the meeting adjourn subject to call of the Chairman.


A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Allen, Linzell, Teagarden, McKay, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 11:55 o'clock A. M.

Approved as a correct transcript of the proceedings of the Ohio Turnpike Commission

  
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A. J. Allen, Secretary-Treasurer.

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