

MINUTES OF THE ONE HUNDRED AND FORTY-FIRST MEETING  
June 21, 1960

Pursuant to bylaws, the Ohio Turnpike Commission met in regular session in Room 702 of the Ohio Departments Building in Columbus, Ohio at 11:00 A.M. Eastern Standard Time on June 21, 1960 with the key members of its staff, representatives of the Consulting Engineers, of the Trustee, of the Auditor of State, 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: Beightler, Teagarden, Preston, Shocknessy.

Absent: Chastang.

The Chairman announced that a quorum was present. He said Mr. Chastang's office had called and said that he was out of the city unavoidably.

A motion was made by General Beightler, seconded by Mr. Teagarden; that the minutes for the meeting of May 3, 1960 which had been examined by the Members of the Commission and on which the corrections suggested by the Members had been made be approved without reading.

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

Ayes: Beightler, Teagarden, Preston, Shocknessy.

Nays: None.

The Chairman declared the minutes stood adopted with the four Members present voting in the affirmative.

The Chairman reported that the Commission's traffic and revenue report for the month of May 1960 had been distributed and published and that everybody was aware of how satisfactory the Commission's revenue was for the month. He said the Commission had approximately \$145,000 more revenue for the month of May in

1960 than for the month of May in 1959 and that interest had been earned 1.85 times as opposed to 1.76 times in 1959.

The Chairman reported further that the Commission had paid its June 1st interest and had a balance in the Bond Interest Account after that payment of \$6,863,000.

The Chairman reported also that Mr. Raymond J. Bartholomew of the State Auditor's Office who had been with the Commission the past couple of years was ill and there was present in his place that morning Mr. David B. Ewing who was representing the State Auditor. He said the Commission had extended Mr. Bartholomew its good wishes and had received a note from Mr. Bartholomew that morning which he read as follows:

"Columbus, Ohio  
June 20, 1960

"My Dear Mr. Shocknessy:

"This is to express my most sincere thanks to you and the members and staff of the Ohio Turnpike Commission for the flowers I received today.

"The flowers are outstandingly beautiful and have brought their full measure of enjoyment. Such thoughtfulness is deeply appreciated.

"As you know, I am on a three month sick leave, which my doctor deemed necessary. I will not be wandering too far from home and if at any time an occasion arises where I can be of any assistance, please feel free to call me at my residence.

"With kindest personal regards

"I remain, Very Sincerely Yours

(signed) "Ray Bartholomew  
569 S. James Road  
Columbus 13, Ohio"

The Chairman reported further that the Commission had a very satisfactory record over the week end of Memorial Day as to both revenue and safety but that over the past week end two people had lost

their lives unnecessarily. He asked the Director of Information and Research to tell the Members about the two accidents which occasioned the fatalities.

The Director of Information and Research then said that one accident involved a 25-year-old man who was driving from Chicago to New York in a sports car when he was arrested near the west end of the Ohio Turnpike by the Highway Patrol on a charge of speeding at 85 miles an hour and was taken to court at Wauseon where he posted bond in the amount of \$15.00. He said the driver returned to the turnpike and continued his journey eastward and that toward the east end of the turnpike in the vicinity of Warren he ran into the rear of another automobile which was proceeding about 45 miles an hour. He said the sports car bounced off the road and caught fire and its driver died there.

The Director of Information and Research added that the second accident involved a steel hauling truck the driver of which apparently went to sleep near the western end of the turnpike and struck a bridge pier. He said the driver died in the cab.

The Chairman said it was clear as had been talked about many times at Commission meetings that one could engineer an enormous deal of safety into a highway and could police a lot of safety into it but could not police or engineer the total elimination of human frailty. He said the shocking thing about the one accident was that the driver had been stopped, had been arrested, had been disciplined and had started off again. He said also that the driver was a candidate for enrollment in a school which offered training in teaching others to drive. He said the second accident was probably due to sleepiness which the Commission still had to contend with.

The Chairman said that in the absence of questions or objections his report would be accepted as offered.

The Chairman said the report of the Secretary-Treasurer would be received.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that since the last meeting the following had been sent to all Members:

1. Traffic and Revenue Reports for April and May 1960.
2. Financial Reports as of April 30 and May 31, 1960.

3. Detail of investment transactions for May 1960.
4. Draft of the minutes for the May 3, 1960 meeting.

The Assistant Secretary-Treasurer reported also that at the last meeting the Commission had authorized the purchase of the toll collection equipment from International Business Machines Corporation. He said the purchase had been accomplished with an effective date of June 1, 1960. He said the purchase would have the effect of reducing operating expenses by about \$18,500 a month from June 1960 to September 1960 inclusive and by about \$15,000 a month from October 1960 through September 1961. He said that by the latter date the monthly savings would have amortized all but about \$40,000 of the purchase price.

The Assistant Secretary-Treasurer reported further that the question had been asked whether the decline in yield in government securities might cause the Commission's income from investments in 1960 to be below the estimate. He said the estimate for such income for 1960 exclusive of the income on the Construction Fund was \$830,000. He said that through May 1960 the actual income was \$400,000. He said that if the Commission continued to hold just the securities it had as of that day and if securities as they matured were replaced with only 2% yield securities, the Commission's income in the remaining seven months of 1960 would be another \$400,000. He said that if, in addition, net revenues in the last seven months of the year were invested at only 2% yield, the additional income would be \$70,000 to make the total for the year \$870,000. He said it was doubtful if a yield as low as 2% was realistic and therefore the Commission's income from investments in 1960 should exceed \$870,000.

The Assistant Secretary-Treasurer reported further that the annual budget of income for 1960 was \$24,570,000 or an increase of \$1,250,000 over the actual income for 1959. He said that for the first five months of 1960 the income was \$933,000 over the first five months of 1959 and was \$609,000 over the estimate for that portion of 1960. He said the \$609,000 over estimate was made up of about \$100,000 in passenger car toll revenue, \$400,000 in truck toll revenue, \$90,000 income from investments, and \$15,000 in special hauling permits. He said income from service stations was slightly below estimate and income from restaurants was about the same small amount above estimate.

The Chairman said that in the absence of questions or objections the report of the Secretary-Treasurer would be accepted as offered.

The Chairman said the report of the Committee on Service Plazas would be received.

The Chairman of the Committee on Service Plazas, General Beightler, reported he had spent the two days before the meeting on the turnpike and had visited nearly all of the restaurants on the turnpike, and had had a meeting of the Committee on Service Plazas. He said he had observed that there was still some speeding on the turnpike even though there was more patrolling of the turnpike than ever before and even though arrests were more numerous during 1960 than before.

The Chairman said that approximately 20 patrolmen had been added to the turnpike policing force. He said the Commission could not get all the speeders. He said the record over the Memorial Day holiday proved once again that it wasn't the number of cars on the highway that gave rise to accidents. He said also that speed alone did not give rise to accidents. He said it was the inattention of the driver that was his downfall. He said there was no doubt that the patrolling was more intensive than it ever had been. The Executive Director said the one fatality of the last two fatalities was a perfect example of the fact that policing was not the entire answer. He said the driver in that instance had been arrested once shortly prior to the accident which killed him.

The Chairman of the Committee on Service Plazas reported further that he had visited 13 out of the 16 turnpike restaurants and had eaten at each of the 13. He said he had talked with between 200 and 300 persons because he felt that to be one of the best ways to find out whether they were satisfied with the service and with the quality of the food. He said that from all those to whom he had talked he received but two complaints. One complaint was that prices were too high, the other that service was slow. The Chairman of the Committee on Service Plazas said he thought the restaurant prices were probably comparable with those off the turnpike. He said the Committee was not planning to recommend any increases in prices or to approve any as requested by one of the restaurant contractors. He said the Committee did not see that there was any justification for increases at that time.

The Chairman of the Committee on Service Plazas said also that his observation indicated the complaint he had received concerning service was justified. He said the restaurant service over the turnpike generally was excellent but that the personnel of the particular restaurant involved in the complaint apparently got careless

when traffic was light. He said the Committee had received other complaints about slow service at that restaurant. He said waitresses in the restaurants generally seemed to be well trained, prompt and courteous. He said the preparation of food, particularly as to seasoning, in the A. B. C. Restaurants left something to be desired.

The Chairman of the Committee on Service Plazas reported further that the rest rooms which once had been so much criticized were greatly improved as to policing, cleanliness and general appearance. He said the rest rooms in the restaurants operated by Howard D. Johnson Company did not present as satisfactory an appearance as those in the restaurants operated by the other two contractors. He said the gift shops were much better than they used to be although there was a tendency on the part of the contractors to keep taking over more space in the lounges and even in the dining areas. He said his only complaint was of the gift shops operated by the Holiday House restaurants.

The Chairman of the Committee on Service Plazas reported further that the outside areas in the service plazas were well policed except in the case of the shrubbery outside the Holiday House restaurants. He said he particularly liked the atmosphere in the Howard Johnson restaurants which was enhanced by flowers on the tables and soft, piped-in music.

The Chairman said it was due in large measure to General Beightler's zeal over the past several years and to the kind of imaginative direction he had displayed in running the Committee that the Commission had had the improvement in the restaurants it had.

The Chairman of the Committee on Service Plazas reported further that while on the turnpike he had had one complaint concerning the operation of a filling station. He said the complaint was voiced by a woman who appeared to feel that an attendant of the station had used a little high pressure in persuading her to buy a new fan belt for her automobile.

The Chairman thanked General Beightler for his report and said that in the absence of questions or objections his report would be accepted as offered.

The Chairman said that in the early days of the Commission and for several years it always had called upon the Ex-Officio Member to see if there was anything he wanted to say to the Commission as Director of Highways. He asked Mr. Preston whether there was anything he wanted to say as Director of Highways.

Mr. Preston said he had noticed that in several other states, where there was an overlapping of the interstate highway network with the turnpikes of those states, interstate route markers occasionally had been erected on the turnpikes. He said about two-thirds of the Ohio Turnpike lay within the approved mileage of the interstate network and asked that the Members consider for later discussion whether interstate route markers might be erected along the turnpike.

The Chairman said the Commission was concerned with having easy access to the Ohio Turnpike from other portions of the interstate network to that portion of the interstate network which was on the turnpike and also to all portions of the turnpike.

Mr. Preston said the Department of Highways hoped to move along in the overall planning and particularly in the engineering studies of the remaining mileage of the interstate system that had not been established. He said the Department wanted to continue to work with the staff of the Commission in deciding upon connections between the interstate system and the turnpike. The Chairman said that Mr. E. J. Donnelly of the Consulting Engineers had promised that he personally would take full interest in the matter of connections and accesses of all kinds between the turnpike and the interstate system and also in all improvements which affected the turnpike. He said Mr. Donnelly was finally responsible as the Commission's advisor on the matter.

The Executive Director said that currently the Commission had before it two plans from the Department having to do with the crossing of the turnpike by interstate highways. He said one plan involved the interstate route which paralleled Ohio Route 18 approximately 4,000 feet north of the existing crossing of the Ohio Turnpike by Route 18 and an alternate and more southerly route crossing the turnpike where Route 18 crossed it. He said the other plan involved the crossing of the turnpike by Interstate Route 475 which would serve the traffic that existing U. S. Route 23 served. He said Interstate Route 475 would cross the turnpike somewhere westerly of the Maumee-Toledo Interchange. The Chairman said the Commission wanted to be sure it was prepared to discuss those matters with the Department. He said that, if the Department kept the Commission alerted so that it would be prepared to discuss, there would not be any delays in the Department's program because of any discussion needed to be had with the Commission. He gave Mr. Preston the Commission's assurance that it would be ready at all times to give him as Director of Highways the cooperation he would need in working and coordinating with the Com-

mission. He said the Commission did not want any misunderstanding.

The Chairman said that in the absence of questions or objections the report of the Director of Highways would be accepted as offered.

The Chairman said the report of the Executive Director would be received.

The Executive Director reported that he had an interim report on the studies of the need for additional service plaza facilities to make as a supplement to the report of the Chairman of the Committee on Service Plazas. He said the second phase of the service plaza rest room survey was in process. He said the survey started on May 25, 1960 and would be continued through the summer peak-traffic period until September 6, 1960. He said the first phase of the survey had been conducted during the winter low-traffic period beginning on November 25, 1959 and continuing through March 28, 1960. He said the surveys were accomplished in part by the use of two mechanical counters for a period of six days from 3 p. m. Wednesday to the following Tuesday at 3 p. m. at each service plaza. He said the counters were installed at the entrances to the men's rest rooms and the women's rest rooms and recorded pedestrian traffic. He said that in addition the restaurant operators kept a count of customers served and the gasoline station operators kept a count of vehicles served at the gasoline pumps and of occupants per vehicle.

The Executive Director said also that the first-phase survey showed that the persons-per-vehicle occupancy was 2.45, that 18% fewer persons used the restaurants than used the rest rooms, that men outnumbered women in using the rest rooms more than two to one, and that the recorded peak hour for rest room patronage was 262 men and 240 women per hour and occurred at the Portage Service Plaza over the Christmas holiday. He said computations and projections of the first-phase survey data to an estimated summer peak indicated that the rest rooms at Portage, Mahoning Valley and Great Lakes Service Plazas might be inadequate to provide proper service during peak demand. He said the second-phase survey data would be used to verify the computed peak demand and to determine the volume of users per hour at which the facilities might become inadequate.

The Executive Director said also that to determine feasibility of expanding existing service plaza rest room facilities an architect had been asked in February 1960 to study the problem and to furnish preliminary lay-out sketches and an estimate of cost. He said the



architect had submitted a proposed expansion plan and a cost estimate in the amount of nearly \$47,000 per service plaza building. He said the plans and the possible need for additional facilities were being considered by the staff and a recommendation on course of action would be made following the completion of the second-phase survey.

The Executive Director reported further that he and the Supervisor of Service Plazas planned to visit a newly-opened restaurant on the New York State Thruway at Angola which was located in an area of wide median and to which access was provided by covered walks over the roadways from parking lots on the northerly and southerly sides of the Thruway. He said the Director of Information and Research and the Deputy Executive Director had visited the Illinois Tollway a week before and had viewed one of the over-the-road restaurants on that highway. The Chairman asked the Director of Information and Research to state his impression of the restaurant.

The Director of Information and Research said he had found the overhead type of restaurant very interesting. He said he was much impressed with it. He said that type of restaurant struck him as something which was designed for a divided, limited-access type of highway such as a toll road. He said traffic from either direction could reach and leave the parking lot and service stations located on either side of the restaurant by means of ramps. He said the dining area in the restaurant gave a very pleasing impression of spaciousness due perhaps to the large windows overlooking the roadways on two sides of the area.

The Executive Director said he did not believe the construction of such a restaurant on the Ohio Turnpike would present any serious problems or impede traffic unduly.

The Executive Director reported further that the existing garden areas in the service plazas probably would be used in any expansion of the rest rooms. He said there was no apparent need for increasing seating capacity in the restaurants.

The Executive Director reported further that eight trucking companies were participating in the trial operation of tandem-trailer combinations in excess of 60 feet in length. He said the experimental program had a very slow start primarily because of manufacturers' slow delivery schedules on large tractors. He said participation in the program had grown steadily as follows: from January 18, 1960, the date of starting the program, through February 29 there were

46 trips; in March, 145 trips; in April, 178 trips; in May, 258 trips; and in the first half of June, 225 trips. He said the 852 trips accounted for 170,269 miles of travel, all of which were without incident or accident. He said that although the record was commendable, it was, based upon the number of miles of travel, insufficient for comparison with the accident ratio for all commercial traffic on the Ohio Turnpike, which for the past three years had stood at .18 accidents per 100,000 commercial-vehicle miles of travel or one accident per 555,000 vehicle miles of travel. He said the need for additional experience before a final determination was made was indicated. He said the consensus following a discussion of the matter at a conference of the staff on June 7 favored an extension of the trial period for an additional three months to October 18, 1960. The Executive Director said that subsequent to the conference of the staff the question of extension was referred to the Consulting Engineers for consideration and recommendation. He said the Consulting Engineers concurred in the conclusions of the staff and had so advised the Executive Director by letter dated June 13, 1960, which stated in part:

"We are in accord with the recommendation made by the staff to extend the trial period for three months, in order to obtain additional data to estimate volume of traffic which may be expected, and more mileage upon which to base findings with respect to safety of the operation."

Mr. Teagarden inquired whether the expenditure the Commission might have to make in preparing make up - break up facilities at the various interchanges would be offset by income from operation of the overlength tandem-trailer combinations. The Executive Director said the New York State Thruway Authority was constructing some make up - break up areas of the type being considered for the Ohio Turnpike and that bids for construction of the areas ran to about \$9,000 a site. He said the tentative plans for make up - break up facilities on the Ohio Turnpike contemplated the use of stone, little grading, and use of land already owned by the Commission. He said experience indicated the need for make up - break up facilities at at least five interchanges. He said another month of operation would permit the estimating of probable volume of and revenue from overlength tandem-trailer combinations if the operation were to be permitted on a permanent basis.

The Members indicated their concurrence in the proposal to extend the trial operation of tandem-trailer combinations in excess of 60 feet in length for three months under the same conditions under which the program was instituted.

The Executive Director reported further that there had been a discussion with Lombardo Bros. Construction Company over a period of several years as to the final quantities of borrow used in performing the company's contract for construction of a portion of the turnpike. He said that by relating the cross sections of the roadway to the cross sections of the borrow pits it was developed that the shrinkage factor was only 2.5%. He said the company had expected a shrinkage factor somewhere in the neighborhood of 16%. He said that because of that difference in shrinkage factor percentages the company had been unwilling to accept the Commission's figures for final estimates. He said also that because the 2.5% shrinkage factor was unique, the Commission had had Pittsburgh Testing Laboratory make tests of the embankment and test of the material adjacent to the borrow pits. He said the results of the tests confirmed the 2.5% shrinkage factor. He said the company had obtained the services of Herron Testing Laboratories, Inc. in Cleveland for similar tests, which indicated a 16% shrinkage factor. He said the Lombardo Bros. Construction Co. had asked the Commission to release the amount admittedly owed it and permit the company six months in which to pursue the matter. He said the company offered that if they could not present conclusive evidence in support of their 16% shrinkage factor within the six months they would abandon any claim for additional money. He said the consensus of the staff was that all the money that was due Lombardo Bros. Construction Company under the contract should not be released pending settlement of the dispute on quantities of borrow.

A resolution pertaining to waiver in part of Section G-9.06 and Section G-9.07 of Contract C-22 was moved for adoption by General Beightler, seconded by Mr. Teagarden, as follows:

Resolution No. 6-1960

"WHEREAS the Lombardo Bros. Construction Company, contractor under Contract C-22, has completed the work required of it under said contract and has refused to accept payment deemed final by the Commission thereunder except upon condition that the acceptance thereof shall not prejudice its right to seek further payment with respect to a matter in controversy with the Commission, i. e., the number of additional cubic yards of borrow for which the contractor may be entitled to receive payment at the rate of 53¢ per cubic yard based on methods of measurement, and amounts which the Commission, in view of its own measurement, has refused to recognize, the maximum additional amount of said borrow asserted by the Lombardo

Bros. Construction Company being 167, 774 cu. yds. and a monetary claim of \$88, 920. 22;

"WHEREAS the contract entered into by and between the Commission with the Lombardo Bros. Construction Company provides under §G-9.06, as amended by Supplemental Specification A-5 of August 7, 1953, for payment to the contractor of 95% of the contract price as the work proceeds, with 5% to be withheld until final payment, and the said 95% having been heretofore paid by the Commission, the Commission deems it desirable and in its interest and in that of the contractor to waive the provisions of §G-9.06, as amended, and §G-9.07, with respect to the final payment operating as a release, to the extent that the retained percentage withheld as aforesaid, less an amount equal to the maximum amount of the contractor's monetary claim predicated upon the dispute concerning borrow quantity mentioned in the preceding paragraph hereof, may be released and paid to the contractor upon compliance with all pertinent procedures otherwise governing the release of retained percentages, and to permit the contractor to receive payment of said retained percentage (less said \$88, 920. 22) and to continue to submit evidence in support of its contention that it is entitled to payment under its contract for borrow allegedly furnished in an amount of \$88, 920. 22 in addition to the amounts determined by the Commission's computations of borrow quantities; and

"WHEREAS the Commission has been advised by its general counsel that it may lawfully make such waiver, and the Commission's executive director, chief engineer, and consulting engineer have recommended that it do so;

"NOW, THEREFORE, BE IT

"RESOLVED that the proper officers of the Commission be, and each is hereby, authorized to pay to the Lombardo Bros. Construction Company the amounts heretofore withheld by the Commission as the retained percentage pursuant to Contract C-22 less the sum of \$88, 920. 22;

"FURTHER RESOLVED that such payment, or payments, may be made notwithstanding the provisions of §§G-9.06 and 9.07 of the General Specifications of said contract, which provisions are, to that extent, waived;

"FURTHER RESOLVED that nothing herein contained shall be construed so as to prevent the Commission's officers and employees concerned therewith from taking into account the rights and claims of

third parties having claims, attested accounts, or assignments which affect, or may be claimed to affect, the Commission's right to make the payment aforesaid to the Lombardo Bros. Construction Company, and in making such determinations with respect to such claims asserted by such third parties, the Commission's officers and employees shall not consider the aforesaid sum of \$88,920.22, which is to be further withheld pursuant to said Contract C-22, as being available for the satisfaction of such claims, attested accounts, and assignments;

"FURTHER RESOLVED that such payment, or payments, shall be made only upon agreement by the contractor to waive all disputed claims and any claim to interest, except that the contractor may nevertheless assert and seek to maintain for a period not to exceed six months (and, of course, by legal action continued beyond said six month period if commenced within the same) its contention that it has furnished borrow under said contract in an amount of 167,774 cu. yds. greater than the amount heretofore determined by cross sections, at a price of 53¢ per cubic yard; and that the contractor shall accept and agree, in writing, to the terms and conditions hereof; and

"FURTHER RESOLVED that nothing herein shall constitute an admission by the Commission of any allegation of the contractor concerning said dispute over borrow quantities."

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

Ayes: Beightler, Teagarden, Preston, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 6-1960.

A resolution ratifying actions of administrative officers was moved for adoption by Mr. Teagarden, seconded by General Beightler, as follows:

Resolution No. 7-1960

"WHEREAS the executive director, deputy executive director, chief engineer, general counsel, assistant general counsel, secretary-treasurer, assistant secretary-treasurer, comptroller, and the director of information and research 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 on May 3, 1960, 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 May 3, 1960, hereby are ratified, approved, and confirmed."

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

Ayes: Teagarden, Beightler, Preston, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with the four Members present voting in the affirmative. The resolution was identified as No. 7-1960.

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

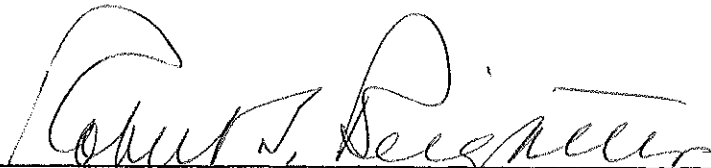
A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Beightler, Preston, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:38 o'clock p. m.

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

  
Robert S. Beightler, Secretary-Treasurer