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BEFORE

THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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In re: C-80092154 - Glenfield Borough versus Consolidated Rail Corporation, Penn Central Transportation Company, Allegheny County and Pennsylvania Department of Transportation.
Alleging unsafe and hazardous conditions exist where the Glenfield Viaduct crosses the tracks of Consolidated Rail Corporation, in the borough of Glenfield, Allegheny County and that respondents have refused to make repairs.
Hearing.

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Stenographic report of proceeding held in Sixth Floor Hearing Room, Buhl Building, Pittsburgh, Pennsylvania.

Wednesday,
January 28, 1981,
at 10:00 o'clock a.m.

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MICHAEL A. NEMEC, Administrative Law Judge

--o0o--

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SECRETARY OF
PUBLIC UTILITY
COMMISSION

APPEARANCES:

FECZKO & SEYMOUR, ESQUIRES
BY: Albert G. Feczko, Jr., Esquire
800 Lawyers Building
428 Forbes Avenue
Pittsburgh, Pennsylvania 15219
For - Glenfield Borough

DOCUMENT
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APPEARANCES (Cont'd):

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I N D E X

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
John W. Schwogel	6	46	57	-
Warren W. Parks, Jr.	62	69	-	84
John B. Drake	87	98	-	-
William J. Clemmons	106	113	-	120
Donald Fleisher	124	126	128	128

EXHIBITS

IDENT. ADM.

GLENFIELD BOROUGH

✓ No. 1 - Group of 20 photographs.	7	60
✓ No. 2 - Packet of 13 letters and memos and a publication.	23	60
✓ No. 3 - Packet of 17 letters and memoranda.	29	60
✓ No. 4 - Packet of documents.	40	60
✓ No. 5 - Photostats of 3 photographs.	116	124

CONRAIL

✓ No. 1 - Four Sheets of plans	65	86
No. 2	-	86

PENNDOT

✓ No. 1 - General plan and elevation, Glenfield Viaduct (Alterations).	108	123
✓ No. 2 - Dept. of Highways, Div. of Bridge Engineering, Allegheny County, L.R. 1016, Section 11F.	108	123

1 THE ADMINISTRATIVE LAW JUDGE: This morning
 2 we have a proceeding captioned Glenfield Borough versus
 3 Consolidated Rail Corporation, Penn Central Transporta-
 4 tion Company, Allegheny County and Pennsylvania Depart-
 5 ment of Transportation. This is the initial hearing
 6 on this case. There was a previous informal conference
 7 held.

8 This morning we have present Attorney Barry
 9 J. Grossman for the Public Utility Commission, Trial
 10 Staff; Attorney Joel E. Mazor, representing Conrail;
 11 Attorney Sheldon Keyser, representing Allegheny County;
 12 Attorney Herbert G. Zahn, representing the Department
 13 of Transportation and Attorney Albert G. Feczko
 14 representing Glenfield Borough.

15 Are there any other counsel present
 16 representing any other parties or who will participate
 17 in these proceedings?

18 (No response)

19 THE ADMINISTRATIVE LAW JUDGE: There is no
 20 response. My name is Michael Nemecek and I am the
 21 Administrative Law Judge assigned by the Public Utility
 22 Commission to conduct this initial hearing and to
 23 then enter an initial decision in the matter. The
 24 decision I render will be subject to review and
 25 approval by the Public Utility Commission.

1 Do any of counsel have any preliminary
2 matters before we commence?

3 MR. ZAHN: I would suggest, Your Honor,
4 since I don't think any members of the public are
5 present, that the question of procedure be incorporated
6 into the record and rather than asking each of the
7 questions, we will just answer them.

8 THE ADMINISTRATIVE LAW JUDGE: Is there any
9 objection to that method of proceeding?

10 MR. MAZOR: No, Your Honor.

11 MR. ZAHN: I will give the stenographer a
12 copy of our testimony.

13 THE ADMINISTRATIVE LAW JUDGE: The questions
14 of procedure issued by the Commission under date of
15 November, 1980, will be incorporated by reference and
16 may be referred to by paragraph number.

17 Are there any other preliminary matters?

18 (No response)

19 THE ADMINISTRATIVE LAW JUDGE: If not, Mr.
20 Feczko, you are representing the Borough of Glenfield
21 and you may make an opening statement or call your
22 first witness.

23 MR. FECZKO: The only opening statement I
24 would have, is I would like to state for the record
25 that it is a requirement of the Public Utility

1 Commission that the borough advertise notice of the
2 hearing in a newspaper. This was complied with and
3 notice of hearing was advertised on January 14th, 1981,
4 and January 21st, 1981 in the Sewickley Herald and
5 proof of publication has been received and was forwarded
6 to the secretary on January 27th, 1981.

7 THE ADMINISTRATIVE LAW JUDGE: Thank you.

8 MR. FECZKO: I would like to start by
9 calling Mr. Schwogel, the Mayor of Glenfield.

10 JOHN W. SCHWOGEL, was called as a
11 witness and after being duly sworn according to law,
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MR. FECZKO:

15 Q Would you state your name, please.

16 A John W. Schwogel.

17 Q Where do you live, Mr. Schwogel?

18 A Glenfield Borough.

19 Q What is your capacity in Glenfield Borough?

20 A Mayor of Glenfield.

21 Q How long have you been Mayor of Glenfield
22 Borough?

23 A Eight years, since 1972.

24 Q Can you give us a little history of where
25 Glenfield Borough is located?

1 A Glenfield is located between Route 65 and
2 Interstate 79. That's down Route 65, down the Ohio
3 River about nine miles outside of Pittsburgh.

4 Q What major highways run through Glenfield
5 Borough?

6 A Route 65 and I-79, Interstate 79.

7 Q Is Glenfield Borough bordered by the river?

8 A It is bordered by the river on one side.

9 Q Is that the Ohio River?

10 A The Ohio River.

11 Q How many residents reside in the Borough of
12 Glenfield?

13 A 244.

14 Q Are you familiar with the viaduct in
15 question?

16 A Very familiar.

17 Q How long have you been a resident of the
18 Borough of Glenfield?

19 A Approximately 38 years.

20 (Group of 20 photographs - marked for
21 identification as Glenfield Exhibit No. 1 (C-80092154).)

22 BY MR. FECZKO:

23 Q Mr. Schwogel, I refer you to what is marked
24 on the back as Picture No. 1. Can you tell us what
25 that picture depicts?

1 A That is a picture of the viaduct looking
2 east on Beaver Street toward the river.

3 Q It shows what?

4 A It shows the condition of the viaduct.

5 Q Referring you to Picture No. 2.

6 A In Picture No. 2 we are looking from East
7 Beaver Street toward Route 65 and it shows the condi-
8 tion of the span of the viaduct.

9 Q Picture No. 3.

10 A Picture No. 3 is looking from East Beaver
11 Street up underneath the viaduct toward the railroad
12 tracks and Route 65.

13 Q In order to save time, I don't know if we
14 want to go through each picture on the record or I
15 can just have him identify them. They are all pictures
16 of the viaduct.

17 THE ADMINISTRATIVE LAW JUDGE: You may
18 proceed in that manner. Before we proceed let's
19 identify Glenfield Exhibit No. 1. Glenfield Exhibit
20 No. 1 is five pages of photocopies of 20 pictures.
21 Five pages of photocopies, consisting of four pictures
22 per page.

23 BY MR. FECZKO:

24 Q Referring to Picture No. 8, can you tell us
25 what that picture refers to?

1 A That is the section looking up underneath
2 East Beaver Street. You are looking toward the rail-
3 road tracks and it is the section right underneath
4 East Beaver and the railroad tracks and over to Route
5 65.

6 Q Does that show the piers?

7 A It shows the piers and how they are falling
8 away.

9 Q Does it show any condition of rust?

10 A On the ironwork of the structure it shows
11 rust.

12 Q Looking at Pictures 9, 10 and 11, what do
13 they refer to?

14 A You are underneath the viaduct at what is
15 known as Philip's Lane, and you are looking up. At
16 the bottom of the picture it shows how the cement
17 and everything is breaking away. You can see the rust
18 and the steel.

19 Q How long has that condition existed?

20 A Well, seriously, when I was in office in
21 1972, is when we really started getting worried about
22 the condition of it.

23 Q Looking at Pictures 13, 14, 15 and 16, are
24 they close-up shots?

25 A They are from underneath.

1 Q It shows what?

2 A Concrete falling away. It shows your
3 structure, your metal underneath showing through, and
4 your rods coming loose on some of the beams.

5 Q Looking finally at Picture No. 20, what does
6 that show?

7 A It shows the condition of how the cement
8 is coming down. You can see the steel, you can see
9 the rust. It is a very bad condition.

10 Q Does that show a piece of concrete that
11 looks right up on top of the pier?

12 A It shows a loose piece and on the bottom,
13 most of this debris, there's a little pile of debris,
14 it's all concrete and it's at the bottom.

15 Q Do you know when those pictures were taken?

16 A They were taken about a month ago -- two
17 weeks ago, a month ago.

18 Q Are you familiar with the condition of the
19 bridge today?

20 A Very familiar.

21 Q Is that condition of the bridge accurately
22 depicted in those photographs?

23 A It's very accurate.

24 MR. FECZKO: Do we offer the exhibits as
25 we proceed, or do we wait until the end?

1 THE ADMINISTRATIVE LAW JUDGE: I prefer you
2 to wait until the end of cross-examination.

3 MR. FECZKO: Okay.

4 BY MR. FECZKO:

5 Q Have you brought a diagram, a map of the
6 Borough of Glenfield?

7 A Yes, I have one map here. It shows the
8 viaduct.

9 MR. FECZKO: I don't have copies, I just
10 got it this morning.

11 BY MR. FECZKO:

12 Q Could you point out to the Administrative
13 Law Judge the viaduct?

14 A Here it is going down to Philip's Lane
15 coming off of Route 65 crossing the railroad tracks.
16 Here is East Beaver. Here's Dawson Avenue.

17 Q Where is the Interstate?

18 THE ADMINISTRATIVE LAW JUDGE: Off the
19 record.

20 (Off the record discussion.)

21 THE ADMINISTRATIVE LAW JUDGE: During our
22 off the record discussion, Mr. Schwogel described the
23 location of Glenfield Borough, it being sandwiched
24 between Route 65 and the Ohio River, and the viaduct
25 in question being the sole means of ingress and

1 egress to the borough.

2 Mr. Schwogel, are there any other railroad
3 crossings in the Borough of Glenfield?

4 THE WITNESS: At the present time there is
5 none.

6 BY MR. FECZKO:

7 Q Are there any other accesses, either at
8 grade or by way of a bridge, to Route 65 from the main
9 part of the Borough of Glenfield?

10 A No other access.

11 Q Can you tell me how close the nearest
12 crossing to the viaduct in question is?

13 A The nearest crossing is at Haysville Borough,
14 approximately a mile and a half to two miles.

15 Q Is there any way for residents of the
16 Borough of Glenfield to get to the crossing in
17 Haysville?

18 A Not unless they walk along the railroad or
19 riverbank.

20 Q Is there any street that leads to Haysville?

21 A No, the street ends at our borough line.

22 Q Is there a possibility of putting a street
23 in currently?

24 A No possibility right now.

25 Q Can you tell us why not?

1 A Because after you go so far in the borough,
2 the railroad -- the river comes right up to the rail-
3 road practically and there is no possible way unless
4 you fill it in or something like that.

5 Q How about the direction toward Pittsburgh,
6 where is the nearest crossing, if any, that you are
7 aware of?

8 A There is no crossing.

9 Q There is no crossing at all?

10 A No.

11 Q Can you tell me the configuration, as you
12 look from East Beaver Street toward Route 65, of the
13 terrain of the land?

14 A The land crosses the railroad and then you
15 have all hillside.

16 Q So it is a steep upgrade?

17 A It is a steep upgrade.

18 Q Is there any industry located in Glenfield
19 Borough?

20 A At the present time we have three businesses,
21 American Industry, C&E Marina and Krane Company, they
22 do river work.

23 Q What does American Industry do?

24 A Insulation for construction work.

25 Q What about C&E Marina?

1 A C&E Marina is strictly a pleasure boat
2 outfit. They sell all different kinds of boats and
3 they have a marina down there where they launch boats
4 and store boats. It is a pretty busy activity in the
5 summer. They have some heavy boats too.

6 Q What is the nature of Krane's business?

7 A They sometimes bring heavy equipment like
8 boat motors. They do dredging and things of that
9 nature on the river.

10 Q So it is basically a river operation?

11 A It is a river operation, but it is based on
12 the river in the borough.

13 Q Is there any municipal building or public
14 facility located on this side of the river -- this
15 side of the tracks?

16 A Glenfield Volunteer Fire Hall.

17 Q That is a fire company?

18 A There's a fire company involved and the
19 borough uses that for their building and meetings.

20 Q How old is that building?

21 A That was built in 1973.

22 Q And what was the reason that that had to be
23 built?

24 A The reason it had to be built was during
25 construction of I-79 we had to move our original fire

1 hall to that present location. We had to build a new
2 one because they took our other one.

3 Q So construction of Interstate 79 eliminated
4 the location of the previous fire hall and necessitated
5 building a new one?

6 A Right.

7 Q Why was that built on this side of the
8 river?

9 A Because that was the only property accessible
10 at that time.

11 Q Is there any social club or organization
12 located between the tracks and the river that is
13 serviced by the viaduct?

14 A Yes, the Glenfield Valley Veterans Associa-
15 tion.

16 Q What is that?

17 A That is just a social club.

18 Q How long has that been in existence?

19 A That has been in existence since right
20 after the war.

21 Q Which war?

22 A World War II, I'm sorry.

23 Q Do you know how many members the club has?

24 A I couldn't tell you offhand, but probably
25 about 500 members.

1 Q And how many days a week is that open?

2 A They're open seven days a week.

3 Q Do you know what their hours are?

4 A Their hours are like from 9:00 until, maybe,
5 2:00 in the morning; something like that.

6 Q Do they serve food and beverages?

7 A They serve food sometimes. It's just like
8 snacks and they have dinners every once in a while.

9 Q Can you tell me what the ramps leading onto
10 the Glenfield viaduct, what roads do they intersect
11 with?

12 A The ramps heading off of it?

13 Q Off or on at the upper edge.

14 A That's 65 and I-79. They go down on the
15 riverside to East Beaver and Dawson and Philip's
16 Lane. It runs into Philip's Lane and goes to East
17 Beaver and Dawson.

18 Q Do you know whether or not there is any
19 planned new highways in the area?

20 A None that I know of.

21 Q Does your borough own a traffic counter?

22 A No, we don't.

23 Q Has the borough tried to perform some
24 traffic count on vehicles on the viaduct?

25 A We tried.

1 Q Who did those?

2 A I did a survey of all the businesses and
3 people in town and got some idea of how many people
4 they had coming to work in cars, how many trucks, and
5 what they used.

6 Q Can you tell me what you found to be the
7 number of motor vehicle cars?

8 A Approximately, this is just the businesses,
9 the Valley Vets, C&E Marina, and during this time of
10 year approximately 190 cars went over there a day.

11 Q How about trucks?

12 A About 40 trucks.

13 Q How about services?

14 A We have what you call a mail truck, we have
15 garbage collection once a week that goes over, and we
16 have an ambulance that uses it, approximately three to
17 four school buses a day use it, and small deliveries.

18 Q How about pedestrians, did you try to count
19 the pedestrians?

20 A At this time of year, the weather has been
21 so cold, we had approximately 21 a day. I mean that
22 was just in the count I made.

23 Q Is that 21 going in and out?

24 A That's 21 going in and 21 going out.

25 Q So you have a total of 42?

1 A Forty-two.

2 Q What about in the summer months for C&E
3 Marina, does this count include any of the boat
4 traffic?

5 A None of the boat traffic.

6 Q Do you have any idea how much they have a
7 day?

8 A Approximately between 50 and 100.

9 Q Cars and vehicles?

10 A That's just coming in now.

11 Q Did some of the trucks involve deliveries
12 to manufacturers or the industrial business?

13 A Approximately 40 of them. There's some heavy
14 trailers. C&E will bring in big boats at times and
15 he gets heavy deliveries. Krane Brothers get heavy
16 deliveries at times. The other outfit, American
17 Industries, they have about ten deliveries a day.

18 Q Are these tractor trailers?

19 A Yes, mostly tractor trailers.

20 Q Now, the pedestrians that use the viaduct,
21 which method can they use -- is there more than one
22 way of walking across?

23 A That's the only way they can get up there
24 unless they go across the tracks which they don't do
25 because there's a fence on the other side and you

1 can't cross.

2 Q Are there sidewalks on the viaduct?

3 A Yes.

4 Q What condition are the sidewalks in?

5 A Very bad.

6 Q What do you mean by that?

7 A The concrete is all coming loose and there's
8 metal showing. It's hard to walk on it.

9 Q Is there a broken condition?

10 A Yes, there are some broken pieces there.

11 Q Are there any steps or stairs involved with
12 the viaduct?

13 A Yes, there is a stairway up there.

14 Q What is that constructed of?

15 A That is constructed of steel.

16 Q What condition is that in?

17 A That's in fair condition.

18 Q When you say "fair", what do you mean?

19 A There could be a lot of work done on it.
20 There are some loose steps on it.

21 Q Are there holes?

22 A I think in a couple of places there are
23 holes.

24 Q And people who ride the bus -- is there any
25 public bus service that comes in across the viaduct?

1 A No.

2 Q How do they have to get out to the bus to
3 get into Pittsburgh, for example?

4 A Either walk under the viaduct or go up the
5 steps.

6 Q Is that the only way in and out?

7 A The only way in and out.

8 Q Does the borough have a police department?

9 A We have police, not our own police depart-
10 ment.

11 Q Did the borough in the past have a police
12 department?

13 A We had a part-time police department.

14 Q What did that consist of?

15 A That consisted of one man. He reported so
16 many hours and he was on call.

17 Q A part-time chief?

18 A That's correct.

19 Q Does the borough have police records for
20 accidents that occurred in the past ten years?

21 A We have some records and the police chief,
22 he is not with us any longer, he had all the other
23 records, but he couldn't come up with them.

24 Q Did you ask him to search for the accident
25 records?

1 A He searched, yes.

2 Q Can you tell me between the dates of the
3 records that he was able to find, May of 1977 to
4 January, 1981, how many accidents were reported.

5 A They gave me two and Killbuck gave me two
6 and we had another time policeman and he had one.

7 Q So it was a total of five accidents?

8 A Yes.

9 Q Were they on the bridge, or viaduct, or
10 ramps leading to it?

11 A They were on the viaduct.

12 Q Are you aware of other accidents that
13 occurred on the bridge?

14 A There have been other accidents, but I have
15 no records of them.

16 Q Who was the former chief?

17 A Paul Cernansky.

18 Q Did the borough also conduct a survey of
19 the number of trains using the tracks?

20 A They did a short survey.

21 Q Was it an informal one by members of
22 council?

23 A It was an informal one by members of
24 council.

25 Q Does the borough have any full-time

1 employees at all?

2 A No.

3 Q Do they have part-time?

4 A Three part-time.

5 Q What are the three part-time?

6 A The borough secretary, the water commissioner
7 and our solicitor.

8 Q And how many sets of tracks run under this
9 viaduct?

10 A Four.

11 Q Can you tell me what the time of this survey
12 was and the number of trains that used this area?

13 A January 13th, 1981 from 7:30 a.m. in the
14 morning until 7:30 at night there was approximately
15 21 trains that went through.

16 Q What types of trains use this area?and,
17 what I mean by that, freight trains, passenger trains?

18 A They are freight, mostly freight trains.

19 Q And what speed do they travel at?

20 A Very high speed.

21 Q High speed?

22 A Yes.

23 Q This is not a switching over, slowdown
24 operation that goes through here?

25 A No.

1 Q Did the borough just get a counter for
2 traffic?

3 A We just got one yesterday.

4 Q Who did you get it from?

5 A We borrowed it from PennDOT.

6 Q Is it in place right now?

7 A It's in place right now.

8 Q Has the borough posted the bridge in
9 accordance with the emergency PUC order that was entered
10 recently?

11 A Yes.

12 Q How many signs?

13 A Four signs, two on each end.

14 Q And are they posted with weight limits?

15 A A weight limit of 16 tons.

16 Q Where did the borough get the signs?

17 A PennDOT.

18 Q Did the borough pay for those?

19 A No.

20 Q Does the borough have any signs like that
21 which would indicate weight restrictions?

22 A No, we don't have any.

23 (Packet of 13 letters and memos and a
24 publication - marked for identification as Glenfield
25 Exhibit No. 2(C-80092154).)

1 BY MR. FECZKO:

2 Q I have put in front of you a packet of docu-
3 ments which has been marked Glenfield Borough Exhibit
4 2, and ask you if you have looked through those docu-
5 ments before coming in here? Had you read those docu-
6 ments or looked through those this morning?

7 A Yes, I just did.

8 MR. FECZKO: I think it is probably easier
9 if I summarized what they are.

10 MR. ZAHN: Let's not have you testify, let
11 the Mayor testify.

12 BY MR. FECZKO:

13 Q Just tell me what the first document is.

14 A It is a letter to Director R. A. Peteritas
15 of the Bureau of Rail Transportation.

16 Q Who is it from?

17 A There is no second page -- Mike Marmo, he's
18 our county representative for redevelopment.

19 Q Do these also point out the necessity of
20 the viaduct for the Borough of Glenfield?

21 A Yes.

22 Q The first one went to Mr. Peteritas and the
23 second one went to Mr. J. T. Sullivan ---

24 A Chief engineer, design and construction,
25 Consolidated Rail Corporation.

1 Q And the third one?

2 A The Honorable Ronald P. Goebel, State
3 Representative.

4 Q And the fourth one?

5 A The Honorable H. John Heinz, our Senator.

6 Q And the fifth one?

7 A The Honorable Edward M. Early, State Senator.

8 Q And the next document is dated July 31st,
9 1980. Can you just tell us for the record what the
10 letter is?

11 A This is a letter from Paul Hauser to
12 Commissioner Forester. Mr. Hauser is one of our
13 borough councilmen and it was informing him of the
14 conditions and problems that we had concerning the
15 viaduct.

16 Q And the next letter has a June 11th, 1980
17 date, what is that?

18 A This is a letter to Tom Fox from Mame
19 Bradley.

20 Q Who was Mame Bradley?

21 A She was our county representative.

22 Q When you say county representative, what
23 department?

24 A Redevelopment.

25 Q What was the purpose of that letter?

1 A I wanted to meet with them. They were pre-
2 paring a survey for a sewer and water plan for
3 Kilbuck Basin.

4 Q Does that indicate the importance of the
5 viaduct to the future of Glenfield Borough?

6 A Yes. They were doing a land use study and
7 this was -- we planned to use this -- there's a lot
8 of commercial industry across the tracks where we have
9 light industry.

10 Q What is the next document that is dated
11 April 16th, 1980?

12 A This is a letter to Joe Hohman from Paul
13 Katz.

14 Q Who is Paul Katz?

15 A He is the municipal service representative
16 for Allegheny County.

17 Q What is that letter?

18 A This is pertaining to the viaduct. I had a
19 meeting with him and they came down and met with me
20 and looked at the condition.

21 Q Does that point out the importance of the
22 viaduct to the borough and the industry located therein?

23 A It is very important.

24 Q And the next letter is dated February 13th,
25 1980, who is that to?

1 A Mr. Joseph Hohman from myself.

2 Q What does that letter say?

3 A I wrote a letter to Joe informing him of the
4 conditions and our plight in the borough and how many
5 people depend on the viaduct and all the problems we
6 had pertaining to the viaduct.

7 Q What is the next memorandum?

8 A This is to Joe Hohman concerning the
9 Glenfield viaduct from A. B. Carl.

10 Q Does that point out the condition of the
11 viaduct and also the importance of the viaduct to the
12 borough?

13 A Very important.

14 Q And the next document is what?

15 A This is to the Public Utility Commission.

16 Q What is the date of that document?

17 A January 7th, 1977.

18 Q Who prepared that document?

19 A This was prepared by Wendell Jordan.

20 Q At the time Mr. Jordan prepared that, what
21 was his capacity in the borough?

22 A Administrator for the borough.

23 Q Is Mr. Jordan alive today?

24 A Mr. Jordan is now deceased.

25 Q Does that point out also the same types of

1 items, the importance of the viaduct to the borough,
2 plus the condition?

3 A Yes, and it gives a history of it.

4 Q And the next letter.

5 A The next letter is to Mr. Spence.

6 Q Who is Mr. Spence?

7 A President of Consolidated Rail Corporation.

8 Q What is the date of that letter?

9 A July 16th, 1976.

10 Q Who is that letter from?

11 A From Wendell Jordan.

12 Q And again what was his capacity with the
13 borough?

14 A Chairman of the Planning Commission.

15 Q Is that a paid position?

16 A No.

17 Q What was the purpose of that letter?

18 A That was to inform him of the dangerous
19 condition of the viaduct.

20 Q Now, the last document is an item that con-
21 tains three pages, can you tell me what that is?

22 A This is a brief history of the Borough of
23 Glenfield entitled A Tale of Two Boroughs, or, Roads
24 to Nowhere. It gives you a history of the borough
25 and the destruction of the borough.

1 Q Destruction by what?

2 A By Route 65 when it went in and by I-79.

3 (Packet of 17 letters and memoranda -
4 marked for identification as Glenfield Exhibit
5 No. 3 (C-80092154).)

6 BY MR. FECZKO:

7 Q I hand you what has been marked Glenfield
8 Borough Exhibit 3. The first document in that item is
9 entitled "Glenfield Viaduct - Chronological Order of
10 Events - 1972 - Present." Who prepared that?

11 A Mike Marmo of the Allegheny County Redevelop-
12 ment Authority.

13 Q It is a chronological history of events that
14 have occurred since 1972 pertaining to the viaduct?

15 A Correct.

16 Q And the second document in there is dated
17 August 18th, 1972, can you tell us who that is to?

18 A Merele Forst, Director of the Pennsylvania
19 PUC, Bureau of Transportation.

20 Q Who was that from?

21 A John W. Schwogel, Mayor of the Borough of
22 Glenfield.

23 Q What was the purpose of that letter?

24 A I informed him of the serious condition of
25 the viaduct and asked what could be done about it.

1 Q The next item is from the County of
2 Allegheny from Levi Bird Duff.

3 A Yes.

4 Q What is the date of that response?

5 A August 24th, 1972. It was from Levi Bird
6 Duff to Dave Donahoe of the Commissioners office,
7 Allegheny County Commissioners office.

8 Q Did that interdepartmental correspondence
9 that he forwarded to you contain a copy of the
10 pertinent PUC order dated August 10th, 1953?

11 A Correct.

12 Q And did that order specify who was to take
13 care of maintaining the viaduct in the Borough of
14 Glenfield?

15 A Yes, it did.

16 Q The first part of the order, paragraph 22,
17 refers to what entity?

18 A Department of Highways -- Pennsylvania
19 Department of Highways.

20 Q No, the first part.

21 A The completion of alterations?

22 Q No, paragraph 22.

23 A Oh, wait a minute. Upon completion of the
24 alteration of the existing Glenfield viaduct in
25 accordance with this order, the Pennsylvania Railroad,

1 at its sole cost and expense, furnish all material
2 and do all the work necessary thereafter, to maintain
3 the entire substructure and superstructure of the
4 existing viaduct, exclusive of the new steel girder
5 span and the reinforced concrete slab span herein
6 ordered constructed by the Department of Highways,
7 and exclusive of the existing Pier-A and the northerly
8 abutment supporting the said new span.

9 Q Now, the next paragraph is paragraph 23.

10 MR. ZAHN: I don't see why we have to have
11 all this in the record.

12 THE ADMINISTRATIVE LAW JUDGE: We don't need
13 to read it, the Commission can certainly take notice
14 of its own orders.

15 MR. ZAHN: At this point, Your Honor, all
16 these letters are hearsay. I don't know whether they
17 shouldn't go into the Correspondence folder rather
18 than into the record here. I think this is part of
19 the Correspondence folder.

20 MR. FECZKO: You are talking about the
21 letters?

22 MR. ZAHN: Your two exhibits.

23 MR. FECZKO: My exhibits are letters, they
24 aren't PUC orders. These are complaints from public
25 officials to higher public officials.

1 THE ADMINISTRATIVE LAW JUDGE: What Mr. Zahn
2 is suggesting is a lot of the material may more
3 appropriately go into the correspondence file in the
4 case which is not considered to be evidentiary
5 material, it is simply informative material that pro-
6 vides background and, perhaps, history.

7 MR. FECZKO: The purpose of these is to
8 answer the question of procedures and we were required
9 to submit testimony and I felt that the testimony
10 with the exhibits would be the proper way of showing
11 what the prior condition was and the prior complaints
12 which we have directed.

13 THE ADMINISTRATIVE LAW JUDGE: You may
14 proceed. Mr. Zahn can make any objections he has at
15 the close of your case.

16 BY MR. FECZKO:

17 Q The next document is a letter dated October
18 18th, 1972, from the Pennsylvania Public Utility
19 Commission. Who was that to?

20 A The Honorable John W. Schwogel, Mayor of
21 the Borough of Glenfield.

22 Q That is from who?

23 A This is from Merle Forst.

24 Q And he is the director?

25 A The director.

1 Q What was the gist of that letter, or purpose
2 of that letter?

3 A This involved the Commission order at
4 A. 79419 dated August 10th, 1953, directing ---

5 Q Just the substance of the letter.

6 A The railroad company to maintain the entire
7 substructure and superstructure of the existing
8 viaduct.

9 Q Was there also an agreement by the railroad
10 company at that time to do certain work?

11 A Yes, they agreed to remove the loose concrete
12 on the structure to avoid personal injury.

13 Q Do you have any personal knowledge that that
14 was done?

15 A I have no record that was done.

16 Q Did you see any work being performed on it
17 after 1972?

18 A No work was ever performed to my knowledge.

19 Q The next letter is what?

20 A This letter is dated October 11th, 1973.

21 Q Who did that go to?

22 A That went to Mr. Ellis, Division Engineer of
23 Penn Central Railroad.

24 Q Was that concerning a certain industry that
25 was located in the borough?

1 A American Industry.

2 Q What was the 'gist of that letter?

3 A About placing a 16-ton weight limit on the
4 bridge -- on the viaduct.

5 Q And the next letter is dated November 5th,
6 1973 from American Industrial Contracting, Inc., who
7 was that to?

8 A Glenfield Borough Council.

9 Q From who?

10 A J. Albert Eastland, American Industry's
11 vice-president.

12 Q Does that indicate the necessity of main-
13 taining the viaduct in its present capacity in 1973
14 for the purpose of that industry?

15 A Correct.

16 Q And the next letter is from the Congress of
17 the United States dated August 30th, 1976. Who was
18 that to?

19 A That was to Mr. Wendell Jordan, Chairman,
20 Glenfield Planning Commission.

21 Q Who was that from?

22 A The Honorable H. John Heinz.

23 Q What was the gist of that letter?

24 A It concerned the deterioration of the
25 Glenfield viaduct.

1 Q Did he indicate he had done anything con-
2 cerning that condition?

3 A He says that he has been aware of the problem
4 and has been working on it.

5 Q Paragraph 2, does that indicate he made
6 contact with anyone?

7 A "I would like you to know that I have
8 directed a letter to the appropriate authorities at
9 Conrail concerning the problem."

10 Q And the next letter is dated November 5th,
11 1979, who was that to?

12 A John Burton ---

13 Q Who? You have the wrong one. Did you skip
14 one?

15 A Okay, that was to Mr. Richard D. Spence,
16 President, Consolidated Rail Corporation.

17 Q What was the purpose of that letter?

18 A This is a letter from Margaret Schwogel,
19 Borough Secretary for the Borough of Glenfield
20 suggesting that he be aware of the condition of the
21 sidewalk on the viaduct.

22 Q And is Margaret Schwogel related to you?

23 A She's my wife.

24 Q And the next document is an interoffice
25 memo to John Burke from Dennis Baughman, Bridge

1 Section and is dated November 12th, 1979. What does
2 that pertain to?

3 A This is an on-site study done by engineer
4 Burke.

5 Q Does that contain information concerning the
6 condition of the viaduct?

7 A It all concerns the condition of the viaduct.

8 Q The next letter is dated December 4th, 1979
9 and it is to Margaret Schwogel, Secretary from whom?

10 A C. W. Owens, General Manager of Conrail.

11 Q What is the gist of that letter?

12 A It concerned the condition of the sidewalk
13 and they said: "Our recent inspection of this area
14 reveals that both the viaduct and the sidewalk have
15 been deteriorating over the years due to heavy salt
16 applications during the winter months. We are
17 referring your letter to our chief engineer, design
18 and construction, Mr. J. T. Sullivan, who will advise
19 you concerning future plans for this structure."

20 Q Was there ever any follow-up after that
21 letter was received?

22 A Nothing.

23 Q The next letter is dated August 25th, 1980,
24 from the County of Allegheny to Mr. Hauser. Who is
25 Mr. Hauser again?

1 A Councilman of Glenfield Borough.

2 Q What was the reason for that letter?

3 A This was in answer to his letter to Tom
4 Foerster concerning the Glenfield viaduct.

5 Q And the next document* is what?

6 A This is a memo from Karl Nejak, he was an
7 engineer and they did a field inspection.

8 Q Does that concern the condition of the
9 viaduct?

10 A Yes.

11 Q Does it contain also a recommendation?

12 A There is a recommendation on the back.

13 Q What is that recommendation?

14 A The bridge should be replaced rather than
15 conduct an in-depth inspection and possible rehabilita-
16 tion. An improved horizontal and vertical alignment
17 should be pursued.

18 Q The next document is dated October 6th, 1980,
19 and that is from the County of Allegheny, Mr. Michael
20 Marmo, what did that contain?

21 A We were suggesting an on-site study.

22 Q Were these minutes kept of that on-site
23 study?

24 A Yes.

25 Q Is this a forwarding letter forwarding copies

1 of the minutes of that on-site study?

2 A Correct.

3 Q And the next document is dated September 24th,
4 1980, are these copies of the actual minutes?

5 A This is a copy of the minutes.

6 Q And the next document is dated October 8th,
7 1980, and this is apparently a memo to a Mr. B. D.
8 Rocuskie, Director, Bureau of Highway Design, and I
9 ask you what that refers to.

10 A A requested meeting was held at the bridge
11 site on September 24th, 1980 to discuss the condition
12 and the future course of action concerning the
13 Glenfield viaduct bridge.

14 Q Does that contain recommendations by
15 PennDOT as to what should take place?

16 A Yes, it does.

17 Q The next document is a letter from Green
18 International Incorporated to a Mr. Donald Fleisher,
19 Pennsylvania Public Utility Commission, dated
20 September 26th, 1980. What does that pertain to?

21 A This was a field meeting that was held.

22 Q That is signed by Mr. Karl Nejak?

23 A That's correct.

24 Q What was Mr. Nejak's position?

25 A I imagine he was a manager for Green

1 International, Inc.

2 Q Does he work for the Borough of Glenfield?

3 A No.

4 Q Does the Borough of Glenfield have an
5 engineer?

6 A No.

7 Q Have you ever had an engineer?

8 A Just in emergencies.

9 Q You have had occasion to hire an engineer
10 for various projects?

11 A Yes.

12 Q How were the engineers paid for?

13 A Mostly through grants.

14 Q The next document is dated October 6th,
15 1980, that is from what company?

16 A This is from J. T. Sullivan to Donald
17 Fleisher, Bureau of Rail Transportation, Pennsylvania
18 Public Utilities Commission.

19 Q Who is it from?

20 A Conrail.

21 Q What was the purpose of that report?

22 A This is about different engineers attending
23 a meeting at the site, an on-site study, to decide
24 what we wanted to do, if we should go ahead with the
25 intended study, or what to do with the viaduct.

1 Q And the next and last document, who is that
2 from?

3 A The Department of Engineering and Construc-
4 tion. It's from John Drake, Chief Bridge Engineer.

5 Q What does that pertain to?

6 A They direct that the present load limit of
7 16 tons, that was discussed, that they were in general
8 agreement that lowering of this posting was unjustified.
9 It's also about the structure and superstructure and
10 replacement of the structure.

11 (Packet of documents - marked for
12 identification as Glenfield Exhibit No. 4(C-80092154).)

13 BY MR. FECZKO:

14 Q I hand you what have been marked as Exhibit
15 No. 4, consisting of 14 pages. The first document
16 is identified as the minutes of the Glenfield viaduct
17 meeting, September 11th, 1980. Were you present at
18 the meeting?

19 A Yes.

20 Q Who kept these minutes?

21 A Mike Marmo.

22 Q Does that reflect the discussion that
23 occurred as to the responsibility for the bridge or
24 the viaduct?

25 A It does.

1 Q The second document is a copy of the PUC
2 emergency order and that is dated October 21st, 1980.

3 A Right.

4 Q And is that indicated by the signs that were
5 required to be posted and they have been posted?

6 A The signs have been posted.

7 Q The last document in there is a proposal for
8 engineering services to prepare a design location
9 study for the Glenfield bridge and approach replacement
10 prepared by Green International, Inc. Has that
11 proposal been submitted for funding?

12 A Yes.

13 Q Who was it submitted to?

14 A Allegheny County Redevelopment Authority.

15 Q Have you heard anything on that yet?

16 A No, nothing whatsoever.

17 Q Can you tell the Judge, originally, how many
18 crossings existed in the Borough of Glenfield?

19 A At one time there were two crossings.

20 Q Were they grade crossings or bridge
21 crossings?

22 A They were grade crossings.

23 Q And do you know why they were eliminated?

24 A Well, the reason they were eliminated is that
25 they wanted to do away with the crossings. That's the

1 reason they were eliminated.

2 Q Did the borough have anything to do with the
3 construction or the building of the viaduct?

4 A No.

5 Q Has the borough maintained the viaduct?

6 A No.

7 Q Has the borough ever maintained it?

8 A No.

9 Q Does the borough maintain the sidewalk?

10 A No.

11 Q Does the borough maintain the superstructure
12 or the underside of the bridge?

13 A No.

14 Q Has the borough done any salting or
15 cindering of the bridge in the winter?

16 A We have done some cindering due to the
17 safety of the people and the school buses.

18 Q Does the borough consider it to be their
19 obligation to perform those services?

20 A No.

21 Q Has the borough made requests for other
22 parties to take care of the bridge insofar as winter
23 services are concerned?

24 A Not to my knowledge. To my knowledge they
25 didn't.

1 THE ADMINISTRATIVE LAW JUDGE: I'm sorry,
2 they did or did not?

3 THE WITNESS: They did not, to my knowledge.

4 THE ADMINISTRATIVE LAW JUDGE: Thank you.

5 BY MR. FECZKO:

6 Q Is it possible to close the viaduct and still
7 have the residents of the Borough of Glenfield exist
8 on a day-to-day basis?

9 A No. There is no way you can close it at
10 present.

11 Q Is there any way you can close it temporarily
12 and still allow the people to get in and out of the
13 borough?

14 A The only way would be to put in a temporary
15 grade crossing.

16 Q Has the borough been classified by the
17 federal government as far as the economic status of
18 the borough?

19 A Yes, we are classed very low. I don't know
20 what they call it.

21 Q Is it classified as a distressed borough?

22 A A distressed area, yes.

23 Q What is the tax rate of the Borough of
24 Glenfield?

25 A The tax structure is about \$25,000.

1 Q Is that total monies the borough gets on an
2 annual basis?

3 A The total money for 1980 was \$25,533.83.

4 Q Does this include real estate taxes?

5 A That's real estate and wage taxes and other
6 finances and different things.

7 Q So that is the total income the borough
8 receives in a given year?

9 A Right.

10 Q What is the millage rate gauged on?

11 A We just raised it to 28 mills.

12 Q It was just raised this year?

13 A Yes.

14 Q What is the maximum millage rate the borough
15 is permitted to tax?

16 A I think it's 31.

17 Q Does the borough agree to perform any
18 repairs or rebuilding of this bridge?

19 A No.

20 Q Why not?

21 A Financially we could not stand it.

22 Q Does the borough consider it necessary that
23 this work be performed?

24 A Yes.

25 Q Does the borough desire that work be

1 performed as soon as possible due to the present
2 condition of the bridge?

3 A Yes.

4 Q Does the borough have a position as far as
5 who in their opinion should be required to perform
6 this work?

7 A Our position? Yes.

8 Q Who is that?

9 A Conrail -- Consolidated Rail Corporation.

10 Q Why is that?

11 A It was always our impression that they owned
12 the bridge.

13 MR. FECZKO: If Your Honor please, I have
14 copies of those accident reports, the five automobile
15 accident reports.

16 MR. ZAHN: May I see them?

17 MR. FECZKO: I just got them this morning
18 and I don't have the necessary copies for exhibits.
19 If somebody wants I will copy them and put them in at
20 a later date.

21 THE ADMINISTRATIVE LAW JUDGE: We can take a
22 break and let counsel look at them and you can decide
23 whether you want to submit them as an exhibit.

24 MR. FECZKO: That's all I have on direct.
25 Should I offer the exhibits at this time?

1 THE ADMINISTRATIVE LAW JUDGE: At the close
2 of cross-examination. Mr. Zahn, you may cross-examine.

3 CROSS-EXAMINATION

4 BY MR. ZAHN:

5 Q Will you look at your 20 pictures that you
6 talked about? Are any of those pictures -- do any
7 depict the two northerly spans of this viaduct?

8 A You are talking about PennDOT?

9 Q Yes.

10 A There's only about one or two in here. Here
11 they are.

12 THE ADMINISTRATIVE LAW JUDGE: Tell us the
13 numbers.

14 MR. ZAHN: No. 3.

15 THE ADMINISTRATIVE LAW JUDGE: Is there
16 another one?

17 THE WITNESS: No. 2 and No. 3.

18 BY MR. ZAHN:

19 Q Now, on No. 3, the northerly spans, do they
20 show any deterioration?

21 A They look in good shape.

22 Q And on No. 2, the two northerly spans, do
23 they show any deterioration?

24 A No.

25 MR. ZAHN: Off the record.

1 (Off the record discussion.)

2 THE ADMINISTRATIVE LAW JUDGE: Why don't we
3 take a five minute break right now.

4 (Recess declared from 11:15 a.m. until
5 11:20 a.m.)

6 BY MR. ZAHN:

7 Q I have reviewed these accident reports, Mr.
8 Mayor, would I be correct in saying that none of these
9 accidents occurred as a result of the alleged deterior-
10 ating condition of the bridge?

11 A I guess, according to the reports, yes.

12 MR. ZAHN: Thank you. I have no further
13 questions.

14 THE ADMINISTRATIVE LAW JUDGE: Mr. Mazor.

15 CROSS-EXAMINATION

16 BY MR. MAZOR:

17 Q This viaduct carries a roadway into a
18 borough street, is that correct?

19 A It goes into a borough street.

20 Q Let me put it this way: when you calculate
21 your liquid fuel tax refunds, is the length of the
22 road on the viaduct included in your calculations?

23 A In my opinion, no.

24 Q If it is not a borough street, is it a
25 county road? Is it a state highway?

1 A It's a public road, but we don't claim it
2 as a borough street.

3 Q You don't claim it as a borough street?

4 A No.

5 Q Prior to the time when the Ohio River
6 Boulevard was built in the 1950's and the two new
7 spans added, what did the viaduct go on to?

8 A It went on to 65.

9 Q The old 65?

10 A Yes.

11 Q So if you are in a car or a truck, in order
12 to get in or out of the borough, you either have to go
13 on or come off of the state highway, is that correct?

14 A Correct.

15 Q Now, what is the total number of dwellings
16 and businesses in the borough all together, Mr. Mayor?

17 A Approximately 53 homes, three businesses
18 and a fire hall.

19 Q This is between the railroad and the river?

20 A Yes.

21 Q Are there any other residences or businesses
22 within the borough that are not between the rail-
23 road and the river?

24 A Yes, but I don't have the exact count.

25 Q But there are some?

1 A Yes. There is Kilbuck Street and each side
2 of the hill. On the hillsides we have properties up
3 on there, people living there.

4 Q So your fire equipment would have to go
5 over the viaduct to reach those homes?

6 A Correct.

7 Q What kind of equipment does your fire company
8 have?

9 A We have a pumper and a squad car.

10 Q And I assume the pumper is the heavier of
11 the two. What does that weigh?

12 A It's close to the 16 ton, about 14,000 (sic).

13 Q So the present posted limit of the bridge
14 does not interfere with the fire truck going over it?

15 A That specific fire truck, but we belong to
16 an association and if we had to bring heavier equip-
17 ment in, we would have to bring it in.

18 Q I notice in your correspondence and exhibits
19 U.D.A.G.; what does that mean?

20 A U.D.A.G.?

21 Q Yes, U.D.A.G. It sounds like it might be
22 Urban Development?

23 A Yes, it's with Allegheny County.

24 Q What does that involve?

25 A I am not involved with that at present.

1 Q Now, you indicated that the borough had
2 done some snow removal on the viaduct, is that correct?

3 A They plowed it, yes.

4 Q And some cindering?

5 A Cindering.

6 Q Did the borough ever do any salting on the
7 sidewalk?

8 A No.

9 Q Do you know who did?

10 A To my knowledge, no.

11 Q Do you know if anybody did?

12 A To my knowledge not since I've been Mayor.

13 Q One last thing, sir. I believe you stated
14 that Conrail owned the bridge, did you mean to include
15 the two spans that PennDOT built also in that owner-
16 ship?

17 A No. According to the PUC ruling, Conrail
18 owned everything but them two spans.

19 Q You read from a PUC order which said that
20 Penn Central was to maintain the bridge; right? It
21 didn't say anything about ownership, did it? It said
22 it had to maintain it, isn't that correct?

23 A I was under the impression they owned it.

24 Q But that was the basis of that impression,
25 that PUC order, is that right?

1 A Yes.

2 MR. MAZOR: That's all I have, Your Honor.

3 THE ADMINISTRATIVE LAW JUDGE: Mr. Keyser.

4 CROSS-EXAMINATION

5 BY MR. KEYSER:

6 Q Have you observed any parties, other parties,
7 doing maintenance work of any sort on the structure?

8 A Not to my knowledge since I've been Mayor.

9 Q Now, just for the record, to set the record
10 straight, in your last exhibit which you introduced,
11 the packet of letters, Exhibit 4, the last letter was
12 a letter from Mr. John Drake of the County of
13 Allegheny and I think you stated in summarizing that
14 letter that Mr. Drake said that reconstruction of the
15 bridge would be in order. Just as an aside, I would
16 say for the record -- I would call your attention to
17 the letter in which Mr. Drake is not saying that at
18 all, but to the contrary, that further engineering
19 studies be done.

20 A If ordered, yes.

21 Q Is that correct?

22 A According to this, yes.

23 MR. KEYSER: I have no further questions.

24 THE ADMINISTRATIVE LAW JUDGE: Mr. Grossman.

25 CROSS-EXAMINATION

1 BY MR. GROSSMAN:

2 Q Is there a physician residing in Glenfield?

3 A Not at the present, no.

4 Q Where would a physician come from if one
5 were needed inside Glenfield?

6 A Sewickley or Bellevue.

7 Q And would he have to cross the Glenfield
8 viaduct?

9 A Right.

10 Q Is there a hospital in Glenfield?

11 A No.

12 Q Where would, if a resident of Glenfield had
13 to be hospitalized, where and how would he get to the
14 hospital?

15 A By ambulance to the Sewickley Valley
16 Hospital or Bellevue Suburban.

17 Q How would he get out of Glenfield?

18 A You are talking about across the viaduct?

19 Q That's right.

20 A They would have to go across the viaduct.

21 Q Is there a pharmacy in Glenfield?

22 A No.

23 Q Same answer to the previous two questions,
24 anyone needing a pharmaceutical product would have to
25 cross the viaduct?

1 A Correct.

2 Q Does the borough receive revenue from liquid
3 fuel taxes?

4 A Correct.

5 Q Has the borough done any maintenance on the
6 bridge?

7 A None.

8 MR. GROSSMAN: I have no further questions.

9 THE ADMINISTRATIVE LAW JUDGE: Sir, how long
10 has the viaduct been posted at 16 tons?

11 THE WITNESS: We had one on there, finally
12 got them up yesterday (sic).

13 THE ADMINISTRATIVE LAW JUDGE: There was one
14 sign?

15 THE WITNESS: One sign was posted.

16 THE ADMINISTRATIVE LAW JUDGE: How long was
17 that there?

18 THE WITNESS: I can't recall when it was.
19 We don't even know who put it on there.

20 THE ADMINISTRATIVE LAW JUDGE: It was prior
21 to 1972?

22 THE WITNESS: It was after 1972.

23 THE ADMINISTRATIVE LAW JUDGE: Some time
24 after 1972?

25 THE WITNESS: Yes.

1 THE ADMINISTRATIVE LAW JUDGE: I take it
2 that that sign was generally ignored by anybody who
3 had a load heavier than 16 tons?

4 THE WITNESS: Because it wasn't posted
5 properly. We didn't post it and we didn't have
6 authority to arrest anybody because we didn't own the
7 property and we had no scales.

8 THE ADMINISTRATIVE LAW JUDGE: Were you a
9 resident when the viaduct was built?

10 THE WITNESS: No, sir.

11 THE ADMINISTRATIVE LAW JUDGE: Do you have
12 any knowledge as to why it was built or what it
13 replaced?

14 THE WITNESS: The only knowledge I have is
15 that it replaced two grade crossings in the borough.

16 THE ADMINISTRATIVE LAW JUDGE: Was that at
17 the same time that Route 65 was changed?

18 THE WITNESS: I don't recall.

19 THE ADMINISTRATIVE LAW JUDGE: Your various
20 pieces of correspondence that you have sponsored this
21 morning and this afternoon in your exhibits 2, 3 and
22 4, do they generally contain all the information that
23 you are aware of with regard to Glenfield being
24 considered for any kind of industrial redevelopment?

25 THE WITNESS: Yes. We are having a land

1 site study now that we are going through.

2 THE ADMINISTRATIVE LAW JUDGE: Can you tell
3 me approximately how many acres are available for
4 further development within the borough?

5 THE WITNESS: I don't have that offhand.
6 There is a lot of property available, but I don't know
7 about the acreage. There is property available on
8 our hillside.

9 THE ADMINISTRATIVE LAW JUDGE: But the
10 hillside is on the other side of the crossing?

11 THE WITNESS: Yes.

12 THE ADMINISTRATIVE LAW JUDGE: Is a study
13 being done on the riverside?

14 THE WITNESS: It's the whole community.

15 THE ADMINISTRATIVE LAW JUDGE: Both sides
16 then?

17 THE WITNESS: Both sides.

18 THE ADMINISTRATIVE LAW JUDGE: I have no
19 further questions. Any redirect?

20 MR. ZAHN: I have one question.

21 CROSS-EXAMINATION

22 BY MR. ZAHN:

23 Q Mr. Mayor, when the viaduct was built you
24 said it replaced three former ---

25 A Two.

1 Q I beg to differ with you, but according to
2 the Commission order ---

3 A There were two in the borough and one in
4 Haysville.

5 Q Two in the borough? So there were two
6 borough streets and also one township road that was
7 replaced at grade by the viaduct?

8 A I don't recall.

9 Q And at that time was there some brick
10 manufacturing company operating in Glenfield, or in
11 your area?

12 A To my knowledge, no.

13 MR. ZAHN: I have no further questions.

14 THE ADMINISTRATIVE LAW JUDGE: Mr. Feczko.

15 MR. FECZKO: I just want to point out for
16 the record that in one of the exhibits, Exhibit No. 2,
17 there was a memorandum from Mame Bradley, on June 11th,
18 1980, which discussed the four areas that were
19 developable and it does refer to two privately owned
20 properties on the Ohio River, but does not indicate
21 the size of them. In response to your question, Your
22 Honor, it does discuss that and it was in connection
23 with an application for a grant.

24 THE ADMINISTRATIVE LAW JUDGE: Thank you.
25 Do you have anything further?

1 MR. FECZKO: Yes.

2 REDIRECT EXAMINATION

3 BY MR. FECZKO:

4 Q Has the borough recently made a purchase of
5 property in the area affected by the viaduct?

6 A Yes, we recently purchased 2.8/10th acres
7 on the riverside.

8 Q Where is that located?

9 A That's located at the foot of Dawson Avenue.

10 Q And what is that bordered by on the north
11 side?

12 A It is bordered by the railroad.

13 Q Does it run right up to the railroad tracks?

14 A Yes.

15 Q What borders it on the other side?

16 A The Ohio River.

17 Q When was that purchased?

18 A Just recently, in the last five, six months.

19 Q Who was that purchased from?

20 A That was purchased from the railroad.

21 Q Penn Central?

22 A Penn Central.

23 Q What was the purpose of that purchase?

24 A To put in a park.

25 Q Where did the borough get the funds to buy a

1 park?

2 A We got that through the Allegheny County
3 Redevelopment Authority.

4 Q Was it a grant?

5 A It was a grant through them and the state.

6 Q Is there presently an application for a
7 grant to develop that park for borough residents as
8 well as county residents?

9 A Yes, there is an application in right now.

10 Q That would be a riverfront park?

11 A A riverfront park.

12 MR. FECZKO: That's all.

13 THE ADMINISTRATIVE LAW JUDGE: Any additional
14 questions?

15 (No response)

16 THE ADMINISTRATIVE LAW JUDGE: Thank you
17 very much, sir. You are excused.

18 (Witness excused)

19 MR. FECZKO: I would like to offer the
20 exhibits at this time.

21 THE ADMINISTRATIVE LAW JUDGE: Are there any
22 objections to Exhibits 1, 2, 3 and 4?

23 MR. KEYSER: Yes, the County objects to all
24 exhibits containing the packets of correspondence,
25 which, I think, are 2, 3 and 4, on the basis that they

1 are hearsay. The parties between who the correspondence
2 was sent have not testified and I am not sure what the
3 purpose of offering them is. If it is to establish the
4 deterioration of the bridge, that, of course, would be
5 done appropriately through expert testimony to that
6 effect and not through correspondence without the
7 ability to cross-examine the parties who have made
8 these statements, and without knowing their expertise
9 itself, the statements have no probative value. So
10 we would join with PennDOT's objection and suggest
11 that they be better placed into the correspondence
12 file.

13 THE ADMINISTRATIVE LAW JUDGE: My opinion is
14 that the bulk of the correspondence is admissible
15 only for the limited purpose of showing the borough's
16 concern over the condition of the bridge and the fact
17 that they have attempted and have brought their
18 perception of the condition of the bridge to the
19 attention of various public officials and public bodies.
20 But in terms of exact condition of the bridge, I
21 agree with you, most of the material is hearsay except,
22 of course, for the Mayor's testimony with regard to
23 the pictures and his own personal observations.

24 MR. ZAHN: I have one further objection.
25 In Exhibit No. 2, the Tale of Two Cities that is

1 attached to it, I think that is entirely irrelevant
2 and should not even be made part of this exhibit. It
3 has nothing to do with the condition of this bridge,
4 it has nothing to do with the purpose of this hearing.

5 THE ADMINISTRATIVE LAW JUDGE: That may well
6 be, I haven't had a chance to read it. My intention
7 at this point is to admit Glenfield Exhibit 1, copies
8 of the pictures into the record, and they may be used
9 to the extent the borough wishes to use them, for
10 whatever purpose.

11 2, 3 and 4 are admitted for the limited
12 purpose that I have explained in my prior statement,
13 and also, subject to my review later and conclusion
14 as to whether or not some of them may have no value
15 at all to the proceeding. But I am not going to do
16 that now or make a ruling at this point because I
17 simply have not had an opportunity to read it.

18 MR. ZAHN: You will grant me an exception?

19 THE ADMINISTRATIVE LAW JUDGE: Your exception
20 is noted.

21 MR. FECZKO: If I could answer some of the
22 objections made as far as hearsay? Many of those
23 documents were documents written by Mr. Schwogel, who
24 is here and who has identified them. Secondly, the
25 majority of those documents, I could call Mr. Schwogel

1 back at this time, come from the official records of
2 the borough which are maintained at Mr. Schwogel's
3 home and, I would think, that would take them outside
4 the hearsay objection. Thirdly, I think a lot of them
5 contain admissions by the parties in this case and
6 that would take them outside the hearsay rule,
7 particularly where they have agreed in writing to do
8 the work, but have never done it.

9 MR. MAZOR: Those statements by Penn Central,
10 who are not here, could not be binding on any other
11 party except the railroad.

12 MR. FECZKO: I think the Commission has to
13 decide whether Conrail is bound by Penn Central's
14 former actions.

15 MR. MAZOR: We can't account for what some-
16 body did before we came into existence.

17 MR. FECZKO: I disagree. I think the
18 successor of a corporation who takes over their assets
19 and liabilities would be bound.

20 MR. MAZOR: If we were a successor, it might
21 be true, but that is questionable. But in any event,
22 I join in the objections for all the reasons given.
23 We appreciate, of course, naturally, in your
24 recommended decision, that you do indicate which of
25 the documents, if any, are going to be put into the

1 record.

2 MR. KEYSER: And, also, if Your Honor would,
3 for what purposes they are being placed in the record
4 so we have a full understanding of how the Commission
5 is considering them.

6 THE ADMINISTRATIVE LAW JUDGE: I think
7 those are all fair comments and your objections are
8 good ones and proper ones and they will be considered
9 in my initial decision.

10 MR. GROSSMAN: The Commission Trial Staff
11 would join in any objection to the extent of hearsay
12 and relevance.

13 THE ADMINISTRATIVE LAW JUDGE: All right.
14 Is there anything further?

15 MR. FECZKO: No, Your Honor.

16 THE ADMINISTRATIVE LAW JUDGE: Does Glenfield
17 Borough wish to call anybody else as witnesses?

18 MR. FECZKO: No, not at this time.

19 THE ADMINISTRATIVE LAW JUDGE: Mr. Mazor?

20 MR. MAZOR: Mr. Parks.

21 WARREN W. PARKS, JR., was called as a
22 witness and after being duly sworn according to law,
23 testified as follows:

24 DIRECT EXAMINATION

25 BY MR. MAZOR:

1 Q State your name and business address for the
2 record.

3 A Warren W. Parks, Jr., Senior Civil Engineer,
4 Consolidated Rail Corporation, Office of Chief
5 Engineer, Design and Construction, located at 15 North
6 32nd Street, Philadelphia, Pennsylvania 19104.

7 Q Mr. Parks, are you authorized to testify
8 on behalf of Conrail in this proceeding?

9 A Yes, I am.

10 Q Are you generally familiar with the bridge
11 which is the subject matter of this complaint?

12 A Generally familiar.

13 Q Who owns and operates the line of railroad
14 which runs under the structure?

15 A The exact corporate name of the operator is
16 Consolidated Rail Corporation.

17 Q How many tracks are there at the side of
18 this crossing, and what class volume and speed of
19 trains are operated daily over those tracks?

20 A The number of track presently located, passing
21 under this structure, is four. They are all mainline
22 tracks from Pittsburgh to Chicago. The train traffic
23 consists of two trains, one each way, which are
24 passenger trains belonging to Amtrak and their speed
25 limit is 70 miles an hour. There can be about 50

1 freight trains, total, under this structure in 24
2 hours. Their speed can range from 50 miles an hour
3 to 60 miles an hour depending upon the type. The
4 faster trains would be your trailer trains and mail
5 trains. The freight trains would average anywhere
6 from 100 to 150 cars. The change to operations
7 occurring presently, and this change has been placed
8 in the average of 50 trains in a 24-hour period, are
9 trains being transferred from the main track that ran
10 from Pittsburgh through Carnegie to Weirton, West
11 Virginia on to Ohio. These trains are now being
12 taken up the Ohio River to what we call the Byrd
13 Branch to Cochester, Pennsylvania and on to this main-
14 line between Pittsburgh and Chicago and will pass
15 under the involved structure.

16 Q Do you know if this condition is a permanent
17 one, temporary, or how long it will be?

18 A This, to my knowledge, will be a permanent
19 one.

20 Q So that your current figures reflect what
21 the traffic is now and will be in the foreseeable
22 future?

23 A That is correct.

24 Q Can you tell us when the existing bridge
25 was constructed, who constructed it, why it was

1 constructed?

2 A The existing bridge involved is known by
3 the railroad as overhead bridge No. 9.22 and is
4 located at mainline mile post 9.22 and was constructed
5 in 1926 by the Pennsylvania Railroad Company for the
6 purpose of eliminating grade crossings. This was
7 covered under PSC order of 1925.

8 MR. MAZOR: If Your Honor please, we should
9 like to mark for identification Conrail Exhibit No. 1.
10 Copies have been distributed to all parties of
11 record, as well as to the reporter and Your Honor.

12 (Conrail Exhibit No. 1 (C-80092154),
13 consisting of four sheets of plans - marked for
14 identification.)

15 BY MR. MAZOR:

16 Q Mr. Parks, can you identify that exhibit?

17 A Conrail Exhibit No. 1 consists of four
18 sheets showing the general details of the involved
19 structure. Sheet 1 shows a plan view and profile of
20 the viaduct as built in 1926. It should be noted
21 that in 1953, two spans over the tracks were rebuilt
22 to accommodate the changes to the Ohio River Boulevard,
23 LR-452, or traffic Route 65, by the Pennsylvania
24 Department of Highways.

25 The existing bridge today consists of two

1 spans at the north end, having a total of about 69
2 feet; one span over the railroad tracks having steel
3 girders and encased in concrete of about 97 feet; and
4 the south approach consisting of 13 reinforced concrete
5 spans totaling about 512 feet in length. The entire
6 length, abutment to abutment, is about 678 feet. The
7 width of the road is 20 feet between curbs with a
8 five foot sidewalk on the west side of the roadway.

9 Sheet 2 of Exhibit 1 consists of a plan,
10 the plan and elevation of the structure from the
11 original north abutment south over the tracks over
12 Beaver Road and also one span south of Beaver Road.
13 This plan shows typical construction.

14 Sheet 3 of Exhibit 1 shows the cross-section
15 detail of the construction of the deck slabs and
16 piers, except for the piers on each side of the rail-
17 road tracks.

18 Sheet 4 shows construction detail of the
19 piers on each side of the railroad tracks and the
20 south abutment and the end of the viaduct.

21 Conrail did furnish full sets, which consist
22 of 18 sheets covering the entire set of structure
23 plans which included these sheets which were
24 presented by letter of September 29th, 1980, to the
25 Pennsylvania Department of Transportation, Allegheny

1 County, and the borough's consultant for their use in
2 making an engineering study, a visual engineering
3 study as recommended by the PUC staff.

4 If the Commission so desires a full set of
5 these plans, we would be able to furnish them.

6 Q What is the condition of the existing bridge
7 and what recommendations do you have, if any, to
8 correct those conditions?

9 A Conrail considers the present condition of
10 the bridge, which for the most part include the
11 concrete spans on different parts of the bridge, safe
12 enough for the present posted load of 16 tons.
13 Recommended periodic visual inspection should be made
14 to see if any change warrants more detailing or
15 reduction of load limit.

16 Q Do you have any records as to whether
17 Conrail performed any maintenance or improvement on
18 the viaduct, or Penn Central Transportation Company
19 performed any during the time it was in existence on
20 the bridge or the approaches?

21 A In my own research for this morning, I
22 could find none.

23 Q What is Conrail's position with respect to
24 its present obligation for maintenance of any of the
25 facilities at the crossing?

1 A Conrail does not agree to perform actual
2 work ---

3 Q I didn't ask that, I asked the position of
4 Conrail with respect to present obligations for
5 maintenance.

6 A Excuse me. Conrail considers that it has
7 no obligation for maintenance of the involved
8 structure.

9 Q Will Conrail agree to perform the actual
10 work at the subject crossing of any improvements or
11 studies for a replacement structure found necessary
12 and ordered by the Commission and, if not, which party
13 or parties in its opinion should be required to
14 perform such work?

15 A Conrail does not agree to perform the
16 actual work at the subject crossing of any improvements
17 or replacements found necessary and ordered by the
18 Commission. Conrail considers the work should be
19 performed by the borough or county, or both. Conrail
20 considers the improvement or replacement is entirely
21 for the benefit of the users of the roadway, not the
22 railroad.

23 Q Would it be necessary to maintain railroad
24 flagmen, watchmen and/or inspectors during the
25 performance of any work ordered by the Commission?

1 A If the performance of the work is on the
2 Conrail right-of-way track, Conrail will find it
3 necessary to maintain flagmen, watchmen and inspectors.

4 MR. MAZOR: The witness is available for
5 cross-examination.

6 CROSS-EXAMINATION

7 BY MR. FECZKO:

8 Q Mr. Parks, when did Conrail come into
9 existence?

10 A April 1st, 1976.

11 Q And your testimony is that Conrail has not
12 performed any maintenance, or you can't find any
13 records of them performing any maintenance in the
14 area at all?

15 A Conrail did not perform any maintenance.

16 Q Who has cleaned up the broken concrete that
17 has fallen off the viaduct into the area?

18 A I would assume, maybe, our people could have
19 done so, but I have no records of it.

20 Q Who piled up this pile of debris that shows
21 in the pictures?

22 A I cannot say.

23 Q Is that on Conrail property?

24 A Some of it could be

25 Q You said that Conrail does not consider they

1 have any obligations to perform maintenance; what do
2 you base that statement on?

3 A This is based on the legal opinion of
4 Conrail's legal department.

5 Q Is that solicitor here with you today?

6 A He could advise on this.

7 Q Do you have that in writing?

8 A No, I do not have it in writing.

9 Q That's a verbal statement given to you by
10 the legal department?

11 A No, it was -- I can't say any date of when
12 and such (sic).

13 Q Have you looked through the exhibits from
14 Conrail that the borough has submitted?

15 A Not that close.

16 Q Have you looked at the exhibits in the
17 complaint that have been forwarded to Conrail?

18 A I would have to look them over.

19 Q Who is the local engineer involved in
20 maintenance in this particular area?

21 A It would be the division engineer located in
22 Pittsburgh.

23 Q What is his name?

24 A Right now it's S. G. Hess.

25 Q Is he here today?

1 A No, he is not.

2 Q Has he inspected this bridge?

3 A I do not know.

4 Q Your records do not reveal that?

5 A I know our people, our division people,
6 annually inspect all bridges passing over Conrail. It
7 just could be that they have inspected it within the
8 past year.

9 Q Have you seen copies of letters whereby
10 there was indication in various letters where Conrail
11 had made a verbal agreement at the site agreeing to
12 perform maintenance work on the bridge surface and
13 understructure of the bridge, and also the sidewalks
14 to stop the deteriorating condition?

15 THE ADMINISTRATIVE LAW JUDGE: Why don't
16 you show him the specific letter you are referring to
17 so we can all look at it.

18 BY MR. FECZKO:

19 Q It starts with December 4, 1979, packet No.
20 3 -- Exhibit No. 3. One letter is from Mr. Owens,
21 General Manager of Conrail, dated December 4th, 1979,
22 in which he referred to a letter to your chief
23 engineer, Mr. Sullivan.

24 A What was your question? That's just the
25 one letter.

1 MR. MAZOR: I believe the last question
2 grossly misinterpreted the letter. The letter speaks
3 for itself. The letter from Mr. Owens to Mrs. Margaret
4 Schwogel, dated December 4th, 1979, is the letter
5 counsel for the borough has referred to. That's the
6 one that he said concluded that Conrail undertook to
7 do something ---

8 MR. FECZKO: I did not indicate that.

9 THE ADMINISTRATIVE LAW JUDGE: The record
10 will disclose what the question was. Let's not argue.

11 BY MR. FECZKO:

12 Q I am referring now to October 6th, were you
13 present at a meeting at the viaduct?

14 A I was present actually at two meetings at
15 the viaduct.

16 Q What dates were they held -- was there an
17 agreement by Conrail to do repairs, immediate repairs
18 at the bridge at that meeting?

19 A There was at that meeting our regional
20 structures engineer who said he would do some minor
21 repair of the sidewalks and also to the steps and
22 the railing of the steps which go from the street
23 level up to the level of the bridge.

24 Q Was that done?

25 A It has partially been done.

1 Q By whom?

2 A To my knowledge ---

3 Q Have you seen that work?

4 A I have not seen it.

5 Q Have you seen any record of that work being
6 performed?

7 A No record, but I have heard from the division
8 structures man that part of it has been done.

9 Q Can you tell us what has been done and when
10 it was done?

11 A From my knowledge the steps, some of the
12 steps were more securely fastened and some of the
13 reinforcing steel which protruded out from the sidewalk
14 had been cut off.

15 Q Can you tell me the name of the person that
16 told you that was done?

17 A Yes, George Hawkins.

18 Q Who is Mr. John Black?

19 A Jim Black is regional engineer of structure.

20 Q Was he present at this meeting?

21 A Yes, Jim Black was.

22 Q Did he not indicate that Conrail would fix
23 the pedestrian stairway and pave the sidewalk on the
24 Ohio River Bridge to the top of the stairway?

25 A I believe he did.

1 Q Has that work been done?

2 A Only some repair to the stairways and, as I
3 said, cutting the steel. To my knowledge it is still
4 proposed to do this work -- finish it.

5 Q Your testimony, I think, was that you felt
6 the benefit was to the borough residents for the
7 bridge, what was the original purpose of the bridge
8 being put in?

9 A According to the PSC order eliminating
10 grade crossings.

11 Q What was the reason they wanted to eliminate
12 grade crossings?

13 A To eliminate the hazards of grade crossings.

14 Q The hazards to who?

15 A To the traveling public and, somewhat, the
16 railroad.

17 Q Is the railroad insured for losses that
18 occur ---

19 MR. MAZOR: Objection, Your Honor, irrelevant.

20 THE ADMINISTRATIVE LAW JUDGE: Sustained.

21 BY MR. FECZKO:

22 Q At the time the grade crossings were
23 eliminated and the overhead viaduct was put in, was
24 the railroad operating high speed trains?

25 A It was considered the mainline in those days

1 too.

2 Q Is it essential for the railroad to operate
3 this at high speed through the area?

4 A Yes, it is.

5 Q Why?

6 A For its business.

7 Q For profit in other words?

8 A Yes.

9 MR. MAZOR: That's the purpose, it just
10 hasn't been achieved I'm afraid.

11 BY MR. FECZKO:

12 Q Could the railroad operate in this area at
13 much slower, reduced speeds?

14 A I don't think -- I, myself, not being an
15 operating man, I don't think I could actually give an
16 opinion.

17 Q Does the railroad operate on a time schedule?

18 A More or less.

19 Q That's another thing you expect. Has the
20 railroad had derailments in this particular area?

21 A I, myself, do not have this information.

22 Q Have you checked for this? Are you familiar
23 with any derailments that occurred in the immediate
24 proceeding?

25 MR. MAZOR: I object as not being proper

1 cross-examination and not being connected with any-
2 thing the Commission asked with respect to this bridge.

3 THE ADMINISTRATIVE LAW JUDGE: What is the
4 relevance?

5 MR. FECZKO: There have been two derailments
6 which tied up ---

7 MR. MAZOR: If you know that then put
8 evidence on.

9 THE ADMINISTRATIVE LAW JUDGE: What is the
10 relevance to the structure in question?

11 MR. FECZKO: There is no problem with the
12 structure, but the grade crossings were blocked in
13 Haysville for a considerable length of time recently
14 because of a derailment that occurred, which is always
15 a problem with grade crossings. I think that is
16 relevant as to what type of structure is needed in
17 this area.

18 THE ADMINISTRATIVE LAW JUDGE: The Commission
19 is pretty much aware of the problems associated with
20 grade crossings. I don't think we need to belabor
21 that point.

22 BY MR. FECZKO:

23 Q Do you know what the bridge was originally
24 constructed for, as far as the type of vehicles or
25 the weight limits?

1 A No, I could not find that information.

2 Q That isn't contained in any of the documents
3 you have submitted?

4 A There is an indication on sheet 1 of
5 Conrail's Exhibit 1, there is an indication of so many
6 ton trucks can pass.

7 Q How much were those ton trucks?

8 A Let me look. It was indicated on that
9 exhibit, where it says: "Loading - slab - 18 ton
10 trucks side by side."

11 Of course, these are old loadings and I
12 myself cannot interpret what they mean by today's
13 loading standards.

14 Q So the only indication you have been able
15 to find would be that weight indicating two 18 ton
16 trucks side by side?

17 A Historically, yes.

18 Q Does it also indicate a weight limit on the
19 rear axle for a vehicle that would travel over the
20 bridge?

21 A Yes.

22 Q What is that weight?

23 A 26,000 pounds on rear axle.

24 Q Does Conrail currently have a plan for the
25 maintenance of bridges that cross its tracks?

1 A Conrail, as stated before, does not consider
2 its maintenance obligations to apply to overhead high-
3 way bridges.

4 Q This exists throughout the entire system, is
5 that your testimony?

6 A This is correct.

7 Q Even though they are railroad bridges
8 constructed by Penn Central?

9 A Yes.

10 Q So Conrail has no program established wherein
11 the company at present date repairs or maintains
12 bridges that cross over their tracks?

13 A Highway bridges crossing over their tracks.

14 Q And that again is regardless of who
15 constructed them originally?

16 A This is correct.

17 Q Did Conrail take over all the properties
18 connected with the railroad operation from Penn Central?

19 MR. MAZOR: That calls for a legal conclu-
20 sion and I would object.

21 MR. FECZKO: His testimony is all based on a
22 legal conclusion.

23 MR. MAZOR: That had to do with maintenance ---

24 THE ADMINISTRATIVE LAW JUDGE: I want Mr.
25 Feczko to finish his question first. Can you rephrase

1 it, sir, or would you like the reporter to read it
2 back?

3 MR. FECZKO: Please.

4 THE COURT REPORTER: "Q Did Conrail take
5 over all the properties connected with the railroad
6 operation from Penn Central?"

7 BY MR. FECZKO:

8 Q In connection with the operation of the
9 railroad from Penn Central when it came into existence.

10 A I would say with the operation of the
11 railroad, yes.

12 Q Is the bridge in Glenfield, in your opinion,
13 not an important part of the operation of that high
14 speed rail line in the Borough of Glenfield?

15 A I would say no.

16 Q You would say it is not important to the
17 operation at all?

18 A No.

19 Q So in your opinion you would be satisfied
20 with a grade crossing in that area?

21 A No.

22 Q You would not?

23 A No.

24 MR. FECZKO: That's all I have.

25 THE ADMINISTRATIVE LAW JUDGE: Mr. Zahn?

1 CROSS-EXAMINATION

2 BY MR. ZAHN:

3 Q Mr. Parks, in your investigation of
4 maintenance were you able to find what maintenance
5 Penn Central might have performed on this bridge?

6 A No, I was not able to find that record
7 myself.

8 Q Do your records indicate whether this is a
9 township or borough road?

10 A I could find no information on that.

11 MR. ZAHN: I have no further questions.

12 CROSS-EXAMINATION

13 BY MR. KEYSER:

14 Q Was your statement that the responsibility
15 for maintenance should be with the borough or the
16 county also a legal conclusion on your part, or was it
17 based on a fact?

18 A It was based on an opinion.

19 Q And the opinion was based on what?

20 A Well, of course, it does serve the borough
21 and the borough citizens are within the county.

22 Q The borough citizens are also within the
23 Commonwealth of Pennsylvania, are they not?

24 A True.

25 Q Would you not include the Commonwealth of

1 Pennsylvania, or PennDOT in that by your line of
2 reasoning?

3 A Yes.

4 MR. ZAHN: How about the federal government?

5 BY MR. KEYSER:

6 Q So your answer could be amended that it
7 should be the responsibility of the borough, the county
8 and the Commonwealth of Pennsylvania by your line of
9 reasoning to remain consistent?

10 A Yes.

11 MR. KEYSER: I have no further questions.

12 THE ADMINISTRATIVE LAW JUDGE: Mr. Grossman.

13 CROSS-EXAMINATION

14 BY MR. GROSSMAN:

15 Q You stated that in your opinion it was
16 necessary to perform periodic visual inspections of
17 the bridge. How often -- and Conrail does so. How
18 often does Conrail perform these inspections?

19 A Let me say that the Conrail inspection would
20 be on this structure covering portions only over the
21 right-of-way on the tracks.

22 Q In your engineering expertise I believe you
23 also testified that parties, perhaps other than
24 Conrail, should perform periodic visual inspections
25 on the structure.

1 A I believe probably at least every half year
2 it should be visually inspected.

3 Q Are you familiar with the grade crossing in
4 Haysville?

5 A I drove over it once, but I am not too clear
6 on it.

7 Q What type of grade crossing is it?

8 A I believe that it is timber-asphalt type.

9 Q Does it have automatic signals or crossing
10 gates?

11 A I believe it has flashing lights.

12 Q In your opinion would it be possible to
13 reroute traffic now crossing on the Glenfield viaduct
14 via Haysville?

15 A No.

16 Q I call your attention to Commission Question
17 No. 10, the last part thereof, to submit the deed to
18 the line of railroad. Have you brought the deed with
19 you today, Mr. Parks?

20 A No, I have not. It would take time ---

21 Q Would you or counsel be willing to file it
22 as a late filed exhibit?

23 MR. MAZOR: We would be willing to supply it,
24 but I would like a ruling on the relevance of the
25 deed. We admitted that we operate over the line of

1 railroad and I just wonder why the deed is necessary
2 to reaffirm what we already admitted.

3 MR. GROSSMAN: There is a recent court
4 decision in which the deed was admitted in that
5 particular case. It is relevant because it contains
6 reference to certain interstate commerce commission
7 categories including category No. 39, which is overhead
8 highway bridges. It is not relevant for solely
9 showing the ownership of the bridge, it also shows
10 that Conrail has predecessors in the Pennsylvania
11 Railroad Company and the Penn Central Railroad Company
12 which is very much at issue in today's proceeding.

13 MR. MAZOR: Without commenting on the
14 legal conclusion by counsel, I would be glad to admit
15 for the record that the deed is a conveyance as well
16 as a final system plan referring to Conrail from
17 Penn Central all assets which may be properly
18 included in the ICC account, with the further addition
19 that the ICC has a method of accounting representing
20 assets and liabilities of railroads and merely
21 represents a book entry and to that extent we will be
22 glad to concede that the deed does contain that.

23 THE ADMINISTRATIVE LAW JUDGE: Does that
24 meet your needs?

25 MR. GROSSMAN: Yes, but I still would like

1 the deed admitted.

2 THE ADMINISTRATIVE LAW JUDGE: Mr. Mazor,
3 can Conrail supply the deed?

4 MR. MAZOR: Yes, there is no problem if
5 Your Honor so directs.

6 THE ADMINISTRATIVE LAW JUDGE: I so direct.
7 May I have a citation in the case you were referring
8 to?

9 MR. GROSSMAN: It hasn't yet been reported,
10 but I believe Mr. Mazor has a copy. It was issued
11 December 23rd, 1980, therefore it has not yet been
12 published. It was 23, 26 Commonwealth Docket, 1979.
13 If Your Honor wishes, the Commission Trial Staff will
14 supply you with a copy.

15 THE ADMINISTRATIVE LAW JUDGE: Yes.

16 MR. KEYSER: Will Mr. Mazor be kind enough
17 to make copies for the parties?

18 MR. MAZOR: No, he will not.

19 THE ADMINISTRATIVE LAW JUDGE: I will not
20 direct him to do so either.

21 MR. GROSSMAN: I have no further questions,
22 Your Honor.

23 MR. MAZOR: No redirect.

24 RECROSS-EXAMINATION

25 BY MR. FECZKO:

1 Q Mr. Parks, if there was a derailment in the
2 Borough of Glenfield along the Conrail tracks, how
3 would the equipment necessary to get the train
4 uprighted, or to empty the cars, be brought into the
5 Borough of Glenfield?

6 A There would be two types of equipment, no
7 doubt, brought in. One would be by rail and the other
8 would be on highway, rubber.

9 Q How would it get to the area of the tracks
10 in order to be utilized to repair or replace the
11 damaged cars or put them back on track?

12 A I would say the equipment would no doubt
13 have to come over the viaduct.

14 Q What weight vehicles are used in this type
15 of situation?

16 A It all depends. Usually they are very heavy.

17 Q Are you familiar with how the equipment got
18 to the derailment in Haysville below the Haysville
19 crossing in order to upright the cars back on the
20 tracks?

21 A I am not familiar with the derailment. I
22 am out of Philadelphia and I do not know of this
23 derailment at all.

24 Q So it would be necessary for the railroad
25 to utilize the viaduct to repair or refix the

1 equipment that was damaged by a derailment that would
2 occur in the Borough of Glenfield?

3 A I would say they would have to use the
4 viaduct.

5 MR. FECZKO: That's all.

6 THE ADMINISTRATIVE LAW JUDGE: Any other
7 questions?

8 (No response)

9 THE ADMINISTRATIVE LAW JUDGE: You are
10 excused, Mr. Parks.

11 (Witness excused)

12 MR. MAZOR: I would move for the admission
13 of Conrail Exhibit No. 1 and we will file Exhibit 2
14 as a late filed exhibit and get it to the Commission.

15 THE ADMINISTRATIVE LAW JUDGE: Any objec-
16 tion?

17 MR. FECZKO: No objection.

18 MR. ZAHN: No objection.

19 MR. GROSSMAN: No objection.

20 THE ADMINISTRATIVE LAW JUDGE: Conrail
21 Exhibit No. 1 and Conrail Exhibit No. 2 are admitted
22 into the record. The reporter is to be supplied with
23 Conrail Exhibit No. 2 as soon as possible. Off the
24 record.

25 (After an off the record discussion, a

1 recess was declared from 12:20 p.m. until 12:25 p.m.)

2 THE ADMINISTRATIVE LAW JUDGE: Mr. Keyser.

3 MR. KEYSER: We would call Mr. Drake.

4 JOHN B. DRAKE, was called as a witness
5 and after being duly sworn according to law, testified
6 as follows:

7 DIRECT EXAMINATION

8 BY MR. KEYSER:

9 Q State your name.

10 A My name is John B. Drake.

11 Q Mr. Drake, what is your business address?

12 A My business address is 517 County Office
13 Building, Pittsburgh 15219.

14 Q By whom are you employed and in what
15 capacity?

16 A I am employed by the Department of
17 Engineering and Construction of Allegheny County as
18 chief bridge engineer.

19 Q Are you a board certified engineer in the
20 Commonwealth of Pennsylvania?

21 A I am a certified professional engineer.

22 Q I am sorry for the mistake in terminology.
23 Have you been authorized to testify on behalf of the
24 County of Allegheny at this proceeding?

25 A I have.

1 Q Mr. Drake, the Commission compiled several
2 questions to the County of Allegheny and we will
3 proceed with those.

4 Would you testify as to the importance of
5 the existing crossing to the area's transportation
6 system and to whom it would be important?

7 A The importance of the existing crossing to
8 the area's transportation system involving the viaduct
9 with regard to the County's point of view, is low
10 level, has low impact. It has very low average daily
11 traffic. It is essentially a local road, not a through
12 road. It does not connect several municipalities.
13 Therefore, the road is not very important to Allegheny
14 County with regard to Allegheny County's transportation
15 system.

16 Q Would you say then, from your answer, that
17 its importance, if any, lies to the municipality or
18 Borough of Glenfield?

19 A I would say that.

20 Q Are you in a position, Mr. Drake, to submit
21 any testimony with regard to the condition of the
22 existing bridge and any recommendations to correct any
23 of the conditions?

24 A I am in a position to testify to the condi-
25 tion of the bridge and I could offer recommendations if

1 requested.

2 Q Would you proceed.

3 A Based on direction from my department I
4 went to the field view on September 24th of last year,
5 along with other gentlemen as a bridge engineer
6 employed by the county. I responded to the Commission
7 with a letter which indicated that there was consider-
8 able deterioration to the substructure, to the super-
9 structure elements of 13 spans which are in a southerly
10 to southwest direction.

11 I could not really view the span over
12 Conrail and its concrete, or I took a very cursory
13 look at the PennDOT span over the Ohio River Boulevard.
14 The thrust of the deterioration is in the spans, as I
15 described it, the 13 spans to the south and to the
16 west.

17 THE ADMINISTRATIVE LAW JUDGE: Excuse me.
18 Are those spans over the Conrail tracks, or are they
19 south of the Conrail tracks?

20 THE WITNESS: They are south of the Conrail
21 tracks. I could not see the span over the Conrail
22 tracks. It is my impression that they are steel
23 girder in concrete, so you don't have to paint them
24 and so they are protected from blasts from locomotives.

25 BY MR. KEYSER:

1 Q Do you know whether those spans are the
2 responsibility of PennDOT or of Conrail under the PUC
3 order which was submitted into testimony?

4 A I don't know, although I would reflect that,
5 based on what I heard in here, it is my understanding
6 those spans have been made the responsibility of
7 Conrail by the Public Utility Commission.

8 MR. MAZOR: I would like to correct the
9 record. There has not been introduced here any order
10 requiring Conrail to do maintenance, the order required
11 Penn Central to do it. I want to make that clear on
12 the record.

13 THE ADMINISTRATIVE LAW JUDGE: You have done
14 so.

15 THE WITNESS: I would change my term from
16 Conrail to Penn Central.

17 BY MR. KEYSER:

18 Q Proceed with your testimony.

19 A I did not feel that, essentially in fairness
20 to the community, in fairness to the other agencies,
21 that you can just forthwith say "replace the
22 structure." There are techniques available to the
23 community as to other agencies to establish a
24 sufficiency rating for the structure rather than just
25 plastering a 16-ton load limit on the bridge. In my

1 opinion it is not good posting a 16-ton load limit,
2 I recommend to the Commission that they see fit to
3 order a cursory inspection of the structure which will
4 then result in the completion of a S.I.&A. sheet.

5 Q What is that, please?

6 A Structure Inventory & Appraisal Sheet. It
7 identifies the structure, identifies the deficiencies,
8 if any, with regard to the structural integrity, the
9 alignment, clearances and so on. And in this case the
10 structure would have to be to the abutment I would say.
11 It is my estimate that this probably can be accomplished
12 in the range of \$10,000. It would result in numbers
13 being placed over here which are then plugged into a
14 formula and the bridge is given a sufficiency rating
15 and that should be then placed in my other recommenda-
16 tion, that an engineering study be made to rehabilitate
17 the bridge and, of course, if you rehabilitate the
18 bridge you must do the incident inspection to see
19 if your study indicates you replace the structure
20 just like that.

21 That sufficiency rating will place this
22 bridge -- it could place this bridge on a list with
23 the federal government with regard to funding and,
24 in that essence, this bridge would have to compete
25 with many other major crossings, river crossings and

1 the like.

2 So I merely say that the Commission could do
3 this.

4 Q Would it be fair to summarize what you have
5 said as, number one, that a proper determination as to
6 what should be done with the bridge cannot be made by
7 cursory examination, but rather would require the
8 appropriate proceeding, which you have identified as
9 S.I.&A., or some other type of inspection, similar
10 inspection, in order to make the determination as to
11 what should be done with regard to repair, replacement
12 or rehabilitation of the bridge?

13 A I would agree to that, except the term
14 "cursory" and "S.I.&A." are brothers. The one is
15 dependent upon the other so that would then proceed to
16 something else. I didn't estimate the cost on what
17 it would take for an in-depth inspection because I
18 felt your first step, possibly, could be a cursory
19 inspection.

20 Q Mr. Drake, the next question propounded by
21 the Commission asks us to state whether any highway
22 improvement has been or will be planned in the general
23 vicinity of the subject rail-highway crossing that
24 would have a bearing on this proceeding?

25 A No, the county does not have any improvement

1 in this area, nor is there any being planned to my
2 knowledge.

3 Q Has the county performed any maintenance
4 and/or improvements on the facilities at the subject
5 crossing?

6 A No.

7 Q At no time?

8 A A search of the large maintenance ledger
9 did not indicate that the county had done any work on
10 this structure, as identified in our correspondence
11 records as PC-20.

12 Q Does the county, to your knowledge, have any
13 present obligations with respect to maintenance of the
14 facilities at the crossing?

15 A No, the county does not.

16 Q Would the county agree to perform the
17 actual work at the subject crossing of any improve-
18 ments or studies for a replacement structure found
19 necessary and ordered by the Commission?

20 A No, the county would not agree to pay or to
21 do the work.

22 Q Does the county have any opinion as to
23 which party or parties should be required to perform
24 the work?

25 A I would say my opinion is that the county

1 should not be required to do the work and the entities
2 of record, for whatever their responsibilities, should
3 be doing the work.

4 MR. KEYSER: The witness is available for
5 cross-examination.

6 THE ADMINISTRATIVE LAW JUDGE: Is it your
7 opinion that the present 16-ton posting of this
8 structure is inappropriate?

9 THE WITNESS: It is my opinion, based on
10 other structures that I have seen, that we don't have
11 sufficient data on which to put the 16-ton limit.
12 Garbage trucks will violate that, school buses come
13 close to it, depending on their size. But I don't
14 have any data on which to evaluate that. I am saying
15 that I know from my involvement, my work, how we
16 ascertain these load limits and, perhaps, a cursory
17 inspection would either certify that or, certainly, it
18 could lower it.

19 THE ADMINISTRATIVE LAW JUDGE: You wouldn't
20 expect the cursory inspection to indicate that the
21 bridge could carry more than 16 tons?

22 THE WITNESS: That's correct. I think that
23 is probable, but I have to be very suspect.

24 BY MR. KEYSER:

25 Q What is the controlling element of the

1 bridge which necessitated the 16 tons ---

2 THE ADMINISTRATIVE LAW JUDGE: Have you had
3 an opportunity to review Conrail Exhibit 1, sheet 1?

4 THE WITNESS: No -- on the plans?

5 THE ADMINISTRATIVE LAW JUDGE: Yes.

6 THE WITNESS: Yes, I have looked at them.

7 THE ADMINISTRATIVE LAW JUDGE: Are you
8 familiar with the written data that talks about
9 loading?

10 THE WITNESS: Yes, I am.

11 THE ADMINISTRATIVE LAW JUDGE: Can you
12 interpret that for us?

13 THE WITNESS: Well, I'll say that on
14 drawing No. 21453, sheet 1A of 11 ---

15 THE ADMINISTRATIVE LAW JUDGE: It is marked
16 as Conrail Exhibit No. 1, sheet 1 of 4; is that the
17 one you are referring to?

18 THE WITNESS: I have the whole set.

19 MR. KEYSER: For the purposes of the record,
20 why don't you refer to the exhibit as introduced.

21 THE ADMINISTRATIVE LAW JUDGE: Let me show
22 you what I have.

23 THE WITNESS: It's the same sheet, sheet 1
24 of 4.

25 THE ADMINISTRATIVE LAW JUDGE: About in the

1 middle there is some writing talking about loading.

2 THE WITNESS: Yes.

3 THE ADMINISTRATIVE LAW JUDGE: Could you
4 please interpret that?

5 THE WITNESS: It says: "Department of Public
6 Works - Allegheny County. Specifications for bridge
7 superstructure of October 1st, 1924."

8 The railroad probably borrowed the county's
9 specifications, or those are references to the county's
10 specifications. Loading, this is for the deck slab,
11 18-ton trucks side by side. I would have to say that
12 a review of all the data here indicates that there
13 are two trucks side by side, probably so their rear
14 axles will be in a continuous transverse line. Their
15 rear axles will be 13 tons, so you have one truck
16 with 13 tons here and another truck directly opposite,
17 transversely, with 13 tons. Fourteen feet ahead of
18 that, in either direction, you could have the front
19 axle of either truck, which would be then five tons.
20 That's how the slab was designed, to determine which
21 direction the reinforced steel would go.

22 The girder, which is concrete underneath
23 and which supports the slab, refers to a train of
24 18-ton trucks in both directions of traffic. That is
25 not a bumper to bumper condition, that has to be

1 trucks, not generously spaced, but at least spaced
2 by their axle distance. If the axle distance is 14
3 feet, then your current specifications which we go by,
4 we would then space them that way. That's in reference
5 to a train of trucks. These are exact loadings which
6 were done.

7 THE ADMINISTRATIVE LAW JUDGE: According to
8 these plans what current loading would you say this
9 bridge was built to handle, current loadings; can you
10 express an opinion on that?

11 THE WITNESS: When we design bridges nowa-
12 days it's HS-20 loading. A tractor trailer, 14 feet
13 between the axles, 36 ton. Now, we have trucks which
14 we refer to as H-20, and that's exactly 20 ton. So
15 trying to interpret the specifications here, I would
16 have to say that this was designed for an 18-ton
17 truck. You cannot put that into A.H.S. category
18 without doing calculations on it, but it's clear that
19 it was designed for an 18-ton truck. I think, based
20 on the observations of the deterioration, that less
21 than 18 tons should be allowed on this structure. It
22 is currently posted as 16.

23 THE ADMINISTRATIVE LAW JUDGE: You heard
24 previous testimony, I believe, in one of the
25 Glenfield exhibits, which indicated they had to run

1 25-ton trucks over that structure, would those 25-ton
2 trucks indicated in that letter in that exhibit,
3 would that be in excess of the design capacity?

4 THE WITNESS: Yes, it would, although I
5 must admit that my predecessors in this profession did
6 take a conservative approach to design as far as
7 allowable stresses to which we are presently reaping
8 the benefits. So, balancing it, I would say I concur
9 with your statement, however, someone could make an
10 analysis of this and possibly find it is good for
11 more than 18 ton. But just on the basis of what I
12 looked at and then giving you an opinion, that is all
13 I am doing.

14 THE ADMINISTRATIVE LAW JUDGE: Mr. Feczko,
15 you may cross-examine.

16 CROSS-EXAMINATION

17 BY MR. FECZKO:

18 Q From the county's position, are there
19 repairs necessary to the bridge?

20 A I didn't know that when I went out on this
21 that I was truly representing the county. I was out
22 there on technology, that was my opinion. I think we
23 have now arrived to yes, I am representing the county.
24 Based on what I have seen out there, yes, the bridge
25 does need repairs.

1 Q And it needs repairs to the superstructure?

2 A It needs repairs to the superstructure; also
3 it needs general repairs in the piers. However, a
4 study might warrant that it not be economically
5 feasible to do that, you might be better to replace
6 it. But you just can't -- I can't just say replace it.

7 Q Do you have any idea how long the bridge
8 would last if these repairs were not made?

9 A I don't have any idea. I could, based on
10 some repairs that I have done, give you an opinion,
11 but I think the repairs have to be exactly identified.

12 Q At that meeting that you were referring to,
13 was Mr. Parks there?

14 A Yes.

15 Q And Mayor Schwogel?

16 A Yes.

17 Q Have you seen the minutes of the meeting
18 that were prepared by Mike Marmo from the county?

19 A Yes.

20 Q Does it indicate in there that the parties
21 were in general agreement that an in-depth inspection
22 was not necessary?

23 A All the parties? I was not in agreement
24 with that, I felt ---

25 Q But you have seen the minutes?

1 A Yes, I have.

2 Q Have you written anyone or indicated to
3 anyone, prior to today, that you disagreed with that
4 conclusion of those minutes?

5 A I didn't. I was to write to the Public
6 Utility Commission, not on a basis of what was
7 relative to other engineers involved, but what my
8 opinion was and my opinion was, I said, possibly, a
9 replacement might be effected, but not without studying
10 all the ingredients before we put this together.

11 Q So what you recommended was an engineering
12 study?

13 A That's correct.

14 Q And an engineering study would determine
15 the feasibility of rehabilitation versus complete
16 reconstruction?

17 A Correct.

18 Q Which is different than an in-depth inspection
19 to determine the weight limit of the bridge?

20 A I'm sorry, an in-depth inspection may
21 determine the weight limit, but that's not the true ---

22 Q But you were in agreement then that that
23 was necessary, the in-depth study on repair or
24 replacement, but one of those methods was necessary
25 in your opinion?

1 A I was in agreement that an engineering study
2 should take place to see what you could do with the
3 bridge. You cannot rehabilitate the bridge until you
4 do an in-depth physical inspection on that bridge.

5 Q What I am saying, it has nothing to do with
6 the weight limit study as far as repair or replacement.

7 MR. KEYSER: Do you understand the question?

8 THE WITNESS: Yes, I understand it. As a
9 result of an inspection you may determine a load
10 limit.

11 BY MR. FECZKO:

12 Q What I am concerned about, with more studies
13 and more requests to look at the bridge or study it
14 some more, I am saying that this study is not just to
15 determine a weight capacity, but what repairs are
16 necessary.

17 A That's correct.

18 Q Or is it going to be necessary to replace
19 the entire structure?

20 A That's correct, an engineering study.

21 Q In other words, not just a study to deter-
22 mine it's going over so much weight and we'll just
23 leave it go again, it has to be repaired or replaced
24 in your opinion, is that right?

25 A Yes, in my opinion. Also that a sufficiency

1 rating be determined for the bridge, which is only
2 available through inspection.

3 Q And you are familiar with what use this
4 bridge gets from the testimony you heard today?

5 A Yes.

6 Q So that is a factor in this study insofar as
7 concluding whether you repair it or reconstruct it?

8 A It could be a factor.

9 Q Are you also familiar -- are you in the area
10 of design of bridges?

11 A I do design; I do reviews; I work with
12 consultants. I have designed many structures myself.

13 Q Are you familiar with the approach to this
14 bridge, the ramp?

15 A From below?

16 Q Both places.

17 A Yes, I am.

18 Q Is that an adequate or safe approach as it
19 currently exists today?

20 A I would think with regard to federal guide-
21 lines that they would like something more on either
22 approach. However, the touchdown in Glenfield -- let
23 me say the approaches are narrow and they, possibly,
24 could not meet federal guidelines even though the one
25 does open onto Route 65.

1 Q Is there a limited sight view for the
2 approach -- from the approach from Route 65 the way
3 it currently exists?

4 A I would say there is possibly a limited
5 sight distance there as far as nosing out to make a
6 level turn to go west. You have a high parapet on
7 the structure.

8 Q How about the turning radius from 65 into
9 the bridge?

10 A I will have to look at this. The turning
11 radius is 30 feet.

12 Q Is that the original turning radius?

13 A I don't have the original. I mean the
14 reconstructed radius.

15 Q When you were out there do you recall what
16 that looked like to you?

17 A I do recall what it looked like.

18 Q Would it be a narrow area for turning?

19 A I think I would say that, yes.

20 Q How wide is the bridge?

21 A From curb to curb it's 20 feet.

22 Q Which is hard to identify now because of the
23 deteriorating curbs?

24 A According to the federal guidelines that is
25 inadequate.

1 Q Would there be federal funds available for
2 the rehabilitation of this bridge as it currently
3 exists?

4 A I can't answer that. There has to be data
5 and it has to be put on a list and it would have to go
6 through the Department of Transportation.

7 Q Do you know, as a practice, whether they do
8 grant federal funds to rehabilitate substandard
9 bridges?

10 A If you are going to upgrade the bridges in
11 line with federal guidelines.

12 Q So you would have to bring it within federal
13 guidelines?

14 A That's correct. But that is not to say you
15 can't fix the bridge any other way. But if you want
16 to go the federal route, you could do it with their
17 recipe.

18 Q And that is required if you use federal
19 funds?

20 A Correct.

21 MR. FECZKO: I think that's all.

22 CROSS-EXAMINATION

23 BY MR. ZAHN:

24 Q One question, sir. Do your records indicate
25 whether this is a township or borough road?

1 A Our records do not indicate who the ownership --
2 who owns this particular road carried by the structure.
3 It is not county.

4 MR. ZAHN: Thank you.

5 CROSS-EXAMINATION

6 BY MR. MAZOR:

7 Q Just one question. Would it be fair to say,
8 Mr. Drake, that when the bridge was built and these
9 plans prepared, the maximum allowable load on
10 Pennsylvania highways was less than what it is today?

11 A I would say so.

12 MR. MAZOR: Thank you, sir.

13 CROSS-EXAMINATION

14 BY MR. GROSSMAN:

15 Q The actual cartway of this road, how is it
16 paved?

17 A I believe it is brick with bituminous
18 material over top of that and it's broken up somewhat.

19 Q Do you think the bridge surface needs
20 repaving?

21 A I would say yes, it does need repaving, but
22 what are you going to sacrifice to do this as far as
23 load out of the structure?

24 MR. GROSSMAN: Thank you.

25 THE ADMINISTRATIVE LAW JUDGE: Anything else?

1 MR. KEYSER: No redirect. Thank you very
2 much.

3 (Witness excused)

4 THE ADMINISTRATIVE LAW JUDGE: We go to
5 PennDOT now.

6 WILLIAM J. CLEMMONS, was called as a
7 witness and after being duly sworn according to law,
8 testified as follows:

9 DIRECT EXAMINATION

10 BY MR. ZAHN:

11 Q State your full name.

12 A William J. Clemmons.

13 Q And your official office address.

14 A Commonwealth of Pennsylvania, Department of
15 Transportation, Bureau of Design, Room 1120,
16 Transportation and Safety Building, Harrisburg.

17 Q In what capacity are you employed?

18 A Civil engineer in the Bureau of Design,
19 Grade Crossing Division.

20 Q And are you authorized to testify on behalf
21 of the Department?

22 A Yes.

23 Q And are you familiar with the structure in
24 today's hearing?

25 A Yes.

1 MR. ZAHN: If Your Honor please, before Mr.
2 Clemmons testifies, I have two exhibits. Exhibit No. 1
3 is a plan of five sheets and Exhibit No. 2 is a plan
4 of six sheets, which I ask be marked. The stenographer
5 has three copies and all parties have received copies
6 of it.

7 There are also three Commission dockets
8 that have affected this bridge. The first was
9 Public Service Commission Complaint Docket No. 6297.
10 Then there was Public Utility Commission application
11 Docket No. 95518. The next number was Public Utility
12 Commission application Docket No. 79419. I would ask
13 that they be incorporated into this record.

14 THE ADMINISTRATIVE LAW JUDGE: They may be
15 so incorporated. Do you have the dates for the
16 three?

17 MR. ZAHN: Yes, the Public Service Commission
18 docket was the order of October 27th, 1925, modified
19 by further order on January 12th, 1926 and December
20 3rd, 1929. The application docket No. 79419 was
21 August 10th, 1953. The application Docket No. 95518
22 was under order of April 16th, 1973.

23 MR. MAZOR: In answer to question 20 on
24 page 4, there seems to be a typographical error
25 because at one point it refers to 78419 and another

1 point 79419.

2 MR. ZAHN: 79419 is correct.

3 MR. MAZOR: Thank you.

4 (General plan and elevation, Glenfield
5 Viaduct (Alterations) marked for identification as
6 Pennsylvania Department of Transportation Exhibit
7 No. 1 (C-80092154).)

8 (Department of Highways, Division of
9 Bridge Engineering, Allegheny County, L.R. 1016,
10 Section 11F - marked for identification as Pennsylvania
11 Department of Transportation Exhibit No. 2 (C-80092154).)

12 BY MR. ZAHN:

13 Q I would ask you to comment on your answer to
14 question No. 22.

15 A The original structure, consisting of 13
16 reinforced concrete T-beam spans on the south approach,
17 a single steel girder span over the tracks and three
18 reinforced concrete T-beam spans on the north approach,
19 was constructed by the Pennsylvania Railroad Company
20 in accordance with an order of the Public Service
21 Commission issued at Complaint Docket No. 6297 on
22 October 27th, 1925, as modified by further orders on
23 January 12th, 1926, and December 3rd, 1929.

24 The actual date of completion is not known,
25 but the Department's records indicate the completion

1 took place some time in 1929. The Department does not
2 have the plans for the original structure. The purpose
3 of this construction, as outlined in the orders, was
4 to replace three hazardous crossings, at grade, with
5 a crossing, above grade. The Department of Highways,
6 predecessor to the Department of Transportation, under
7 order of the Public Utility Commission issued at
8 Application Docket No. 79419 on August 10th, 1953,
9 modified the original structure by removing a
10 supporting pier and the superstructure of the three
11 north approach spans and replaced them with two new
12 spans, one being a steel girder span and the other
13 being a reinforced concrete slab span as shown on the
14 plans submitted hereby as Pennsylvania Department of
15 Transportation Exhibit No. 1.

16 The purpose of this modification as explained
17 in the order was to obtain adequate horizontal
18 clearance for the new eastbound lanes of Legislative
19 Route 65, locally known as the Ohio River Boulevard.
20 The date of completion of this work was some time in
21 1955.

22 The Department's Exhibit No. 1 showing the
23 extent of the work is a set of structure drawings
24 S-2017 consisting of five sheets.

25 The Department of Highways, predecessor to

1 the Department of Transportation, under order of the
2 Public Utility Commission issued at application Docket
3 No. 95518 on April 16th, 1973, again made some altera-
4 tions to the three north approach spans by removing a
5 pier and constructing a temporary bent to accommodate
6 the construction of interchange ramps of Legislative
7 Route 1016, Interstate Route 79, with Legislative
8 Route 652, traffic Route 65.

9 Upon completion of construction of the
10 interchange ramps and various retaining walls the
11 pier was reconstructed. This construction did not
12 require any change in the superstructure of the north
13 approach spans previously constructed as shown on
14 the Department's Exhibit No. 1.

15 The alteration for accommodation of the
16 interchange construction was done in accordance with
17 the plans hereby submitted as Pennsylvania Department
18 of Transportation's Exhibit No. 2, which consists of
19 sheet numbers 48, 51, 52, 53, 69 and 70 of the
20 Department's structure drawings, S-9687. This work
21 was completed some time in 1977.

22 Q Now, would you please answer question No. 18.

23 A The two northerly spans reconstructed by
24 the Department show no appreciable deterioration and
25 are in good condition. The remaining portion of the

1 bridge is in fair to poor condition. The northerly
2 spans are presently capable of carrying legal loads.
3 The remaining portion of the structure, in our
4 opinion, is presently safe for the 16-ton posted load
5 limit.

6 An in-depth inspection and analysis is
7 required to verify this. If repairs do become
8 necessary, it is the Department's experience, that it
9 is seldom feasible to repair the reinforced concrete
10 T-beam spans and replacement is usually required.

11 In this instance removal and replacement
12 with retaining walls and earth fill may be more
13 feasible.

14 An engineering study would be necessary to
15 develop such an alternative which would be structurally
16 and economically feasible. Cost estimates cannot be
17 developed unless such a study is done.

18 Q Would you answer question No. 19.

19 A The Department does not have any highway
20 improvements planned that would be in the general
21 vicinity or have any bearing on this proceeding.

22 Q And question No. 20.

23 A The improvement which involved reconstruc-
24 tion and alteration of the north approach spans were
25 previously described and were done in accordance with

1 the Department Exhibits Nos. 1 and 2.

2 The cost of this work was represented to the
3 Commission in application Docket Nos. 79419 and 95518.

4 The costs were approximately \$40,000 in
5 application Docket No. 79419. The costs in application
6 Docket No. 95518 were included in a project whose cost
7 was some \$25 million and are not specifically known.
8 Since that time periodic maintenance was performed on
9 the two northerly approach spans for which costs were
10 not specifically recorded and retained.

11 No maintenance or other work was ever
12 performed by the Department on the south approach spans
13 or the span over the tracks.

14 The Department's present obligation is as
15 ordered by paragraph 23 of Public Utility Commission's
16 order of August 10th, 1953, at application Docket
17 No. 79419 and affirmed by paragraph EE of the
18 Commission's order of April 16th, 1973, at application
19 Docket No. 95518:

20 "That, upon completion of the alteration
21 of the existing Glenfield Viaduct and its opening to
22 public use, the Department of Highways, at its sole
23 cost and expense, furnish all material and do all work
24 necessary thereafter to maintain the new steel girder
25 span and the new reinforced concrete slab herein

1 ordered constructed, and to maintain the existing
2 pier-A and the northerly abutment supporting the said
3 spans."

4 Q Will you answer question No. 21.

5 A No improvements are required to that portion
6 of the structure for which the Department is responsi-
7 ble to maintain. Any work or studies required as a
8 result of the condition of the remainder of the
9 structure should be performed by those parties
10 responsible for its maintenance.

11 Q Now, is this roadway over the viaduct a
12 state highway?

13 A It is not a state designated highway.

14 Q Is there any other testimony you wish to
15 offer?

16 A None.

17 MR. ZAHN: The witness is available for cross-
18 examination.

19 THE ADMINISTRATIVE LAW JUDGE: Mr. Feczko.

20 CROSS-EXAMINATION

21 BY MR. FEZKO:

22 Q Are you familiar with the viaduct yourself?

23 A Yes.

24 Q You were out there on inspection?

25 A I wasn't out there on the last inspection,

1 I was out there on the first inspection that was made.
2 I wasn't out there at the last two, I don't believe.

3 MR. FECZKO: If Your Honor please, I have
4 pictures which I have not made copies of. I will
5 supply the Commission with copies. I just received
6 these this morning. These show the bridge and I would
7 like to refer to them in my cross-examination.

8 THE ADMINISTRATIVE LAW JUDGE: Ask him
9 your questions.

10 BY MR. FECZKO:

11 Q This picture is marked No. 24. Is that a
12 view coming onto the bridge from Route 65?

13 A Yes.

14 Q Does that show the paved portion of the
15 roadway and the brick portions?

16 A Well, it shows bituminous.

17 Q Asphalt paved and brick paved?

18 A Yes.

19 Q Do you know who paved up to the brick
20 portion?

21 A That looks like the three northerly -- the
22 superstructure on the three northerly spans.

23 Q Are there sidewalks adjacent to that asphalt
24 paving -- bituminous paving?

25 A There is one.

1 Q In what condition are those sidewalks in?

2 A On the portions that are of bituminous pave-
3 ment, which would be the Department's portion, they
4 look in pretty good shape.

5 Q Where does the deterioration begin?

6 A It begins right at the brick portion.

7 Q I show you two other pictures. Do they show
8 the deteriorated curbs and sidewalks on the brick
9 portion?

10 A Yes.

11 Q And is that the area you are talking about
12 covered by the prior Commission order?

13 A Yes.

14 Q The sidewalk and brick portions?

15 A Yes.

16 Q That was designated as the responsibility
17 of whom to repair?

18 A I believe the Pennsylvania Railroad Company
19 in the order of August 10th, 1953.

20 MR. FECZKO: That's all I have. I would
21 like to offer these, but I would have to get copies
22 made.

23 THE WITNESS: I believe that was transferred
24 to the Penn Central Transportation Company by further
25 order.

1 THE ADMINISTRATIVE LAW JUDGE: The orders,
2 such as they are, will speak for themselves. We can
3 mark these as Glenfield Borough Exhibit No. 5.

4 (Photostats of three photographs -
5 marked for identification as Glenfield Borough Exhibit
6 No. 5(C-80092154).)

7 THE ADMINISTRATIVE LAW JUDGE: Of course, the
8 Borough must supply adequate copies to the court
9 reporter and to myself, and to the parties as soon as
10 possible. That is going to be within two weeks.

11 BY MR. FECZKO:

12 Q Does PennDOT have any idea or opinion
13 concerning the cost for this engineering study ---

14 A No.

15 Q --- as the engineer for the county testified?

16 A The procedure followed is a construction
17 inventory and appraisal by the Department which
18 indicates the extent of inspection and study that is
19 required. Based on what he referred to as cursory
20 inspection and then the completion of the construction
21 inventory and appraisal, that would be done more in
22 depth or we'd recommend an engineering study.

23 Q Was there not a cursory inspection made
24 already in the two meetings held at the bridge?

25 A We are talking about since we have gone into

1 the structure inventory and appraisal form. We don't
2 refer to inspections as cursory or in depth. What
3 occurred at the request of the Public Utility Commission,
4 who insisted -- or invited engineering expertise from
5 all parties that were involved to look at the
6 structure to determine whether, if they left the
7 posted load limit of 16 tons, would that be adequate?
8 I think it was the consensus of all the expert
9 witnesses that that was adequate right now.

10 Q But you have no opinion as to the cost of
11 this engineering study?

12 A No.

13 Q Have you seen the cost proposal as submitted
14 for a grant from the county by the borough?

15 A No, I haven't.

16 MR. FECZKO: That's all.

17 CROSS-EXAMINATION

18 BY MR. MAZOR:

19 Q With respect to the northerly spans which,
20 under previous Commission order, PennDOT is required
21 to maintain, do you consider it as part of your obliga-
22 tion, the highway surface on those spans?

23 A Yes.

24 Q In view of the fact that you stated before
25 that this is not a state highway, here is one case

1 where you do maintain a roadway other than your own,
2 isn't that correct?

3 A We maintain that portion as ordered by the
4 Public Utility Commission because we were the
5 initiators of the changes.

6 Q You stated in answer to question 18 that if
7 repairs do become necessary it is the Department's
8 experience, that it is seldom feasible to repair the
9 reinforced concrete T-beam spans and replacement is
10 usually required. Is this because of the materials
11 that were used when it was constructed?

12 A No. Most likely the reason, in our
13 experience they aren't feasible to repair, is because
14 it would be a lot cheaper to remove that superstructure
15 and replace it rather than try to fix up the concrete
16 T-beam spans. Normally where they deteriorate is on
17 the stem of the beam and the steel gets pretty rusted.

18 Q Now, when the bridge was constructed in the
19 late 1920's, there was no euratraine concrete avail-
20 able, was there?

21 A No, although cement varied from where you
22 got it. They did contain, say, maybe three percent.

23 Q That type of concrete used then was very
24 susceptible to the present four cycle conditions
25 experienced in this part of the country?

1 A Yes.

2 Q And water gets in and it expands and pretty
3 soon water is getting down and salt is used affecting
4 the steel members, is it not?

5 A Yes.

6 Q When you added your spans in the fifties,
7 what type of concrete did you use on those?

8 A That was probably class A -- what we call
9 class A concrete which required five to seven percent
10 euratrain concrete.

11 Q And it was susceptible to these other
12 conditions as was used in previous construction, is
13 that correct?

14 A That's correct.

15 MR. MAZOR: That's all I have.

16 THE ADMINISTRATIVE LAW JUDGE: Mr. Grossman.

17 MR. GROSSMAN: No questions.

18 THE ADMINISTRATIVE LAW JUDGE: If the bridge
19 were replaced what would the people in Glenfield do
20 during construction?

21 THE WITNESS: How would they get in and out?

22 THE ADMINISTRATIVE LAW JUDGE: Yes.

23 THE WITNESS: That would be a problem of
24 construction.

25 THE ADMINISTRATIVE LAW JUDGE: Do you have

1 any idea what happened when PennDOT rebuilt its
2 portion of the span, what was done then?

3 THE WITNESS: I haven't looked into it. I
4 would imagine, if it were the only way in and out,
5 there was probably some temporary arrangement made
6 for traffic.

7 There was proposed in one of these
8 proceedings a temporary grade crossing.

9 THE ADMINISTRATIVE LAW JUDGE: Is that
10 feasible?

11 THE WITNESS: We felt at the time it was
12 feasible. We felt it was feasible when interstate 79
13 was built, but the Commission would not go along with
14 it.

15 THE ADMINISTRATIVE LAW JUDGE: Is it feasible
16 now, to the best of your knowledge?

17 THE WITNESS: For the amount of traffic,
18 highway traffic, it would be feasible if properly
19 constructed and protected, but it probably would be
20 quite expensive considering the number of trains and
21 their speeds for just 40 or 50 cars a day.

22 THE ADMINISTRATIVE LAW JUDGE: Any other
23 questions?

24 MR. FECZKO: Yes, Your Honor.

25 RECROSS-EXAMINATION

1 BY MR. FECZKO:

2 Q The last question, I think, was regarding a
3 grade crossing.

4 A Temporary.

5 Q Temporary. What elevation would that have
6 to be in order to go from East Beaver Street up to
7 the Ohio River Boulevard?

8 A If I can recall, from when we constructed
9 interstate 79 and proposed a grade crossing on Dawson
10 Avenue under where the interstate crosses, the grade
11 wasn't too bad, but the Commission felt that it wasn't
12 worth the hazard because of the number of trains and
13 the speeds of the trains. Therefore, they wouldn't
14 allow us to do it.

15 Q But there would be some significant grade
16 to that crossing?

17 A Yes.

18 Q It wouldn't be level?

19 A No, it wouldn't be level.

20 Q Do tractor trailers have more difficulty
21 with those types of crossings?

22 A When you are talking about 50 trains a day
23 at 70 miles an hour, any vehicle has difficulty at
24 this type of crossing.

25 Q Would there be sufficient room for vehicles

1 to exit off the grade crossing and wait to turn on to
2 Route 65?

3 A Traffic maintenance and traffic control
4 would have to take that into consideration. I said it
5 would be expensive because, maybe, it would even
6 require a traffic signal for Route 65.

7 Q My question is would there be sufficient
8 room between the tracks and Route 65 for a tractor
9 trailer to exit there without extending to the tracks?

10 A I couldn't answer that.

11 Q It would be a small area then?

12 A It would be small, yes. What I am saying
13 is that traffic would be controlled on Route 65 on
14 that little stretch there.

15 Q You are fairly certain though that when
16 this construction by PennDOT took place that traffic
17 was maintained in and out of Glenfield the entire
18 time?

19 A I believe if you read the records or orders
20 it would indicate whether it was.

21 Q If this bridge were repaired or replaced
22 would it have to be maintained also?

23 A Yes.

24 MR. FECZKO: That's all.

25 THE ADMINISTRATIVE LAW JUDGE: Mr. Clemmons,

1 the PUC proceeding you referred to and the crossing
2 as proposed by PennDOT, was there a formal proceeding
3 and an order?

4 THE WITNESS: That was application Docket
5 No. 95518 which encompassed the entire construction of
6 Interstate 79, but this was a part of it.

7 THE ADMINISTRATIVE LAW JUDGE: Are there any
8 other questions?

9 (No response)

10 THE ADMINISTRATIVE LAW JUDGE: Thank you very
11 much. You are excused.

12 (Witness excused)

13 MR. ZAHN: I would move for the admission of
14 PennDOT Exhibits 1 and 2.

15 MR. MAZOR: No objection.

16 MR. GROSSMAN: No objection.

17 MR. KEYSER: No objection.

18 MR. FECZKO: No objection.

19 THE ADMINISTRATIVE LAW JUDGE: PennDOT
20 Exhibits 1 and 2 are admitted into the record of this
21 proceeding. Is there any objection to Glenfield
22 Borough Exhibit No. 5, consisting of three photographs?

23 MR. MAZOR: No objection.

24 MR. ZAHN: No objection.

25 MR. GROSSMAN: No objection.

1 MR. KEYSER: No objection.

2 THE ADMINISTRATIVE LAW JUDGE: There being
3 no objection, Glenfield Borough Exhibit No. 5 is
4 entered into the record. Glenfield Borough may submit
5 copies for the record of Exhibit No. 5 within two
6 weeks of this proceeding.

7 MR. GROSSMAN: I would call Donald Fleisher.

8 DONALD FLEISHER, was called as a
9 witness and after being duly sworn according to law,
10 testified as follows:

11 DIRECT EXAMINATION

12 BY MR. GROSSMAN:

13 Q Mr. Fleisher, by whom are you employed?

14 A The Pennsylvania Public Utility Commission.

15 Q Would you state your business address for
16 the record?

17 A Post Office Box 3265, Harrisburg, Pa. 17120.

18 Q In what capacity are you employed by the
19 Public Utility Commission?

20 A Civil engineer in bridges and the Bureau of
21 Rail Transportation.

22 Q How long have you been employed by the
23 Pennsylvania Public Utility Commission in that
24 capacity?

25 A Approximately four years.

1 MR. ZAHN: We would agree with Mr. Fleisher's
2 qualifications.

3 BY MR. GROSSMAN:

4 Q You are a professional engineer?

5 A Yes.

6 Q Did you have occasion to examine the bridge
7 in Glenfield, the subject of this complaint?

8 A Yes. I visited the site at a field conference
9 that was held some time prior to September 24th.

10 MR. ZAHN: Is this a conversation between
11 the two of you? I can't hear you.

12 BY MR. GROSSMAN:

13 Q And as a result of that field conference
14 and the testimony you have heard today, are you able
15 to form a conclusion as to what, if any work and/or
16 investigations are required at this bridge?

17 A Yes.

18 Q What are those recommendations?

19 A First off I would recommend that the county
20 and Conrail perform joint inspections to assure that
21 the bridge is safe for this 16-ton posting. And,
22 also, at the first such inspection, this structural
23 inventory, which Mr. Drake has made reference to,
24 that this be accomplished and that these inspections
25 then continue at six month intervals. And, in

1 addition to that, I would recommend an engineering
2 study be performed to consider any and all alternatives
3 to the existing structure, to replace it or alternate
4 methods of access to the borough.

5 Q Do you feel that in the event it is necessary
6 to reconstruct or rehabilitate the bridge, the bridge
7 should be closed and an at grade crossing be
8 substituted temporarily?

9 A A method could probably be worked out if it
10 were replaced by another structure whereby the
11 existing structure could be kept in service while
12 the new structure was being built. The new structure
13 would have to be at a different location, of course.
14 To rehabilitate the existing structure, in all
15 probability a method could be worked out where it
16 could be kept open. I can't give an absolute opinion
17 on this until we know what work is to be done.

18 MR. GROSSMAN: I have no further questions.

19 CROSS-EXAMINATION

20 BY MR. FECZKO:

21 Q Mr. Fleisher, were you present at these
22 meetings?

23 A I wasn't present at the September 24th
24 meeting.

25 Q Which ones were you present at?

1 A On Thursday, September 11th, 1980.

2 Q Were representatives of Conrail present at
3 that time?

4 A Yes, they were.

5 Q Was there an agreement by Conrail to make
6 immediate repairs to the sidewalk and the deteriorating
7 and crumbling concrete?

8 A As I recall there was some volunteered state-
9 ment made by Mr. Black that repairs would be made to
10 the stairway and the sidewalk area.

11 Q Have you checked to see if any of those
12 repairs have been done?

13 A No, I have not.

14 Q It is your opinion that there are repairs
15 and/or replacements necessary for the structure at
16 this time?

17 A Yes, most certainly the structure is
18 deteriorating and if left go in its present condition,
19 it will eventually collapse. How far in the future
20 that would be, I am not in a position to say at this
21 time.

22 MR. FECZKO: Thank you. That's all I have.

23 THE ADMINISTRATIVE LAW JUDGE: Mr. Zahn.

24 MR. ZAHN: No questions.

25 THE ADMINISTRATIVE LAW JUDGE: Mr. Major.

1 MR. MAZOR: No questions.

2 THE ADMINISTRATIVE LAW JUDGE: Any redirect?

3 MR. GROSSMAN: Yes, Your Honor.

4 REDIRECT EXAMINATION

5 BY MR. GROSSMAN:

6 Q Who, in your opinion, should bear the cost
7 of the inspection?

8 MR. MAZOR: I object to that. This is
9 going to the Commission to decide and I would object
10 to the Commission staff making that request.

11 MR. KEYSER: I will join in that objection.

12 THE ADMINISTRATIVE LAW JUDGE: The objection
13 is overruled.

14 THE WITNESS: At this point I would say
15 that the parties directed to do the inspection be
16 present to do it at their initial costs and that the
17 ultimate responsibility be determined at a later date.

18 MR. MAZOR: I would withdraw my objection
19 on the basis of the answer.

20 MR. GROSSMAN: I have no further questions.

21 RECROSS-EXAMINATION

22 BY MR. FECZKO:

23 Q Do you have any idea what the cost of this
24 inspection would be?

25 A You are talking about periodic, every six

1 months?

2 Q The first S.I.&A. and this periodic.

3 A I really don't have too much to go by in
4 making a cost estimate of this. I believe Mr. Drake
5 used the figure of \$10,000, if I am wrong I wish
6 somebody would correct me, but this sounds as though
7 it is adequate to perform the initial inspection.

8 MR. FECZKO: That's all.

9 THE ADMINISTRATIVE LAW JUDGE: Anything
10 further?

11 (No response)

12 (Witness excused)

13 THE ADMINISTRATIVE LAW JUDGE: Do any of
14 the parties present have anything in addition they
15 wish to offer at this point?

16 (No response)

17 THE ADMINISTRATIVE LAW JUDGE: Is there any
18 desire of the part of any party of this proceeding to
19 make an oral, legal argument or present briefs in
20 this case?

21 (No response)

22 THE ADMINISTRATIVE LAW JUDGE: Let the
23 record indicate that there has been no response to
24 either. You gentlemen then can all have fun filing
25 exceptions to my initial decision.

1 MR. FECZKO: I would call the Judge's
2 attention to the case of the Borough of Swissvale
3 hearing where some or all of the parties present
4 participated. This hearing was held July 12th, 1979
5 and an order entered July 24th, 1979. It was the
6 Borough of Swissvale vs. Pennsylvania Department of
7 Transportation, Penn Central, Consolidated Rail
8 Corporation ---

9 MR. ZAHN: I would object to that. The
10 Commission has always stated that each case stands on
11 its own merits. What was done at another place and
12 at another time has nothing to do with what should be
13 done here.

14 THE ADMINISTRATIVE LAW JUDGE: He may make
15 reference to it, but if you want to make argument you
16 are going to have to file briefs.

17 MR. FECZKO: No, I just want to make
18 reference to it.

19 THE ADMINISTRATIVE LAW JUDGE: All right, is
20 there anything further?

21 (No response)

22 THE ADMINISTRATIVE LAW JUDGE: If there is
23 nothing further, we stand adjourned.

24 (Whereupon the proceedings were concluded
25 at 1:35 p.m.)

CERTIFICATE

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I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the above cause, and that this copy is a correct transcript of the same.

Richard E. McCormick
Richard E. McCormick
Official Court Reporter

150 2 1 1981

OVERSIZE DOCUMENT(S)

GLENFIELD BOROUGH EXHIBIT NO. 1

(GROUP OF 20 PHOTOGRAPHS)

Steinfeld Exb
2

EXHIBIT #2

MAR 2 3 37 PM '81

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PUBLIC UTILITY
COMMISSION

C-80092154

1/28/81 REM

Pittsburg Pa

1. Letter to Peteritas 8/29/80
2. Letter to Sullivan 8/29/80
3. Letter to Goebel 8/26/80
4. Letter to Heinz 8/26/80
5. Letter to Early 8/26/80
6. Letter to Forester from Hauser 7/31/80
7. Memo to Fox from Bradley 6/11/80
8. Memo to Hohman from Katz 4/16/80
9. Letter to Hohman from Schwoegl 2/13/80
10. Memo to Hohman from Carl 2/4/80
11. Letter to Public Utilities Commission from Jordan 1/7/77
12. Letter to Spence from Jordan 7/16/76
13. Article by Powell

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Department Of
Development

County of Allegheny

100 FORT PITT COMMONS, 445 FORT PITT BOULEVARD
PITTSBURGH, PA. 15219
(412) 355-7200

JAMES J. DODARO
Director

August 29, 1980

Director R. A. Peteritas
Bureau of Rail Transportation
Room 408
Transportation & Safety Building
Harrisburg, PA 17120

Dear Director Peteritas:

As a Municipal Services Representative for the Department of Development, it is my responsibility to serve as a liaison between Allegheny County Government and the Quaker Valley Area Communities.

In this capacity, I have been made aware of a serious problem in Glenfield Borough. The Glenfield Viaduct, a small CONRAIL-owned bridge, which provides the only access to the Borough's most populated area, is quite badly deteriorated.

Green International Inc., a local planning consultant firm, has described the problem as follows: "The main girders of the bridge are concrete encased in all spans except the spans crossing over Route 65 and the CONRAIL tracks. The concrete encasement appears to be in rather poor condition, especially along the bottom of the girders. Although this concrete encasement is really only used for protecting the steel girders from the elements, its poor condition does allow the penetration of water to the steel girders and thereby, causes rust deterioration."

Additionally, the viaduct is the only link between the Glenfield Volunteer Fire Company and the rest of the Borough. If the viaduct should become impassable for any reason, the rest of the Borough would find itself entirely without fire protection.

I would like to invite you to meet with representatives of our Department, elected Borough Officials and other state and federal representatives at the Glenfield Fire Hall on Thursday, September 11, 1980 at 1:00 p.m. The purpose of the meeting is to discuss alternatives for correcting this situation as quickly as possible.

CYRIL H. WECHT, M.D., J.D.
COMMISSIONER

TOM FOERSTER
CHAIRMAN

WILLIAM R. HUNT, M.D.
COMMISSIONER



Department Of
Development

County of Allegheny

100 FORT PITT COMMONS, 445 FORT PITT BOULEVARD
PITTSBURGH, PA. 15219
(412) 355-7200

JAMES J. DODARO
Director

August 29, 1980

Mr. J. T. Sullivan, Chief Engineer
Design and Construction
Consolidated Rail Corporation
12th Floor
15 North 32nd Street
Philadelphia, PA 19150

Dear Mr. Sullivan:

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In this capacity, I have been made aware of a serious problem in Glenfield Borough. The Glenfield Viaduct, a small CONRAIL-owned bridge, which provides the only access to the Borough's most populated area, is quite badly deteriorated.

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County of Allegheny

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PITTSBURGH, PA. 15219
(412) 355-7200

JAMES J. DODARO
Director

Department Of
Development

August 26, 1980

The Honorable Ronald P. Goebel
State Representative
3367 Babcock Boulevard
Pittsburgh, PA 15237

Dear Representative Goebel:

As a Municipal Services Representative for the Department of Development, it is my responsibility to serve as a liaison between Allegheny County Government and the Quaker Valley Area Communities.

In this capacity, I have been made aware of a serious problem in Glenfield Borough. The Glenfield Viaduct, a small CONRAIL-owned bridge, which provides the only access to the Borough's most populated area, is quite badly deteriorated.

Green International Inc., a local planning consultant firm, has described the problem as follows: "The main girders of the bridge are concrete encased in all spans except the spans crossing over Route 65 and the CONRAIL tracks. The concrete encasement appears to be in rather poor condition, especially along the bottom of the girders. Although this concrete encasement is really only used for protecting the steel girders from the elements, its poor condition does allow the penetration of water to the steel girders and thereby, causes rust deterioration."

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Department Of
Development

County of Allegheny

100 FORT PITT COMMONS, 445 FORT PITT BOULEVARD
PITTSBURGH, PA. 15219
(412) 355-7200

JAMES J. DODARO
Director

August 26, 1980

The Honorable H. John Heinz, III
U.S. Senatorial Representative
2031 Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222

Dear Senator Heinz:

As a Municipal Services Representative for the Department of Development, it is my responsibility to serve as a liaison between Allegheny County Government and the Quaker Valley Area Communities.

In this capacity, I have been made aware of a serious problem in Glenfield Borough. The Glenfield Viaduct, a small CONRAIL-owned bridge, which provides the only access to the Borough's most populated area, is quite badly deteriorated.

Green International Inc., a local planning consultant firm, has described the problem as follows: "The main girders of the bridge are concrete encased in all spans except the spans crossing over Route 65 and the CONRAIL tracks. The concrete encasement appears to be in rather poor condition, especially along the bottom of the girders. Although this concrete encasement is really only used for protecting the steel girders from the elements, its poor condition does allow the penetration of water to the steel girders and thereby, causes rust deterioration."

Additionally, the viaduct is the only link between the Glenfield Volunteer Fire Company and the rest of the Borough. If the viaduct should become impassable for any reason, the rest of the Borough would find itself entirely without fire protection.

I would like to invite you to meet with representatives of our Department, elected Borough Officials and other state and federal representatives at the Glenfield Fire Hall on Thursday, September 11, 1980 at 1:00 p.m. The purpose of the meeting is to discuss alternatives for correcting this situation as quickly as possible.



Department Of
Development

County of Allegheny

100 FORT PITT COMMONS, 445 FORT PITT BOULEVARD
PITTSBURGH, PA. 15219
(412) 355-7200

JAMES J. DODARO
Director

August 26, 1980

The Honorable Edward M. Early
State Senator
3439 Babcock Boulevard
Pittsburgh, PA 15237

Dear Senator Early:

As a Municipal Services Representative for the Department of Development, it is my responsibility to serve as a liaison between Allegheny County Government and the Quaker Valley Area Communities.

In this capacity, I have been made aware of a serious problem in Glenfield Borough. The Glenfield Viaduct, a small CONRAIL-owned bridge, which provides the only access to the Borough's most populated area, is quite badly deteriorated.

Green International Inc., a local planning consultant firm, has described the problem as follows: "The main girders of the bridge are concrete encased in all spans except the spans crossing over Route 65 and the CONRAIL tracks. The concrete encasement appears to be in rather poor condition, especially along the bottom of the girders. Although this concrete encasement is really only used for protecting the steel girders from the elements, its poor condition does allow the penetration of water to the steel girders and thereby, causes rust deterioration."

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Vic

158 East Beaver St.
Glenfield, PA 15143
July 31, 1980

Dear Commissioner Forester:

As a councilman for the Borough of Glenfield, it is my responsibility to look for ways of solving the borough's problems, and I am hopeful that you can help us.

Our community is composed of three separate areas; an area along Interstate 79, an area on the top of a hill, and an area across the railroad tracks along the river. It is with this last area that the problem lies; there is only one way in or out of here, across an aging, crumbling, railroad bridge. From time to time, pieces of crumbling cement fall off; in many places the reinforcing rods are visible and rusting. A recent preliminary study done by Green International, Inc., estimates that this only link for over half of the borough's population may not last ten years.

Aside from being the most populated area of Glenfield, there are other reasons for urgency in this matter. The Glenfield Volunteer Fire Company is located in this section, and if anything should happen to this viaduct or near its entrance, the other two-thirds of the borough would have to wait until a fire department from a neighboring community^{or} only arrived in Glenfield, but until it located the scene of emergency. Also, this viaduct is used by all emergency vehicles for the protection and well-being of that half of the borough's population, police and ambulances for example.

It is along the river where some of Glenfield's most developable sites lie, among with two of its four businesses. Before the Ohio River Boulevard and Interstate 79 were put through, then town was thriving. But the devastation brought by those two projects has taken a large toll on us. With only four small businesses and a majority of elderly citizens, we need to increase our tax base. New businesses would not only do this but would increase the tax base of the county, state, and federal government. It would mean higher employment, further improving our economy. But all of this depends upon either a new viaduct or alternative means of keeping this region accessible.

What I am hoping you can do is to help us obtain grants wherever we can, particularly from your branch of our government. A community in need of immediate help, such as ours, is surely eligible for grants of some sort.

The Glenfield Borough Council will soon be having a meeting with all concerned parties, including those responsible for the viaduct: Allegheny County, Conrail, and the federal government. We would like very much for you to attend. Please send your reply to me at my address. Thank you very much.

Very Sincerely Yours,

Paul F. Hauser

Mr. Paul Hauser
Councilman, Glenfield Borough

June 11, 1980

MEMORANDUM TO: Tom Fox

FROM: Mame Bradley

SUBJECT: Applying for a UDAG for Glenfield Borough

Yesterday I visited Jack Schwoegl, Mayor of Glenfield, with John Burke of Green International, Inc.

Greene is currently preparing a Comprehensive Sewer and Water Plan for the Kilbuck Basin which includes Glenfield. A second component of that study will be an Economic Development Plan for Glenfield.

In the 1950's Glenfield Borough was a community of approximately 1,200. When I-79 was constructed, it bisected the borough, eliminating the commercial district and approximately half of the residences. Today Glenfield's population is less than 300, and its tax base has been decimated.

However, Glenfield contains at least four (4) sites that Greene has identified as prime development sites for light industrial and residential development. These include:

- 1) A flat hilltop area overlooking the Ohio River with a spectacular view of Downtown Pittsburgh. At one time a real estate firm expressed interest in acquiring this property for a residential development. However, the current owners were asking a price that the real estate firm thought was out of line. Additionally, this area is not sewered, which presents another constraint. A UDAG could possibly be used in this cost for site acquisition and installation of the necessary infrastructure. This site is located two (2) miles from Route 65 and I-79.
- 2) Two privately owned properties on the Ohio River. Not sewered.
- 3) A developable site near the 79 North Industrial Park. This site is not sewered but is close enough to a sewer line that it could tap in without too much difficulty. The industrial park has made inquiries concerning acquisition of this site.

Mame Bradley
June 11, 1980
Page Two

The last three (3) sites named above have the following assets: They are highly accessible by existing highways and situated only 10 miles from Pittsburgh. Conrail goes through Glenfield and therefore, train service could also be available. Finally, both river sites have access to river transportation as well.

However, highway accessibility is severely limited due to the deteriorated condition of the Glenfield viaduct. Any development along the riverfront would be contingent on: the rehabilitation or replacement of the viaduct, the raising of the elevations of the site above flood level, and the installation of a sanitary sewer system.

These site preparation activities could possibly be combined as part of a UDAG package if an interested developer in the site can be identified.

Preliminary information indicates that there is private sector interest in the area. Glenfield meets C.D. and UDAG eligibility criteria and clearly the tax base of Glenfield would be expanded by a UDAG project.

While Glenfield, itself, is a small community, development of any one of these sites could have a beneficial impact on a much broader geographic area.

I am interested in setting up a meeting with people from our Department (possibly Joe Hohman, Ross Nese and/or Jack Thomas) who can give me more information about the UDAG Program and about the likelihood of obtaining such a grant for this area. I am hoping that they will be able to identify developers who may be looking for sites for light industrial and residential development and I am requesting your assistance in pursuing this matter.

MB/mlc

April 16, 1980

MEMORANDUM TO: Joseph M. Hohman
Manager

FROM: Paul Katz ^{P.K.}
Municipal Services Representative

SUBJECT: Site Visit to Glenfield Viaduct

On Monday, April 7, 1980, Nick Bianchi, Lou Comis and I met with officials from the Borough of Glenfield. Present from the Borough were Mayor John Schwoegl and Councilwoman Gail Cermansky.

The officials of Glenfield expressed their need for guidance and/or assistance in remedying the deteriorated structure. Because the bridge is the only exit for approximately 56 homes, (other than the river) the necessity for ensuring its viability as a link with I-79 is mandatory. The Mayor presented the scenario of a Conrail tank car derailing, and no means other than the river for evacuating the residents. In this case, emergency vehicles would have no access to the area. This scenario is not at all unrealistic as there have been two derailments in this area recently.

The problem seems to be the reluctance of anyone to declare or assume ownership of the bridge. Ownership most likely belongs to Conrail, although Conrail will not take any initiative to make improvements.

We recommend that the Borough arrange a meeting with their state and federal representatives. We agreed to aid in this effort if the Borough receives no response. We also suggested placing a weight restriction on the bridge simply to raise the consciousness of all who are served by the bridge, including the trucking companies.

Glenfield, as you know, has been identified as a UDAG community, and because of the railroad, the river and I-79 is an ideal site. However, repair of the viaduct bridge would be a pre-requisite to any development.

PK/mlc
cc: Nick Bianchi
Jack Thomas

21-513

Borough of Glenfield

ALLEGHENY COUNTY
PENNSYLVANIA 15143

February 13, 1980

ADDRESS
R.O. 2, Hill Road
Glenfield, Pa. 15143

TELEPHONES:

741-9270 - Secretary
741-7111 - Mayor
741-8496 - Police

Mr. Joseph Hohman
Allegheny Department of Planning
Fort Pitt Commons Building
Pittsburgh, Pa. 15219

Dear Sir:

Mr. Alfred Carl recommended that I write to you about the concerns of the Viaduct in our borough of Glenfield.

First off there is question as to who owns the Viaduct, the borough feels ownership is between Con Rail and Pen Dot. The Viaduct is deteriorating with alarming speed.

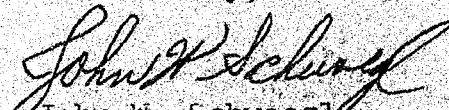
Since I79 has been completed we were left with 90 homes and of these homes 56 homes, two small business and one firehall has to use the viaduct. They are between the RR tracks and the Ohio River. This is the only way in and out for these people. These people are dependant on the Viaduct for ambulance, general delivery, getting out for work, church, amusement, school. The school bus must use the viaduct to pick up children. If anything would happen to the viaduct these people would be completely land locked.

Green International had a field inspection of the viaduct and they estimated a ten year life span for the viaduct. The maintenance and improvement to this Viaduct is essential to the continued viability of Glenfield as a residential area. In fact, a current study on Glenfield (being funded in part through the County CD program) has identified the viaduct as the major constraint on future economic development of the riverside area. We hope you will share these concerns as we are afraid to think what they would find if they made an indepth study of the Viaduct.

I am requesting economic assistance in replacing or repairing the Viaduct. The construction of I79 took 50% of our tax base. I think it is safe to say that 45% of our people are retirees and widows, which does not give us a wage tax base.

I appreciate your interest in our plight and hope you can find a solution to our problem.

Yours truly,




John W. Schwoeg

Mayor

cc Mr. Alfred Carl. Department Planning

MEMORANDUM

TO: Joe Hohman
FROM: A.B. Carl 
DATE: February 4, 1980
SUBJECT: Glenfield Viaduct

During a meeting with the Kilbuck Basin Committee on our contract services regarding Kilbuck Basin Sewerage and Land Utilization Study, an interesting topic surfaced.

The Glenfield Viaduct is approximately 50 years old. It is in bad shape physically with definite symptoms of severe deterioration. Chunks of concrete have been observed falling from the structure. The viaduct is owned by Conrail, but is the umbilical to Glenfield Borough's survival. It is the only practical access to Glenfield. Routine vehicular traffic must use the span, that includes emergency traffic such as fire, health, general delivery, etc.

Green International is doing the consultant study under contract with the Planning Department's Glenfield Land Utilization Study. Their engineers have estimated a 10 year life for the viaduct on a cursory field inspection.

Without a rehabilitated program or replacement for the existing viaduct, the well-being of Glenfield's residents and indeed the future of Glenfield itself is in jeopardy.

John Schwogel, Mayor of Glenfield requested me verbally, as a Kilbuck Basin Committee representative, to investigate possibilities of funding a viaduct repair or replacement project. I stated to the Mayor that Glenfield would have to submit a formal request to the County Commissioners for such project assistance.

A similar project, a railroad crossing in Swissvale was undertaken with C.D. funding assistance in C.D. Year II.

I have advised the Mayor to contact your office for further information as to the feasibility of the project.

Borough of Glenfield

ALLEGHENY COUNTY
PENNSYLVANIA 15143

TELEPHONE:
741-9270

Jan. 7, 1977

TO PA. PUBLIC UTILITIES COMMISSION
COMPLAINT AGAINST CONRAIL, PHILA. PA.
FORMERLY Penn Central Railroad, formerly
Pennsylvania Railroad, formerly Pittsburgh
Fort Wayne and Chicago Railroad.

Mr. S. C. Walker of Conrail at a meeting Dec. 17, 1976, with Borough Officials, advised this complaint be filed with the P.U.C. to establish precisely Conrail's responsibility for the Viaduct and the Pedestrian Tunnel beneath the railroad.

Brief History

During the first phase of Pa. Dept. of Highways expansion program, the "Ohio River Blvd." extended from pgh. to the Easterly line of the Borough, where an on grade crossing brought traffic into the Borough, traversing East Beaver St. At the end of East Beaver St. (near Philip's Lane) another on grade crossing brought traffic back to the Blvd. In the early 1930's these on grade crossings were eliminated, and the Blvd was opened to traffic following the north side of the tracks. The viaduct and the tunnel were installed to provide access to the town sandwiched between the river and the tracks, and were the only means of egress to the East Beaver St. River ave. Dawson Ave. populace

During the second phase of the highway expansion program, that portion of the Blvd. was widened and re-located and a new approach was provided by the Highway Dept. to the Viaduct to permit the Blvd. 2 lane South bound passage beneath the Viaduct. This expansion occurred during the early 1950's.

As the third phase of the highway program nears completion this year, the Blvd. (Rt. 65) becomes a part of the new I-79 Interchange, effectively blocking normal pedestrian traffic to and from the other fragmented areas of the town to the larger populated properties between the tracks and the river.

(Note- Use of the word Phase applies only to Glenfield)

Borough of Glenfield

ALLEGHENY COUNTY
PENNSYLVANIA 15143

TELEPHONE:
741-9270


The comfortable waiting rooms for rail passengers had been removed, and were replaced with covered entrances for the tunnel. Passenger travel on the rails became extinct, and as the passenger traffic died off, so it seemed did the maintenance of the Viaduct and the tunnel.

Spalling concrete from the Viaduct endangered life and property, the sidewalk of the Viaduct disintegrated, and angle iron sidewalk curbs ripped at persons and vehicles using the span.

The road bed appears to be under constant stress and strain, and since large vehicles traverse it regularly, it will continue to deteriorate.

Both of these structures must be brought back to their original condition and MAINTAINED properly for the safety and public welfare of the Borough, as they are the only means of escape and aid during catastrophic happenings such as flood or fire

Additionally, the Fire Dept. is so located within the confines of the tracks and the river that it would be unable to serve any other part of the community without the Viaduct, and would along with the populace in that area be trapped, with no way out, without the Viaduct.


Wendell M. Jordan Sr.
Administrator

cc Borough Secretary

July 16, 1970

Borough of Glenfield

ALLEGHENY COUNTY
PENNSYLVANIA 15145

Mr. Richard D. Spence, President
Consolidated Rail Corporation
Six Penn Center Plaza
Philadelphia, Pa. 19104

Dear Mr. Spence:

Please be advised that the Borough of Glenfield, Penna. is deeply concerned over the problems of the rail transportation systems. From the days of the Pittsburgh, Fort Wayne and Chicago railroad system, to the recent advent of Conrail, we have been a community where the "Tracks run through the middle of the town."

We, however, are in a sense victims of the decline of our railroads, in that our only escape from flooding or other disaster, our fire fighters, and any mobile transportation must use the seriously eroded "viaduct" built by P.R.R. but not maintained in an adequate way for approximately forty years.

The structure endangers life and property, pieces of it occassionally falling near or on automobiles, threatening pedestrians and homes in it's vicinity. Passage over the viaduct by pedestrians and vehicles is perilous because of the road bed width and the complete deterioration of the sidewalk with old steel curb angles jutting out of the concrete.

We request a representative of Conrail meet with Borough Officials as soon as possible to review this situation. The Borough Engineer has made a cursory study of the structure, and we may be able to contribute to an ultimate solution, including the pedestrian under-pass.

Sincerely,

Wendell M. Jordan Sr.
Wendell M. Jordan, Sr.,
Chairman -
Glenfield Planning Commission

James R. Tunney, John Schwoegl
President of Council Mayor

cc: P.V.C. Harrisburg, Pa. (Mr. Blum)

Borough Secretary
President of Council

A tale of two boroughs, or, roads to nowhere.

by David R. Powell

What happens to a local government when it finds itself in the path of a major highway?

Apparently, almost anything. In Pennsylvania, a community may be able to raise such a storm that the project is cancelled, "delayed" or rerouted (it has happened). In some cases, possibly in most, the new highway can result in a sizable windfall from new development around an interchange.

But in at least two Pennsylvania boroughs, highway construction combined with such factors as topography, economics, and unforeseen failure of utility installations threatens the very existence of the communities, both socially and as municipal entities.

The question here is not particularly the effect on individuals forced to relocate—much has been said on this subject, and new Federal and State laws have done much to help at least financially. But there is no provision for maintaining municipal revenues (except for payment of prorated taxes for the balance of the tax year) and as a result the immediate effect can be a drastic decrease in the amount of real estate, income and other tax base without a corresponding decline in the cost of services to be provided.

If the impact is hard enough, and if the municipality is not in a position to gain later from new development, the ultimate effect may be a dilemma for which there is no apparent solution.

The boroughs in this tale are Glenfield, in Allegheny County, and West Conshohocken in Montgomery County. Both lay in the path of "circle routes" around the State's major cities. Both are fighting for survival.

Glenfield, on the Ohio River nine miles northwest of Pittsburgh, was a working class community of 870 in

1950, nestled in a small hollow in the Allegheny Mountains along then Route 88. But about that time, residents learned that the highway was to be widened and relocated to form the new Route 65, a project completed in 1957.

The cost of this first project to Glenfield: Three service stations; a building housing a store, an office and living quarters; two restaurant-taverns, a confectionery; a large building, formerly a food store; a building housing two shops and the Post Office; and 15 homes. The borough's assessed valuation, about \$680,000 before the project, was cut to about \$585,000, a 14 per cent slice. The borough also, about that time, spent \$18,000 relocating water lines—which may not sound like much until it is realized that the borough's total annual revenues at that time ranged below \$25,000.

But Glenfield shows a municipal frugality unusual in these times. The borough chopped \$1,000 a year off the bonded debt, and retired the last \$3,000 in 1967.

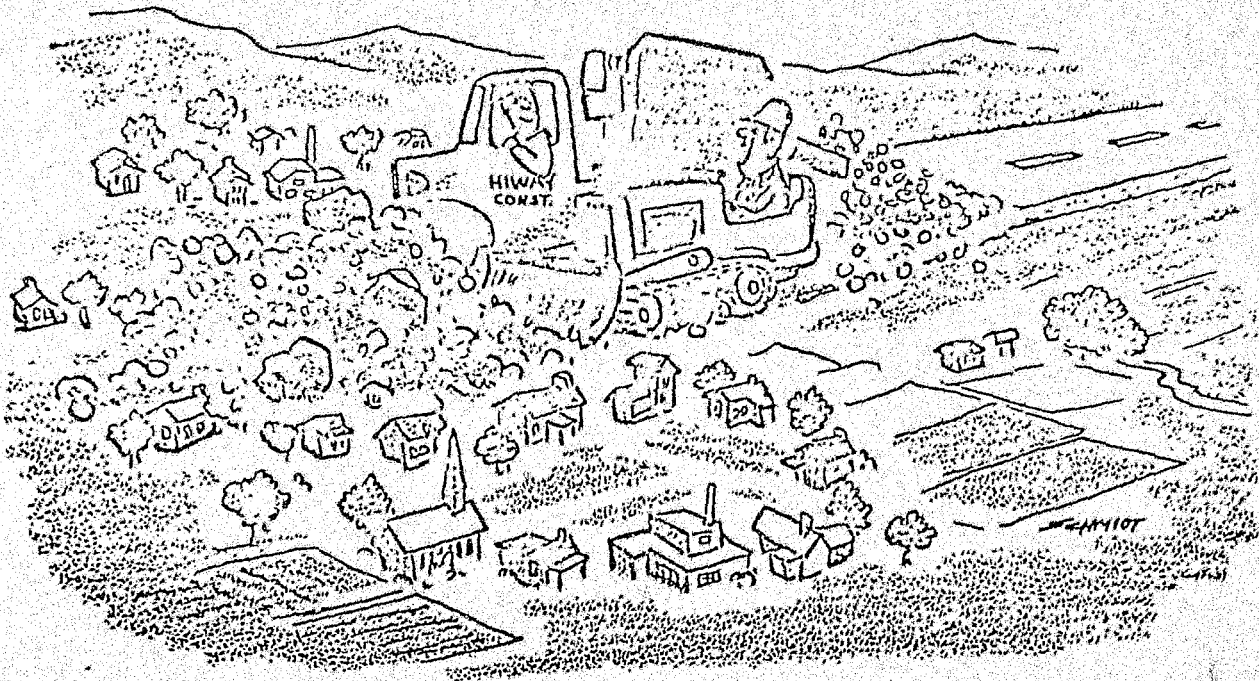
Just in time to hear the news.

In 1966, the borough learned that Interstate 79, which will route through traffic west around Pittsburgh from near Wexford to Carnegie, was to cross the Ohio River at Glenfield. The project includes a bridge crossing Neville Island, an interchange with Route 65, and the highway itself climbing to high ground through the hollow where Glenfield was.

The I-79 project has destroyed, literally, about half of what was left of Glenfield: It took 93 buildings and left 95. The borough's loss: Two churches, a school, a service and repair station, a restaurant-tavern, a machine shop, a large warehouse and parts building, the firehall and borough building, the Post Office, a barber shop, 13 rental garages, five double houses and the balance single residences. Glenfield residents now have to transact postal business at Sweickley; the nearest grocery store is two miles away.

And the 1970 official Census population is 416, a decrease of 325 persons, most of them displaced by the I-79 project.

The author is a senior Research Analyst in DCA's Bureau of Policy Planning and Information.



"I WONDER IF THESE PEOPLE KNOW HOW MUCH GOOD WE'RE DOING THEM?"

There is little doubt that of Pennsylvania's municipalities, Glenfield is the hardest hit by expressway construction.

A less extreme, but also serious situation confronts the Borough of West Conshohocken, on the Schuylkill River in the southwest corner of Montgomery County.

West Conshohocken is larger; its population is 2,194, down just 60 in ten years. It is also a "working class" community; it is also situated in a hollow in the rock cliffs along a river bank. Its annual budget is in the \$100,000 range; it has also kept itself relatively free of municipal debt, but it has done so by levying occupational privilege and real property transfer taxes (of which the school district gets half), mercantile taxes, and even excavation permit fees and utility pole taxes. Its real property levy has increased from 16 mills in 1964-5 to 20 mills for this year.

West Conshohocken also is under State pressure to provide sewage treatment; the first State order goes back to 1913. The Department of Environmental Resources has filed a complaint in equity to compel the borough to abate the discharge of sewage into the Schuylkill River, and an answer has been filed. However, the eventual solution is expected to be some kind of regional treatment system involving several municipalities.

In 1950, West Conshohocken had 2,482 residents; the following year, the Schuylkill Expressway cut through the south part and took 20 residences. By itself,

this intrusion presented a municipal problem primarily in escalating rush-hour traffic by location of an access ramp.

This traffic also costs money; About \$1,000 a year for electricity just to operate traffic lights necessitated by the increase, in addition to maintenance. And recently, a resident filed suit against the borough for damages resulting from increased traffic. The case was decided in favor of the borough, but to protect itself the borough prohibited trucks on the street; neighboring municipalities complained when the trucks used alternate routes; and finally, the State resumed jurisdiction of the street, reopened it to trucks—and the borough lost part of its liquid fuels tax receipts, as well as associated legal expense.

The Schuylkill Expressway may have been of some benefit to West Conshohocken; an industrial park was built within the borough limits in the late 1950's, and resulted in some recovery in assessed valuation. However, the borough has run out of land for such development and can anticipate no more improvement in its tax base.

The second punch has been harder. This is the Mid-County Expressway, or "Blue Route," a beltway starting at the junction of the main Turnpike and its Northeast Extension, circling west around Philadelphia through lower Montgomery and eastern Delaware Counties, and connecting with Interstate 95 in the Tini-

cum Marsh between Chester and the Philadelphia Airport.

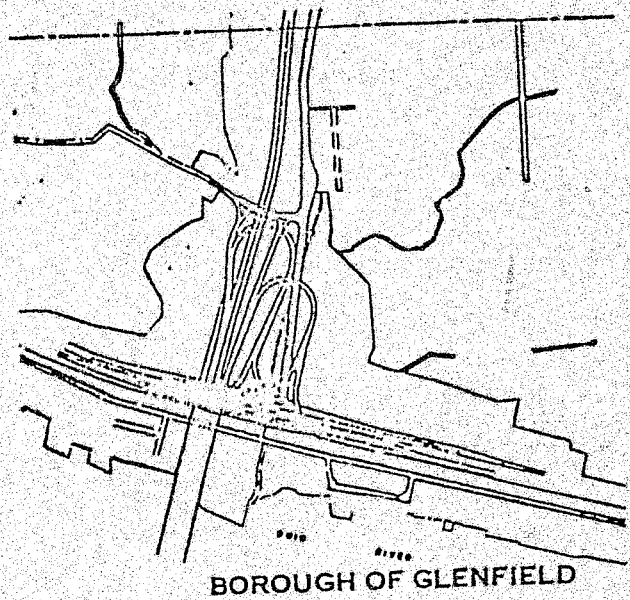
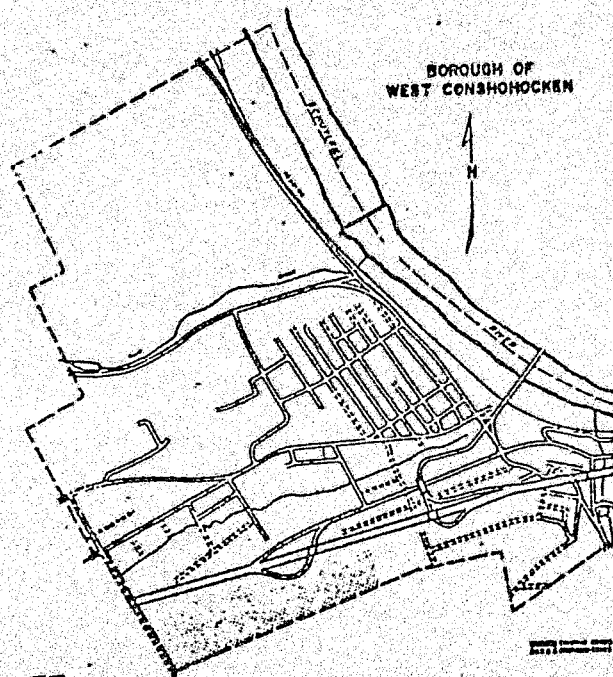
The Blue Route is to cross the Schuylkill River just above West Conshohocken. This highway, with its associated interchange and ramps, has obliterated more than 80 homes in the borough, representing \$200,000 in assessed valuation, and more are expected since land acquisition for the highway is still in process. The borough's four-acre park—its only one—has been planned as the site for a ramp; the park is owned by a trustership. PennDOT officials stated that the park will be relocated by making available to the borough an equivalent acreage of parkland.

To date, the borough has received no funds in the acquisition program. The borough is even facing a battle over excavation fees for the construction already in progress.

West Conshohocken also suffered a "failure" of installed facilities, in this case tragic. In March, 1971, a gas main exploded on the main street, killing five persons, injuring 53 and destroying 24 houses.

It probably is less likely now that a highway project would cause relative obliteration of a community, at least of the magnitude which Glenfield has suffered. Various factors have been added since I-79 was planned, among them legal and administrative provisions that require effective consideration of human and ecological needs, increased public attention to the problem and in some cases, community organizations which have learned to fight highway plans through administrative and legal appeals.

(An example may be found in Tarentum, also in Allegheny County, where the original alignment for the reconstruction of State Route 28 as the Allegheny Valley Expressway would have taken about 130 homes. In



1968, in response to community action, then Secretary of Highways Robert G. Bartlett visited Tarentum to review the plans and ordered realignment, requiring demolition of half the number of homes originally planned for demolition.)

The combined effect of these developments probably has been to discourage highway projects through populated areas where alternatives are available. However, they are not guarantees; comments resulting from the review and hearing processes must be "considered" but carry no veto power, the relocation assistance requirements are only one factor in cost-benefit calculations, and where community reaction may be effective in some cases, it has not helped Glenfield and West Conshohocken.

It will be difficult, if possible at all, for these two boroughs to benefit from the intrusion of highways. Both are constricted by their municipal boundaries and by rugged topography which leave little, if any, land available for the kind of new enterprise which might add to the economic and tax base of less-densely built areas. These industrial parks, service facilities and apartment complexes which new highways attract are more likely, in fact, to increase revenues for other municipalities around them which have had comparatively little or no associated destruction.

The Commonwealth cannot return these boroughs to their original condition. The Commonwealth should, however, be in a position to offer some kind of compensation to communities—as municipalities—which are hard hit by projects which benefit primarily people who live in, and pay their taxes to, some other local government entity. The Department of Community Affairs will do whatever it can to help, but it needs statutory "tools"—and money—before it can apply much more than a temporary bondage.

EXHIBIT #3

Wenford
3
#C-80092154 *Richard M. Carnick*

*1/28/81 RLM
Pittsburgh, Pa*

1. Glenfield Viaduct
2. Letter to Forst from Schwoegl 8/18/72
3. Memo to Donahoe from Duff 8/24/72
4. Letter to Hon. Schwoegl from Forst 10/18/72
5. Letter to Ellis from Stroh 10/11/73
6. Letter to Glenfield from Eastland
7. Letter to Jordan from Heinz 8/30/76
8. Letter to Spence from Schwoegl 11/5/79
9. Memo to Burke from Baughman 11/12/79
10. Letter to Schwoegl from Owens 12/4/79
11. Letter to Hauser from Hohman
12. Memo To file 8071 from Nejak 9/26/80
13. Letter from Marmo 10/6/80
14. Glenfield Bridge Meeting 9/24/80
15. Letter to Fleisher from Nejak 9/26/80
16. Letter to Fleischer from Sullivan
17. Letter to Fleischer from Drake 10/31/80

MAR 2 3 57 PM '81
RECEIVED
SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

DOCKETED
MARCH

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MARS 1981
U

GLENFIELD VIADUCT
CHRONOLOGICAL ORDER OF EVENTS
1972 - PRESENT

August 18, 1972 - Letter from Mayor John W. Schwoegl, Glenfield to Merle A. Forst, Public Utility Commission, Bureau of Transportation, describing deteriorating condition of the Glenfield Viaduct. That week a Penn Central Railroad Engineer had inspected the bridge and claimed ownership of the viaduct over the tracks and the remainder belonged to Allegheny County. The letter asked that a weight limit be placed on the bridge due to Interstate #79 construction. William Kelly of the Allegheny County Public Works was to examine the viaduct on August 21, 1972.

October 3, 1972 - Representatives of Penn Central Transportation Company, the Department of Transportation and the consulting firm designing Interstate #79, made an on-site inspection of the viaduct. Inspection of the bridge concluded that bridge spans were spalling, however, in the opinion of the engineers, the bridge was structurally sound and capable of carrying traffic utilizing the bridge. The Railroad agreed to 1) remove loose concrete on the structure 2) rate the structure for load capacity and forward information to Public Utility Commission. Heavy equipment was to be excluded in use of the bridge.

October 18, 1972 - Letter from Merle Forst, Public Utility Commission, Bureau of Transportation to Mayor John Schwogel of Glenfield. According to Public Utility Commission Order (A-79419) August 10, 1953, the Department of Transportation was ordered to maintain the steel girder span and the reinforced concrete slab above the grade of Rate #65. The Railroad Company was asked to maintain the entire substructure and super-structure above the grade of the tracks and the 13 approach spans to Phillips Lane.

July 16, 1976 - Letter from Wendell M. Jordan, Sr. Glenfield Planning Commission to Richard D. Spence, President of Consolidated Rail Corporation, asking Consolidated to meet with Glenfield Borough. A deteriorated description of the sidewalks, fire hazard, flooding and concrete falling from the span was stated.

November 5, 1979 - Letter from Margaret Schwoegl, Secretary of Glenfield Borough to Richard D. Spence, President of Consolidated Rail, speaking on behalf of Council of the deteriorated condition of the sidewalk on the bridge and the possibility of a lawsuit by the Borough.

November 9, 1979 - Green Engineering (Dennis Baughman) conducted a field inspection of the Glenfield Viaduct. The overall condition of the bridge was rated from fair to poor; the sidewalk was reported to be in bad condition; parapet railings had some large cracks; concrete encasement of bridge girders were in poor condition; piers had substantial concrete and steel reinforcement deterioration. Posting of weight limit of 16 tons on the bridge needed to be altered. Green suggested a need for a more in-depth inspection and re-evaluation of the weight limit determined by Conrail. The remaining life of the bridge was determined by Green to be 10 years, with replacement inevitable. Green believed any industry wishing to locate in Glenfield would insist on the bridge being rehabilitated (widened) or replaced. However, in any case, the bridge needed immediate attention due to safety conditions.

December 4, 1979 - Letter from C. W. Owens, General Manager of Conrail, to Margaret Schwoegl, Secretary of Glenfield. An inspection by Conrail of the condition of the sidewalk on the Glenfield Bridge was concluded to be deteriorated due to heavy salt application. Owens was referring the letter to the Chief Engineer of Conrail, J. T. Sullivan, for recommendations.

February 4, 1980 - Memorandum from A. B. Carl, Allegheny County Planning Department, to Joseph Hohman, Manager of Municipal Services and Programs, bringing to Department of Development's attention the condition of the Glenfield Viaduct.

February 13, 1980 - Letter from John W. Schwoegl, Mayor of Glenfield, to Joseph Hohman concerning the deterioration of the viaduct and safety conditions and possibility of C.D. funding for reconstruction of the bridge.

April 7, 1980 - Paul Katz, Municipal Services Representative, Allegheny County Department of Development and Glenfield Borough Officials visited site of viaduct by direction of Joseph Hohman, Manager of Municipal Services and Programs, Allegheny County Department of Development. Glenfield asked Allegheny County for guidance and assistance for remedying the deteriorated structure. Problems were brought out concerning train derailments, fire equipment not being able to reach area residents and safety conditions of falling concrete. A suggestion of posting signs for trucks was recommended.

July 31, 1980 - Letter from Paul Hauser, Councilman of Glenfield Borough, to Allegheny County Commissioner, Tom Foerster, concerning the condition of the Glenfield Bridge. A request was made by the Borough to the County for assistance in obtaining grants for bridge rehabilitation.

August 7, 1980 - Letter from Allegheny County Commissioner, Tom Foerster, to Glenfield Councilman, Paul Hauser, referring the Glenfield Viaduct matter to the Allegheny County Department of Development and Department of Engineering.

August 11, 1980 - Letter from James L. Kristiansen, Director of the Allegheny County Department of Engineering and Construction, to Glenfield Councilman, Paul Hauser, recommending Glenfield to file a complain to the P.U.C. A subsequent complaint was, in fact, filed to the P.U.C. by Glenfield Borough.

August 25, 1980 - Letter from Joseph Hohman, Manager of Municipal Services and Programs, Allegheny County, to Councilman of Glenfield Borough, Paul Hauser, detailing a meeting to be established with appropriate federal, state and local representatives concerning the Glenfield Viaduct. The meeting was scheduled for Thursday, September 11, 1980 by the Allegheny County Department of Development.

Borough of Glenfield

ALLEGHENY COUNTY
PENNSYLVANIA 15143

TELEPHONE:
741-9270

August 18, 1972

Merele Forst
Director of Penna. P.U.C.
Bureau of Transportation
North Office Building
Harrisburg, Penna. 17120

Dear Sir:

I wish to inform you of the serious condition of the Viaduct crossing over Route 65, Penn Central R.R. and East Beaver St. on to Phillips Lane in our Borough.

The cement is deteriorating so bad that the cement on some of the pillars has fallen away four to six inches from the sides. Some of the pieces weigh as much as fifteen pounds.

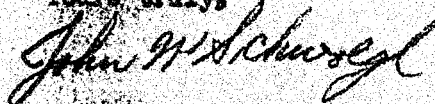
This week an engineer from the Penn Central R.R. inspected the Viaduct. He claims the part they own, going over the R.R., is in good condition. He claims the rest of the Viaduct belongs to the County of Allegheny.

Reporters from the Sewickley Herald, our local paper, were up August 16, 1972 taking pictures of the condition of the Viaduct. They were stunned at what they saw.

Today (August 17) I talked by phone, to Mr. David Dohahue of the County Commissioners Office and explained our problems to him. We do not know who owns the Viaduct. We would like to put a weight limit on it before something serious happens. There is 55 homes, 3 businesses, and a fire hall on that side of the tracks, all using the Viaduct. There will be a lot of heavy equipment using the Viaduct in the near future, due to the construction of a new bridge crossing the Ohio River for Interstate 79. I feel the Viaduct will not be able to take all this weight and might collapse.

Mr. William Kelly of the Allegheny County Works Department is coming down August 21, 1972 to inspect the Viaduct. I would appreciate any assistance you could give us in this matter.

Yours truly,



John W. Schweegl
Mayor

Form 3 CD of W

COUNTY DEPARTMENT OF
WORKS OF
ALLEGHENY COUNTY

INTER-DEPARTMENTAL
CORRESPONDENCE

PITTSBURGH, PA.

August 24, 1972

Date _____

Attention of Dave Donahoe - Commissionera Office

From Levi Bird Duff, Director

Subject: Ohio River Boulevard

Dear Dave,

In reply to your memo of August 21, 1972 regarding Glenfield Mayor John Schwoegel's inquiry about responsibility for the bridge across Route 65, I attach herewith copy of information received from Harrisburg which quotes from the latest Order of the P.U.C. covering this bridge which they call Glenfield Viaduct.

You will note that the maintenance is divided between the Penn Central Railroad and PennDOT, therefore, the County has no responsibility in any way for the maintenance of this structure.

Yours very truly,


Levi Bird Duff, Director

cc: Dir. Duff
C.E.
Berad

Per Bill Calder, P.U.C. Engineer by phone on 8-23-72.

Exerpt from P.U.C. order A 79419 (Glenfield Viaduct), August 10, 1953.

Paragraph 22

OHIO RIVER BOULEVARD

That, upon completion of the alteration of the existing Glenfield Viaduct in accordance with this order, the Pennsylvania Railroad, at its sole cost and expense, furnish all material and do all the work necessary thereafter, to maintain the entire substructure and superstructure of the existing viaduct, exclusive of the new steel girder span and the reinforced concrete slab span herein ordered constructed by the Department of Highways, and exclusive of the existing Pier-A and the northerly abutment supporting the said new span.

Paragraph 23

That, upon completion of the alteration of the existing Glenfield Viaduct and its opening to public use, Department of Highways, at its sole cost and expense, furnish all material and do all the work necessary thereafter to maintain the new steel girder span and the new reinforced concrete slab span herein ordered constructed, and to maintain the existing Pier-A and the northerly abutment supporting the said spans.

Per Swaugh

Note: Copy of order being sent to me by Bill Calder on 8-23-72.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION
P. O. BOX 3265, HARRISBURG, PA. 17120

October 18, 1972

IN REPLY PLEASE
REFER TO OUR FILE

Honorable John W. Schwoegal
Mayor, Borough of Glenfield
Glenfield, Pennsylvania 15143

Dear Mayor Schwoegal:

This is with reference to your telephone conversation today with Mr. Beemer of the Bureau's staff regarding the bridge which crosses over and above Traffic Route 65, Penn Central Transportation Company's tracks and East Beaver Street onto Phillips Lane in the borough of Glenfield.

The Commission's order at A. 79419 dated August 10, 1953, directs Department of Highways (now Department of Transportation) to maintain the steel girder span and the reinforced concrete slab span above the grade of State Highway Route 65; the railroad company to maintain the entire sub-structure and superstructure of the existing viaduct, which is the span above the grade of the tracks and the thirteen approach spans to Phillips Lane.

On October 3, 1972, a field conference was held at the site of the crossing with representatives of Penn Central Transportation Company, Department of Transportation and the consulting engineering firm designing Interstate 79 present. Inspection of the structure disclosed that the reinforced concrete approach spans are spalling but it was the opinion of the engineers present that the structure is at the present time structurally sound and capable of carrying the type of traffic presently using the bridge.

The railroad company agreed to remove the loose concrete on the structure to avoid personal injury to property owners adjacent to the viaduct, to rate the structure for its load carrying capacity and furnish the calculations to the Commission.

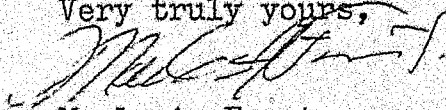
October 18, 1972

Since your primary concern is the construction of the bridge to carry Interstate 79 across the Ohio River, some time was spent in discussing the method to be used by the contractor in constructing this project. Representatives of the Department of Transportation and the consulting engineer stated that the bid documents for this project will include a clause prohibiting the contractor from using this bridge for access of heavy equipment or material for the construction of this highway improvement.

It has also been determined that the approach spans over Route 65 will be altered, with traffic being maintained on the bridge to the borough.

I wish to thank you for your interest in this matter and will keep you further advised as soon as the information requested is received from Penn Central Transportation Company.

Very truly yours,



Merle A. Forst
Director

SAMUEL Y. STROH
ATTORNEY AT LAW
2101 LAW & FINANCE BUILDING
PITTSBURGH, PA. 15219

TELEPHONE AREA CODE 412
261-3253
October 11, 1973

Mr. G. E. Ellis
Division Engineer
Penn Central Railroad
1101 Liberty Avenue
Pittsburgh, Penna. 15222

RE: American Industrial Contracting,
Inc.

Dear Mr. Ellis:

Reference is made to our phone conversation today regarding the Penn Central Bridge at Glenfield running between the Ohio River Boulevard (Route 65) and Beaver Street in Glenfield.

My clients, American Industrial Contracting, Inc. are located at 264 East Beaver Street in Glenfield (Sewickley postal address). They have been located there for six years.

I called you to relay the fact that Penn Central employees were in the process of posting a sixteen ton weight limit on the bridge which I assume is owned and maintained by Penn Central. AIC's business commitments compel them to accept deliveries of up to twenty five tons gross weight including the estimated weight of the transport vehicle. If the bridge were posted at sixteen tons they would be precluded from delivery as there is no other reasonable means of ingress and egress.

I understand from our phone conversation that you will investigate the matter and in the interim refrain from the new posting of sixteen tons and that if Penn Central's position changes, you will communicate the same to us as non delivery could cause irreparable harm to my clients work schedule.

Yours very truly,

\$

SAMUEL Y. STROH

SYS/mjs
cc: Donald B. Smith, President ✓
American Industrial Contracting,
Inc.



AMERICAN INDUSTRIAL CONTRACTING, INC.

EAST BEAVER STREET
SEWICKLEY, PENNSYLVANIA 15143

TELEPHONE: 412/761-7806

5 November 1973

Glenfield Borough Council
Glenfield, Pa.

Re: Penn Central Bridge Weight Limit

Gentlemen:

On October 11, 1973, our attorney, Samuel L. Stroh contacted Mr. G. E. Ellis, division engineer for Penn Central Railroad, in regard to the posting of a 16 ton weight limit on the Penn Central bridge between the Ohio River Boulevard and East Beaver Street.

Mr. Ellis stated that he would refrain from the new posting, pending an investigation, however, the 16 ton limit is still posted.

As you must realize, there is no other entrance to East Beaver Street, except by this bridge, and AIC must be able to receive deliveries up to 25 tons gross weight or be seriously impaired in performing our work.

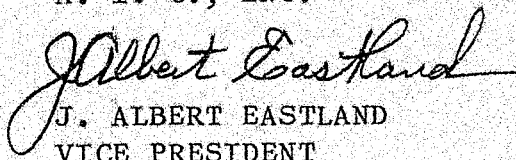
American Industrial Contracting has never been officially advised of this posting or any other limitation the council may have in mind. We request that no action be taken at this time and that we be informed of the next meeting, so that we can be prepared to work out a reasonable agreement with Penn Central and the borough and thereby eliminate long and costly legal proceedings.

Enclosed is a copy of Mr. Stroh's letter to Mr. Ellis, which is self explanatory.

We appreciate your consideration of our request and will await your reply before making arrangements to meet with you or Mr. Ellis.

Very truly yours,

A. I. C., INC.


J. ALBERT EASTLAND
VICE PRESIDENT

JAE/plw

H. JOHN HEINZ, III
PENNSYLVANIA

WASHINGTON OFFICE
ROOM 324
CANNON HOUSE OFFICE BUILDING
CODE 202-225-2135

WARREN EISENBERG
ADMINISTRATIVE ASSISTANT

DISTRICT OFFICE
2031 FEDERAL BUILDING
PITTSBURGH, PENNSYLVANIA 15222
TELEPHONE: 412-562-0533

KEITH SWENSON
DISTRICT ADMINISTRATIVE ASSISTANT

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES
INTERSTATE AND FOREIGN
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SUBCOMMITTEES:
PUBLIC HEALTH AND ENVIRONMENT
ENERGY AND POWER

SELECT COMMITTEE ON AGING

SUBCOMMITTEE:
HEALTH AND LONG TERM CARE
RANKING MINORITY MEMBER

REPUBLICAN TASK FORCE ON
ANTITRUST AND REGULATORY REFORM
CHAIRMAN

August 30, 1976

Mr. Wendell M. Jordan, Sr.
Chairman, Glenfield Planning Commission
Hill Road
Glenfield, Pennsylvania 15143

COPY

Dear Mr. Jordan:

Thank you for your letter dated July 16, 1976 concerning the deterioration of the old railroad viaduct in Glenfield. I apologize for any delay in acknowledging your letter. I have however, been aware of the this problem, as well as several other problems associated with railroad traffic in Glenfield.

I would like you to know that I have directed a letter to the appropriate authorities at Conrail concerning the problem. As soon as I receive a reply from them I will be back in touch with you.

In the meantime, I would appreciate being advised of any further problems related to the viaduct, and I will attempt to be of assistance in any way possible.

Sincerely,

H. John Heinz III, M.C.

cc: James R. Tunney, President of Council
John Schwogel, Mayor

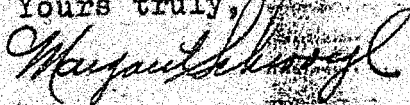
November 3, 1973

Mr. Richard D. Spence, President
Consolidated Rail Corporation
Six Penn Center Plazas
Philadelphia, Pa. 19104

Dear Sir:

The solicitor for Glenfield Borough suggested that you be made aware of the condition of the sidewalk on the Viaduct in Glenfield Borough. The sidewalk is badly deteriorated. Mr. Albert G. Gaczko felt you should be made aware of this condition in case there should be a suit someday.

Yours truly,



Margaret Schwoegler
Secretary

*Reviewed by
J. D. ...*

INTER-OFFICE MEMO

TO: John Burke
FROM: Dennis Baughman, Bridge Section
DATE: November 12, 1979
RE: Glenfield Viaduct
Glenfield, Pennsylvania
Contract No. 7884

As per your request, on November 9, 1979, I visited the Glenfield Viaduct to perform a somewhat cursory field inspection of the subject structure so that it could be determined what effect the present physical condition of the structure will have on the future development of Glenfield Borough.

The future of the Glenfield Viaduct does not look bright, partly due to its age and partly due to its condition. The date of construction for the bridge was not recorded on the structure itself, but its appearance indicates that it is at least fifty years old.

The overall condition of the bridge can be stated as poor to fair, although the portion that crosses over Route 65 (South) appears to be in fairly good condition. This portion appears to be much newer than the portion of the viaduct that crosses the Conrail tracks and then continues on down into Glenfield.

The bridge deck is made up of bricks over most of its length. Bricks provide a durable wearing surface, but are very slippery when wet and permit the passage of much water to the concrete below. The sidewalk on the bridge is in poor condition and the parapet railings have some large cracks.

The main girders of the bridge are concrete encased in all spans except the spans crossing over Route 65 and the Conrail tracks. The concrete encasement appears to be in rather poor condition, especially along the bottom of the girders. Although this concrete encasement is really only used for protecting the steel girders from the elements, its poor condition does allow the penetration of water to the steel girder and thereby, causes rust deterioration.

The substructure generally appears to be in fair to poor condition. The abutments are fair but most of the piers have substantial concrete and steel reinforcement deterioration. There are locations where large pieces of concrete could fall from the bridge in the not to distant future.

The bridge is currently posted for a 16 ton gross weight limit at a maximum speed of 10 mph. The posting only appears at the end adjacent to Route 65 and it is somewhat hidden from the view of south bound traffic turning on to the bridge. There is no sign prohibiting loads greater than 16 tons at the end located in Glenfield. The current maximum legal load for bridges in Pennsylvania, is 36 tons.

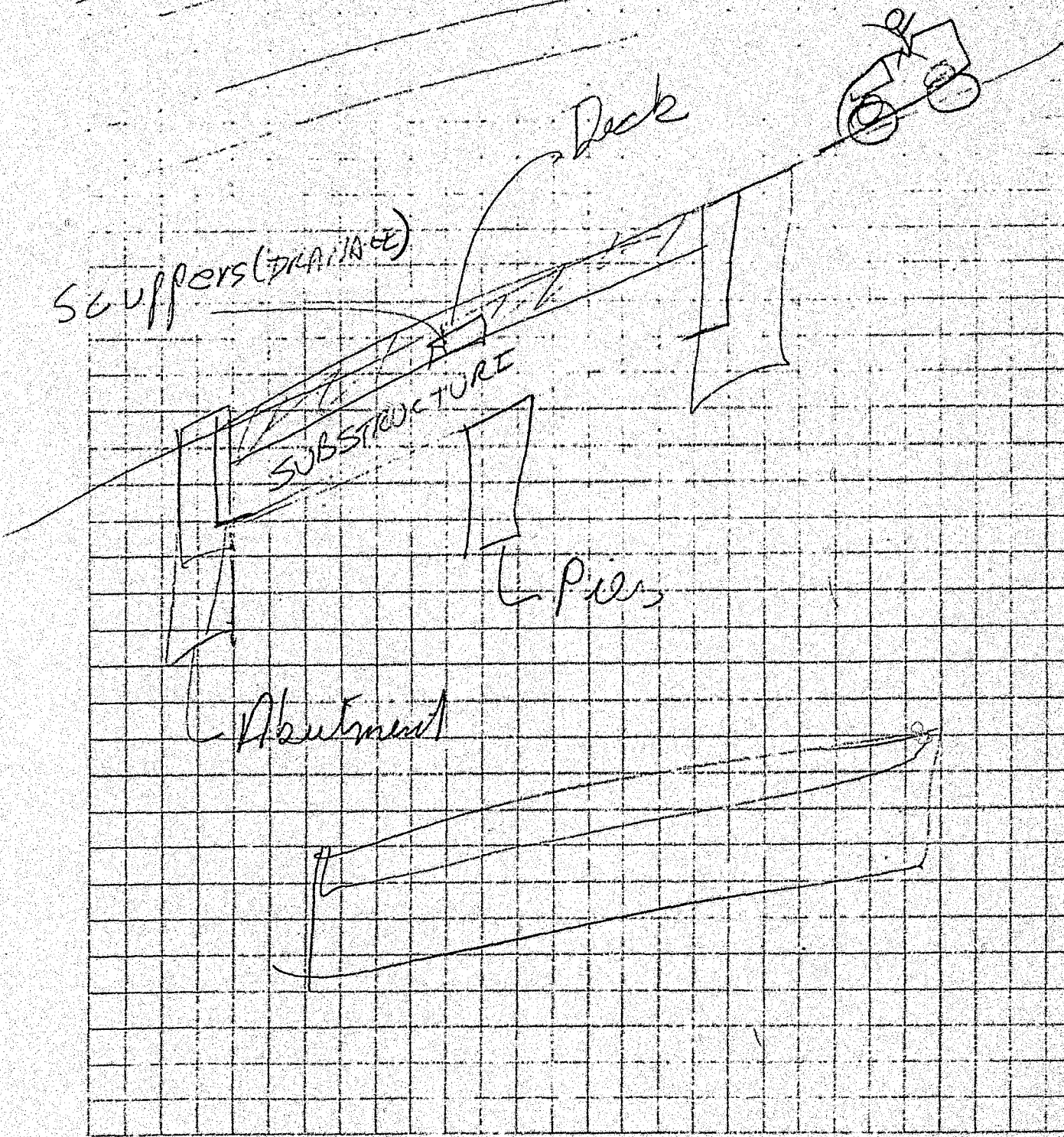
We do not know how Conrail arrived at the 16 ton limit but the only way we can determine a safe load limit would require an in-depth inspection and structural analysis of the bridge. The deterioration on the bridge is progressive. No matter what the present weight limit is, it will continue to get smaller as time

passes, unless a major rehabilitation is performed on the bridge. Even then, such a rehabilitation, in addition to being very costly, would only delay the inevitable: total replacement of the structure. It is very difficult to estimate the remaining life of an existing bridge, but for use as a preliminary estimate only, we estimate the remaining life of the Glenfield Viaduct to be about 10 years.

Any industry considering locating in Glenfield would almost certainly require the use of trucks that could carry the maximum legal loads. Presently, the bridge cannot do that. In addition, since this viaduct is the only way in and out of Glenfield, it is unlikely that any industry, as well as the residents, would enjoy depending on such a dilapidated structure for their only access to Route 65.

In light of the foregoing discussion, we would recommend that in order to have any hope of ever attracting new industries as well as for the continued safety of the borough residents, Glenfield Borough should actively pursue the complete replacement of the structure with the new structure being widened to meet the present desirable criteria. If the Borough would rather attempt the rehabilitation of the existing structure, then we would recommend that the structure be given a complete in-depth inspection as well as a structural analysis to determine exactly what the extent of the rehabilitation would have to be. In either case, the structure requires some repairs immediately and should be inspected periodically for any future needed repairs.

csh



GREEN INTERNATIONAL, INC.
 CONSULTING ENGINEERS
 SEWICKLEY, PA.

CONTRACT NO. _____ MADE BY _____ DATE _____
 FOR _____ CHECKED BY _____ DATE _____
 SHEET NO. _____ OF _____

December 4, 1979

Ms. Margaret Schwoegl
Secretary
Borough of Glenfield
R. D. 2, Hill Road
Glenfield, Pa. 15143


Dear Ms. Schwoegl:

Your letter of November 5, 1979 addressed to President Richard D. Spence concerning the condition of the sidewalk on the viaduct in the Borough of Glenfield was forwarded to me for reply.

Our recent inspection of this area reveals that both the viaduct and the sidewalk have been deteriorating over the years due to heavy salt applications during the winter months.

We are referring your letter to our Chief Engineer, Design and Construction, Mr. J. T. Sullivan, who will advise you concerning future plans for this structure.

Very truly yours,


C. W. Owens
General Manager

cc: J. T. Sullivan



County of Allegheny

100 FORT PITT COMMONS, 445 FORT PITT BOULEVARD
PITTSBURGH, PA. 15219
(412) 355-7200

JAMES J. DODARO
Director

Department Of
Development

August 25, 1980

Mr. Paul Hauser
158 East Beaver Street
Glenfield, PA 15143

Dear Mr. Hauser:

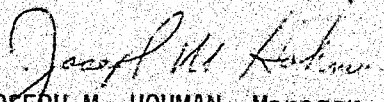
We have received from Commissioner Tom Foerster a copy of your letter concerning the Glenfield Viaduct.

Last April, Nick Bianchi, Paul Katz and Lou Comis of the Department of Development visited the viaduct with Mayor John Schwoegl and Councilman Gail Cermansky. In June, Mayor Schwoegl invited the Municipal Services Representative for Glenfield, Mame Bradley, to visit the site with John Burke of Green International.

We are aware of the deteriorated state of the viaduct and we agree with you that assistance is necessary.

I have asked Mame Bradley to schedule a meeting with the appropriate state and federal legislature representatives on Thursday, September 11, 1980 at 1:00 p.m. at the Glenfield Fire Hall for the purpose of discussing possible solutions to this problem. I look forward to meeting you at that time.

Sincerely,


JOSEPH M. HOHMAN, Manager
Municipal Services & Programs

JMH/MB/jk
cc: John Schwoegl
Ed Carver

MEMORANDUM

K.R.U.

TO: File No. 8071
FROM: Karl R. Nejak
DATE: September 26, 1980
RE: Glenfield Viaduct

Karl R. Nejak

On September 23, 1980, a field inspection was held at the Glenfield Bridge. Howard Braun and this writer conducted the inspection. The purpose of the review was to evaluate the condition of the Glenfield Bridge in preparation for a September 24, 1980 meeting with representatives from ConRail, PennDOT, Allegheny County and Glenfield Borough.

The following observations were made:

1. The bridge, overall, is in poor condition.
2. The two spans over Rt. 65 appear to be in good condition.
3. The concrete encased superstructure over the railroad appears to be in fair to good condition, but the roadway, sidewalks and parapets are poor.
4. The remainder of the bridge, south of Pier #3 is in poor condition, both the superstructure and substructure.
5. The brick wearing surface is very irregular; the sidewalks are badly deteriorated, particularly the curbs; the expansion devices are severely rusted and inoperable; and the parapet concrete appears weak with numerous spalls.
6. The concrete T-beam floor system is in fair condition. Spalling is limited but the soundness of the concrete in the beams and slab could not be determined.
7. The rectangular shaped concrete end diaphragms are badly deteriorated particularly the lower 1 foot where rebars are hanging loose. This is due to water flowing through the deck joints.
8. The concrete piers are in poor condition. Extensive spalling exists on practically every pier column starting at the top and extending downward 20' or more. This problem is more prevalent on the piers on the inside of the radius. Numerous vertical reinforcement bars and horizontal tie bars are visible and in varying states of corrosion with many completely rusted through.
9. The concrete struts between the pier columns and beneath the diaphragms are in fair condition with less deterioration than the diaphragms. The strut at Pier #6 is cracked beginning near the juncture of the top of the strut and the pier and radiating on a 30° angle downward toward the bottom of the strut.

Memo to File 8071(continued,
Page 2
September 26, 1980

The following general observations were made:

1. The short radius horizontal curve is substandard.
2. The concrete on the entire bridge appears to be poor in quality with very little cement paste to bond the aggregates.

The following recommendations were made:

1. The bridge should be replaced rather than conduct an in-depth inspection and possible rehabilitation.
2. An improved horizontal and vertical alignment should be pursued.

csb



Department Of
Development

County of Allegheny

100 FORT PITT COMMONS, 445 FORT PITT BOULEVARD
PITTSBURGH, PA 15219
(412) 355-7200

JAMES J. DODARO
Director

October 6, 1980

Enclosed for your review are the minutes of the on-site inspection by the engineering representatives, held on Wednesday, September 24, 1980 in Glenfield, Pennsylvania.

All participants and related parties were to receive these minutes for their acknowledgements and records regarding the Glenfield Viaduct problems.

The meeting held on September 24, 1980 between the engineers concluded that: (1) the 16 ton for weight limit should be maintained, (2) an in-depth inspection was not needed, however, an engineering study was recommended and (3) all engineering opinions would be sent separately to P.U.C. Commissioner Taliaferro with carbon copies to all parties involved.

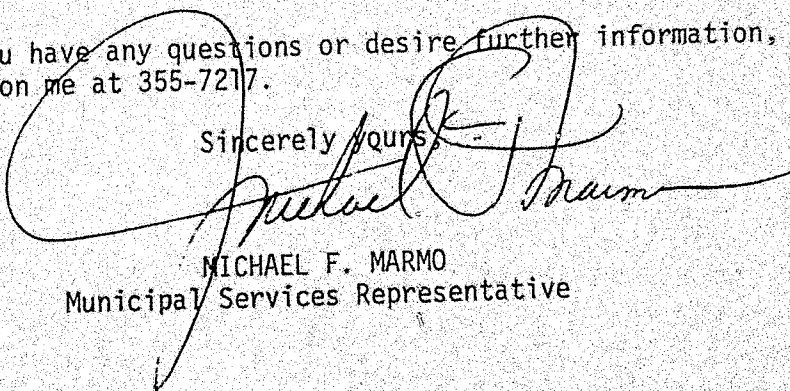
The next step in the process will be the scheduling of a formal hearing by the P.U.C. before an administrative law judge.

I will keep you informed of this meeting and other events concerning

October 6, 1980
Page Two

the Glenfield Viaduct. If you have any questions or desire further information,
do not hesitate in calling upon me at 355-7217.

Sincerely yours,



MICHAEL F. MARMO
Municipal Services Representative

MFm/mlc

Enc.

GLENFIELD BRIDGE MEETING

(ON-SITE INSPECTION BY CONRAIL, PENNDOT, ALLEGHENY COUNTY AND GREEN INTERNATIONAL ENGINEERS)

WEDNESDAY, SEPTEMBER 24, 1980 - 2:00 P.M.

Participants: John Schwogel, Mayor of Glenfield
Michael Marmo, Municipal Services Representative -
Allegheny County Department of Development
John Drake, Allegheny County Department of Construction
and Engineering
Warren Parks, Conrail Engineer
W. M. Wehner, Conrail Engineer
Carl Argelo, PennDOT Engineer
Carl Nijack, Green Engineering

On the recommendation of all parties at the Thursday, September 11, 1980 field investigation of the Glenfield Bridge, "it was decided that before an in-depth inspection is started, a panel of four engineers, knowledgeable in bridges (one engineer representing each of the parties to the complaint), would meet at the site to attempt to make the determination and a recommendation to the Commission whether an in-depth inspection should be instigated, whether the load capacity posted should be lowered and/or whether an engineering study should be performed to report on a proposed reconstruction of the structure" (quotation from Donald R. Fleisher, Pennsylvania Public Utility Commissioner, Bureau of Rail Transportation, letter of September 17, 1980).

On this premise the four engineering parties, Conrail, PennDOT, County of Allegheny and Green Engineering (representing Glenfield Borough), met to discuss the condition of the bridge.

It was concluded by all parties that the struds, pork chops, parapets and road bed of the bridge appear unsound and only the girders appear structurally sound.

The four engineers concluded that the 16 ton weight limit should be maintained for local traffic.

All parties were in general agreement that an in-depth inspection of the bridge was not needed, however, an engineering study was recommended to determine the feasibility of rehabilitation versus complete reconstruction of the bridge.

Minutes
October 6, 1980
Page Two

The four engineering representatives agreed to forward a report of their opinions to Commissioner Taliaferro of the Public Utility Commission and carbon copies to each other.

The next action will be the scheduling of the formal hearing by the P.U.C. before an administrative law judge, in order to receive testimony from all parties involved in the Glenfield Bridge complaint.

Green Tree

October 8, 1980

Glenfield Viaduct Off Route Structure
L.R. 652, Station 414+64
Glenfield Forum
Allegheny County

Mr. B. D. Scotskie, P.E., Director, Bureau of Highway Design
Attention: X. W. Walker, P.E., Chief Utility Engineer

Roger E. Carrier, P.E., District Engineer, District 11-0

As requested by the PUC, a meeting was held at the subject bridge site, on September 24, 1980, to discuss the condition and the future course of action concerning the Glenfield Viaduct Bridge.

In attendance were:

Carl Angeloff, P.E. - Department of Transportation
John Drake, P.E. - Allegheny County
Mike Marmo - Allegheny County
Karl R. Nejak, P.E. - Green International, Inc.
John Schwesal - Mayor of Glenfield
Warren Park - ConRail
W. M. Wehner, P.E. - ConRail

As a result of this meeting, the Department offers the following opinions:

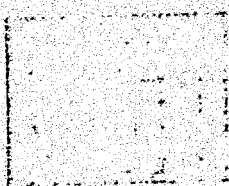
- 1) At the present time, the bridge is safe for the 16 ton weight limit. However, periodic cursory inspections must be made to closely monitor the condition of the bridge.
- 2) An in-depth inspection is not necessary at this time.
- 3) Ultimately the bridge should be replaced. However, it may be possible to save certain portions of the structure or to eliminate several spans with wall embankments. Therefore, it will be necessary to make an engineering study to evaluate the possible type, size and location changes. This type of reinforced concrete bridge does not lend itself to rehabilitation very easily.

If you should have any questions concerning this matter, please contact Mr. Carl Angeloff, P.E., District Bridge Engineer, at 610-261-2154.

Copy to:

W. M. Wehner, P.E., District Bridge Engineer
John Drake, P.E., District Bridge Engineer
Mike Marmo, Allegheny County, Planning and Development Section
W. M. Wehner, ConRail, 11th Floor

KHN



GREEN INTERNATIONAL, INC.
504 BROADWAY, NEW YORK, N.Y. 10013

September 26, 1980

Mr. Donald Fleisher
Commonwealth of Pennsylvania
Pennsylvania Public Utility
Commission
P.O. Box 3265
Harrisburg, PA 17120

Re: C-80092154
Glenfield Borough
File 8071

Gentlemen:

On September 24, 1980, a field meeting was held at the subject bridge site with representatives from PennDOT, Allegheny County, ConRail and Glenfield Borough to discuss the condition of the bridge.

It was generally agreed by all, including Green International, Inc. who represented the Borough of Glenfield, that the present load limit of 16 tons should remain unchanged. According to those familiar with the history of the bridge, its condition has not worsened significantly since the bridge was originally posted for 16 tons. It is recommended that periodic visual inspections be made to ascertain any changes in the present condition.

A discussion then ensued as to whether the bridge should be replaced entirely or an in-depth inspection be made with the purpose of rehabilitating the bridge. It is our feeling that an in-depth inspection is unnecessary for several reasons. First, the bridge has a 20' roadway width which is substandard. Second, the small radius right curve on the bridge is inadequate and substandard. These two (2) factors have added significance in view of proposed development in Glenfield. This development would require large truck traffic to use the structure. The present geometry would be unsafe for this type of traffic. Finally, we feel the structure is deteriorated beyond repair. The surface elements, roadway, sidewalks, curbs and parapets require total replacement. The piers are deteriorated to the point where the concrete T-beams, if they are salvageable, would need to be supported by the deteriorated pier concrete is replaced. In some cases, the length of pier column replacement may be 20' or more. Although the T-beam floor system appears to be in fair

CONSULTING ENGINEERS AND PLANNERS
PITTSBURGH BOSTON WEST VIRGINIA OHIO MANILA BOGOTA

Mr. Donald Fleisne
Page 2
September 26, 1980

condition, chloride ion tests and concrete cores would be needed to determine the condition of the deck and beams. But an overriding factor may be the age of the bridge, approximately 50 years. The concrete that may be good at this time, most likely would not provide the additional 20 years of required service life.

Therefore, our recommendation is to replace the bridge rather than rehabilitate it. Accordingly, an engineering study should be made to evaluate possible line, grade and location changes. It may be possible to eliminate several spans with raised embankments.

If you should have any questions, please contact this office.

Very truly yours,

GREEN INTERNATIONAL, INC.



Karl R. Nejak, P.E.
Manager
Bridge Department

csh

cc: Carl Angeloff, Dist. 11-0 PennDOT
John Drake, Allegheny County
Warren Park, ConRail
Mr. John Schwoegl, Glenfield Boro
Mike Marmo, Allegheny County

CONRAIL

October 6, 1980

Subject: Allegheny County, Glenfield, Pa. - PUC Docket
No. C-80092154 - OH Bridge 9.22 over Main
Line Tracks, Pittsburgh Division, Central
Region.
File: OH Br. 9.22-WMW

Mr. Donald R. Fleischer, P.E.
Bureau of Rail Transportation
Pennsylvania Public Utilities
Commission
Box 3265
Harrisburg, PA 17120

Dear Sir:

On September 24, 1980, the following attended a meeting
at the site of OH Bridge 9.22:

W. W. Parks, Sr. Civil Engineer, Conrail
W. M. Wehner, P.E., Engineer-Bridges & Bldgs., Conrail
K. R. Nejak, P.E., Green International, Inc., repre-
senting Glenfield
J. B. Drake, Chief Bridge Engineer, Allegheny County
Carl Angeloff, Pennsylvania DOT
M. F. Marmor, Allegheny County Development Commission
Jack Schwoegl, Mayor of Glenfield.

It is Conrail's position that the 16-ton posting is
reasonable and an in-depth inspection is not required
at this time. The other parties at the meeting seemed
to concur with this position.

It was agreed that an engineering report should be
prepared. Conrail is not in a position to make this
report. It should be made by someone familiar with the
future economic development of the area.


Mr. Donald R. Fleischer, P.E.

Page 2

October 6, 1980

Conrail has plans of the bridge and would be pleased to furnish them to the party making the engineering report.

Very truly yours,


J. T. Sullivan, P.E.
Chief Engineer -
Design & Construction

12th Floor

(215) 596-3497

cc:

Mr. Carl Angeloff, Bridge Engineer, Penna. DOT, District 11
Office, 4 Parkway Center, 875 Greentree Road,
Pittsburgh, PA 15220

Mr. John B. Drake, Chief Bridge Engineer, County of
Allegheny, 517 County Office Bldg., Forbes and
Ross Streets, Pittsburgh, PA 15219

Mr. Karl R. Nejack, P.E., Manager Bridge Section, Green
International, Inc., 504 Beaver St., Sewickley, PA 15143

Mr. Mike F. Marmor, Allegheny County Development Commission,
100 Fort Pitt Commons, 445 Fort Pitt Blvd.,
Pittsburgh, PA 15219



County of Allegheny

517 COUNTY OFFICE BUILDING FORBES AVE. & ROSS ST.
PITTSBURGH, PA. 15219
PHONE: (412) 355-5901

DEPARTMENT OF ENGINEERING AND CONSTRUCTION

JAMES L. KRISTIANSÉN
DIRECTOR

October 31, 1980

Mr. Donald R. Fleisher, P.E.
Bureau of Rail Transportation
Pennsylvania Public Utility Commission
Box 3265, Harrisburg, PA 17120

COPY FOR INFORMATION OF
Michael J. Marmo

RE: Bridge No. PQ20 Over Conrail
Borough of Glenfield
P.U.C. Docket No. C-80092154

Dear Sir:

At the direction of the Commission, a site visitation was effected on September 24, 1980, with individuals representing Allegheny County, PennDOT, Conrail, and the Borough of Glenfield.

The present load-limit of 16 tons was discussed and there was general agreement that a lowering of this posting is unjustified.

It was noted that there is considerable deterioration in the 13 spans to the south and west of the span over the Conrail tracks. The concrete piers exhibit major deterioration along with the superstructure elements of parapet, curbs and sidewalk. The concrete girders appear to be in good condition while the lateral struts are in poor condition. The roadway width of 20'-0, which runs the full length of the structure, is considered sub-standard by FHWA Guide-lines.

I am in agreement with others that an engineering study should be implemented, however, I will not summarily dismiss the concept of an in-depth inspection. If the study concludes that replacement of the structure is either unlikely or unwarranted, then logically, the structure should be rehabilitated; the rehabilitation is then preceded with an in-depth inspection.

A replacement of this structure could conceivably exceed \$5 million which would be dependent upon federal participation. The Glenfield viaduct would then be in competition with major crossing replacements (sufficiency ratings, ADT's, etc.) and this would not be a very expedient process.

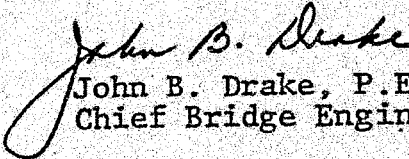
As part of the engineering study, the economic advantages of upgrading this structure, both for Glenfield Borough and the County

MR. DONALD R. FLEISHER, P.E.
BUREAU OF RAIL TRANSPORTATION
OCTOBER 31, 1980
PAGE TWO

of Allegheny should be addressed, probably on a cost-benefit ratio; this would require input from a qualified planner.

If you should have any further questions from this Department, please direct all correspondence through Director James L. Kristiansen.

Sincerely yours,


John B. Drake, P.E.
Chief Bridge Engineer

JBD:mw

cc: Mr. Michael F. Marmo
Municipal Services Representative
Department of Economic Development
100 Fort Pitt Commons
445 Fort Pitt Blvd.
Pittsburgh, PA 15219

(orig)

Glenfield Exp

4

C-80092154

1/28/81 Richard McNeill
Pittsburgh, Pa

EXHIBIT #8

1. Minutes of the Glenfield Viaduct Meeting 9/11/80
2. PA Public Utility Commission Letter
3. Proposal for Engineering Services to Prepare a Design Location Study for Glenfield Bridge and Approach Replacement

RECEIVED
SECRETARIES OFFICE
PUBLIC UTILITY
COMMISSION
MAR 2 3 40 PM '81

DOCKETED
MAR 3 1981
D

EXHIBIT
FOLDER

MINUTES OF THE GLENFIELD VIADUCT MEETING

GLENFIELD FIRE HALL
THURSDAY, SEPTEMBER 11, 1980
1:00 P.M.

Participants: Glenn R. Miller, District Coordinator
U. S. Congressman, Doug Walgren
Lorrain Carr, Administrative Assistant
State Senator, Edward M. Early
John Eld, Administrative Assistant
Allegheny County Commissioner William Hunt
Paul Goebel, State Representative Ronald Goebel's Office
Mayor John Schwoegl, Glenfield Borough
Councilman Paul Hauser, C. B. Hauser and Gail Cernanasky
from Glenfield Borough
Joseph M. Hohman, Manager of Municipal Services & Programs
Division, Allegheny County Department of Development
Michael F. Marmo, Municipal Services Representative, Allegheny
County Department of Development
Nick Bianchi, Grants Developer, Allegheny County Department of
Development
R. B. Waugh, Allegheny County Department of Engineering
and Construction
Donald R. Fleisher, Bureau of Rail Transportation, Pennsylvania
Public Utility Commission
Warren Parks, Consolidated Rail Corporation, Office of the
Chief Engineer, Design and Construction
John E. Blake, Consolidated Rail Corporation, Regional
Engineering Structures
Frank Wasielewski, Pennsylvania Department of Transportation
William M. Sacco, Jr., Pennsylvania Department of Transportation
John Burke, Green International Engineer
Mayor John Schwoegl of Glenfield

Mayor John Schwoegl of Glenfield Borough opened the meeting by introducing the participants from various governmental agencies and elected official offices. The Mayor reviewed the background and efforts of local officials to resolve the Glenfield viaduct problems.

John Blake of Consolidated Rail Corporation stated that Conrail would only intervene in rehabilitation or reconstruction of the Glenfield viaduct if ordered to by the Public Utility Commission. Conrail's position is that it did not inherit maintenance of the bridge when consolidation occurred in 1976.

Donald Fleisher reviewed the viaduct problem from perspective of the Public Utility Commission. In 1953, the Public Utility Commission ruled that the Pennsylvania Railroad (Conrail) and Pennsylvania Department of

Transportation were responsible for maintenance of the underside and overside of the bridge span respectively. In 1973, the P.U.C. re-iterated the 1953 order during the construction of Interstate #79. In similar circumstances, no hard and fast rulings have been made by the P.U.C. Actions have been taken on an individual basis. Mr. Fleisher explained the process that the P.U.C. utilizes in disputes such as the Glenfield viaduct. The Commission will assign or re-assign using "good judgment" the responsibility of the bridge. The time frame and process is as follows:

- 1) Schedule Site Conference - This is to determine whether the complaint is proper. The P.U.C. looks for volunteer efforts to solve the issue. If no one volunteers, the process goes to step two, (two weeks to one month after complaint is filed).
- 2) Schedule a Formal Hearing - Testimony is given by parties in front of an Administrative Law Judge (two to three months after complaint is filed).
- 3) The Administrative Law Judge issues initial decision which is sent to all parties. Parties can file exceptions to decisions (two weeks to one month after formal hearing).
- 4) The Administrative Law Judge reviews exceptions and rejections by parties. Judge maintains or changes initial ruling and forwards decision to the Public Utility Commission (two weeks to one month of initial hearing).
- 5) The Public Utility Commission formally meets and decides whether to abide by the judge's decision or not (one month after final decision of the Administrative Judge).

Mr. Fleisher believed that a study of the condition of the bridge was needed in order to assess the structural defects, if any, of the Glenfield viaduct.

Mr. Frank Wasielewski, representing the Pennsylvania Department of Transportation, stated that PennDOT owned the first two spans of the viaduct and that no structural problems are associated with these two spans.

Mr. Fleisher stated that the P.U.C. would have the viaduct posted at 16½ tons.

Mr. John Blake stated that Conrail would fix the pedestrian stairway and pave the sidewalk from the Ohio River Boulevard to the top of the stairway.

Minutes
September 18, 1980
Page Three

Joseph Hohman, Manager of Municipal Services and Programs, stated tha Allegheny County would help in financing a location study if the cost was not prohibitive.

It was concluded that the Public Utility Commission would utilize this meeting as Site Conference and issue an order (which all parties had agreed to) for the Borough Engineer, County Engineer, Conrail Engineer and PennDOT Engineer to meet collectively at the site and assess the condition of the viaduct. The Engineers would then recommend whether or not an in-depth study was needed or to recommend a location study for the new viaduct structure. Michael Marmo, Municipal Services Representative, by direction of Joseph Hohman, was to arrange the meeting of the four engineers within the next two weeks.

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

IN RE:

DOCKET NUMBER:

Glenfield Borough

v.

C-80092154

Consolidated Rail Corporation, Allegheny County
and Pennsylvania Department of Transportation

EMERGENCY ORDER

Glenfield Borough filed the captioned complaint on September 8, 1980. A field investigation and conference was held on September 11, 1980 at the site of the crossing where Glenfield Viaduct crosses over and above the grade of the tracks of Consolidated Rail Corporation in Glenfield Borough, Allegheny County.

At the field conference it was determined that the subject bridge had at least one sign at the north end posting it for a maximum load limit of sixteen (16) tons. No one present knew for certain who placed the load limit on the structure. There is no record of this Commission having ever taken such action.

At the request of the Commission staff engineer present at the field conference, an on-site inspection by bridge engineers representing the parties to this proceeding was arranged and held on September 24, 1980. The purpose of this on-site inspection was, among other things, to determine whether the load-capacity posting should be changed. The consensus of the bridge engineers present at the inspection was that the current sixteen (16) ton maximum weight limit should be maintained.

Upon consideration of the matters involved, we find that the bridge should be properly posted for a maximum load limit of sixteen (16) tons and determine that Glenfield Borough, in cooperation with Pennsylvania Department of Transportation, should perform the necessary work; THEREFORE,

IT IS ORDERED:

1. That Glenfield Borough, at its initial cost and expense, furnish all material and perform all work necessary to immediately erect and maintain adequate signs at the ends of the bridge, and on the approaches thereto, restricting the use of the bridge to vehicles weighing no more than sixteen (16) tons.
2. That Pennsylvania Department of Transportation cooperate with Glenfield Borough during the time the Borough is performing the work in accordance with the preceding paragraph.
3. That Glenfield Borough, at its initial cost and expense, enforce the posted weight limit on the bridge.
4. That a copy of this order be served on the Commissioner of the Pennsylvania State Police.

BY:

Date:

10/21/80

Time:

11 15 AM

Quida C. Salvoferro



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

October 21, 1980

IN REPLY PLEASE
REFER TO OUR FILE

C-80092154

Albert G. Feczko, Jr., Solicitor
Glenfield Borough
800 Lawyers Building
Pittsburgh, Pennsylvania 15219

Glenfield Borough

v.

Consolidated Rail Corporation, Allegheny County
and Pennsylvania Department of Transportation

Dear Sir:

Enclosed is a copy of an Emergency Order prepared by
Linda C. Taliaferro, Commissioner, in connection with the
above entitled proceeding.

Very truly yours,

William P. Thierfelder
Secretary

JZ
Encls.
Certified Mail
Receipt Requested

PROPOSAL FOR
ENGINEERING SERVICES
to prepare a
DESIGN LOCATION STUDY
for
GLENFIELD BRIDGE AND APPROACH REPLACEMENT

Prepared by:

GREEN INTERNATIONAL, INC.
504 Beaver Street
Sewickley, PA 15143

PROJECT DISCUSSION

GREEN INTERNATIONAL, INC., will provide engineering services for the preparation of a Design Location Study for the construction of a new Glenfield Viaduct. The existing structure is located in the Borough of Glenfield and provides access to a portion of the community from L.R. 652, Station 414 + 64 over the ConRail Main Line tracks. These services are to be provided in accordance with the request for proposal of Mr. John Schwoegl, Mayor of Glenfield at a meeting in our office on October 14, 1980. Criteria to perform this study will be in accordance with the Pennsylvania Department of Transportation, Design Manual Part 1, Highway Procedures, Chapter 4 and meet the requirements for the Design Field View defined by Chapter 2, Section 2 of said Design Manual.

It is our understanding that the study will consider a replacement structure at the location of the existing viaduct and at one alternate location. It is anticipated that this study would utilize currently available 200 scale mapping which had been obtained for the Borough of Glenfield by GREEN INTERNATIONAL in 1978. It is our intention to obtain 100 scale enlargements of the existing mapping. Field survey will be conducted only to the extent necessary to supplement the mapping and permit design decisions. This procedure will greatly assist in avoiding delays in the project schedule while also effecting a substantial cost savings. The various items of work which will be addressed during this study have been delineated in the task outline included in this proposal.

For purposes of this proposal, it has been assumed that suitable traffic data will be available from Pennsylvania Department of Transportation or the Southwest Regional Planning Commission. Therefore, costs nor man-hours associated with the field collection of such data have not been included in the estimate of this proposal. The results of the Design Location Study will be presented in a written report and accompanying detailed plans. This report will include the results of the engineering investigations, estimates of construction costs, social, economic, environmental effects, and results from local community input.

SCOPE OF WORK

TASK OUTLINE FOR DESIGN LOCATION STUDY

GLENFIELD BRIDGE AND APPROACH REPLACEMENT

Task 01 GENERAL ENGINEERING

- Subtask 01 Field and Office Meetings
- 02 Report Writing
- 03 Public Meetings
- 04 Traffic Data Research
- 05 Preparation of Drawings for Submission
- 06 Agency Coordination

Task 02 ALIGNMENT AND GRADE

- Subtask 01 Establishing and Plotting Horizontal Alignment
- 02 Establishing and Plotting Grade Line and Profile
- 03 Reducing Field Elevation Notes or Picking Cross Sections
- 04 Plotting, Templating and Areaing Cross Sections

Task 03 INTERSECTIONS

- Subtask 01 Schematic Layout

Task 04 HYDRAULICS AND DRAINAGE

- Subtask 01 Outlining and Areaing Drainage Areas, Investigation of Existing Facilities
- 02 Layout and Computations

Task 05 QUANTITIES

- Subtask 01 Computations for Roadway, Drainage, Earthwork, Miscellaneous Quantities
- 02 Preparing Cost Estimates

Task 06 UTILITIES

- Subtask 01 Preparing Data for T.S. & L. of Utilities
- 02 Transferring Data to Cori
- 03 Utility Meetings

Task 07 DETAILING

- Subtask 01 Typical Sections, Title Sheets and General Notes
- 02 Special Design Details, Pavement Design
- 03 Maintenance of Traffic
- 04 Structural Investigation

Task 08 PROPERTY AND RIGHT OF WAY

- Subtask 01 Court House Research - Acquisition of Tax Maps
- 02 Property Lines on Plans
- 03 Plotting Slope Lines and Establishing Required Right of Way Lines
- 04 Notice of Intent to Enter and Field Checking Data

Task 09 FIELD SURVEY

- Subtask 01 Staking Lines
- 02 Profiles, Cross-Sections, Topography

Task 10 DRAFTING

- Subtask 01 Design Plan and Profile
- 02 Typical Sections and Miscellaneous Details
- 03 Bridge Plans, Elevations, and Sections
- 04 Maintenance of Traffic Layout

Task 11 SOCIAL, ECONOMIC, AND ENVIRONMENTAL EFFECTS

- Subtask 01 Evaluation of Existing Conditions
- 02 Benefit/Loss Evaluation to the Community
- 03 Assessment of Environmental, Social, and Economic Factors

Task 12 SOILS INVESTIGATION

- Subtask 01 Data Research
- 02 Core Borings
- 03 Subsurface Report

Task 13 PROJECT ADMINISTRATION

- Subtask 01 Division Supervision
- 02 Accounting
- 03 Clerical

ESTIMATE OF PROJECT COST

It has been estimated that the following man-hours and costs will be required to complete this Design Location Study in accordance with the included Scope of Work and our understanding of the project:

<u>Classification of Employees</u>	<u>Estimated Hours of Effort</u>
Division Supervision	35
Project Manager	118
Project Engineer	358
Civil Engineer	300
Soils Engineer	51
Structural Engineer	102
Designer/Detailer	188
Draftsperson	124
Technician	281
Surveyor	115
Transportation/Environmental Engineer	80
Clerical	48
ESTIMATED TOTAL HOURS OF EFFORT	<u>1,800</u>

ESTIMATED LABOR COST-Including Salary, Payroll Burden,
Overhead, and Profit. \$45,815

DIRECT CHARGES

Subcontractor-Core Borings	\$3,000
Reproductions and Printing	500
Laboratory Testing (Soil Samples)	200
TOTAL PROJECT COSTS . . .	<u>3,700</u>
	<u>\$49,515</u>

Direct costs for the project noted above will be invoiced at the actual cost to GREEN INTERNATIONAL, INC., without any additional markup for handling.

PROJECT SCHEDULE
(Excludes All Review Period)

It is estimated that this work can be performed in the period of five (5) months after a notice to proceed.

PROJECT ORGANIZATION

Our firm has the ability to organize, coordinate and manage a project team in order to achieve the objectives and our organization has in-house capabilities to perform all the services with the exception of mapping reproductions, and core boring.

Mr. Elmer L. Gressley, P.E., will serve as the Principal-In-Charge. Mr. Gressley's experience of over 30 years of engineering service in the Transportation, Municipal and Planning fields will provide the efficient and coordinated leadership essential to a project of such caliber.

Lawrence R. Dodds, P.E., as assigned Project Manager, brings to the leadership of the team 16 years of transportation and structural engineering experience. Mr. Dodds will direct the day-to-day operations of the team to insure a proficient full-time response to the project needs. Mr. Dodds will coordinate all activities with the BOROUGH to assure an open line of community and understanding. GREEN will also implement a coordination policy and procedure for dealing effectively, efficiently and properly with private, Federal, State and Allegheny County agencies.

The project development will rely heavily on the expertise of project team members in the areas of Highway Engineering, Geology, Soils Engineering, and Structural Engineering in order to provide the most cost effective and aesthetically pleasing design.

OVERSIZE DOCUMENT(S)

GLENFIELD BOROUGH EXHIBIT NO. 5

(PHOTOSTATS OF 3 PHOTOGRAPHS)

OVERSIZE DOCUMENT(S)

CONRAIL EXHIBIT NO. 1

(04 sheets of PLANS)

Station	Elevation	Grade	Deflection
81+3.3	72.0	2.5	0.0
81+3.4	72.0	2.5	0.0
81+3.5	72.0	2.5	0.0
81+3.6	72.0	2.5	0.0
81+3.7	72.0	2.5	0.0
81+3.8	72.0	2.5	0.0
81+3.9	72.0	2.5	0.0
81+4.0	72.0	2.5	0.0
81+4.1	72.0	2.5	0.0
81+4.2	72.0	2.5	0.0
81+4.3	72.0	2.5	0.0
81+4.4	72.0	2.5	0.0
81+4.5	72.0	2.5	0.0
81+4.6	72.0	2.5	0.0
81+4.7	72.0	2.5	0.0
81+4.8	72.0	2.5	0.0
81+4.9	72.0	2.5	0.0
81+5.0	72.0	2.5	0.0
81+5.1	72.0	2.5	0.0
81+5.2	72.0	2.5	0.0
81+5.3	72.0	2.5	0.0
81+5.4	72.0	2.5	0.0
81+5.5	72.0	2.5	0.0
81+5.6	72.0	2.5	0.0
81+5.7	72.0	2.5	0.0
81+5.8	72.0	2.5	0.0
81+5.9	72.0	2.5	0.0
81+6.0	72.0	2.5	0.0

Elevations are finished grade after structure has taken dead load deflection.

Sheet	Quantity	Unit
No. 1	1	Sheet
No. 2	1	Sheet
No. 3	1	Sheet
No. 4	1	Sheet
No. 5	1	Sheet

Loadings H10 S12-1544
 All Structural Steel members
 with connections shall be designed
 in accordance with the AISC
 Specifications for plain and
 welded steel structures dated 1989
 Form 409.
 All concrete shall be proportioned
 and finished in accordance with
 Pennsylvania Department of
 Transportation Form 406.
 All exposed edges of concrete
 shall be finished with a 2" x 2" unless
 otherwise noted.
 Foundations may be ordered by
 the Engineer to be of any elevation
 and dimensions necessary to give
 a proper foundation.
 Handrail Fickets and Posts shall
 be placed vertical.
 Curbs, sidewalk and railing shall
 be built to conform with highway
 curve and grade.
 Tops of footings and walls shall
 be finished ground or pavement
 given a two-coat painted water
 proofing.

Foundations may be ordered by the Engineer to be of any elevation and dimensions necessary to give a proper foundation. Handrail Fickets and Posts shall be placed vertical. Curbs, sidewalk and railing shall be built to conform with highway curve and grade. Tops of footings and walls shall be finished ground or pavement given a two-coat painted water proofing.

SUMMARY OF QUANTITIES

Item	Quantity	Unit
300 CUBIC YARDS CONCRETE	300	CY
5 CUBIC YARDS SAND	5	CY
99 CUBIC YARDS GRAVEL	99	CY
111 CUBIC YARDS GRAVEL	111	CY
22,120 LBS. REINFORCING	22,120	LBS.
78,000 LBS. FIBER	78,000	LBS.
188 LBS. WIRE	188	LBS.
LUMP SUM		

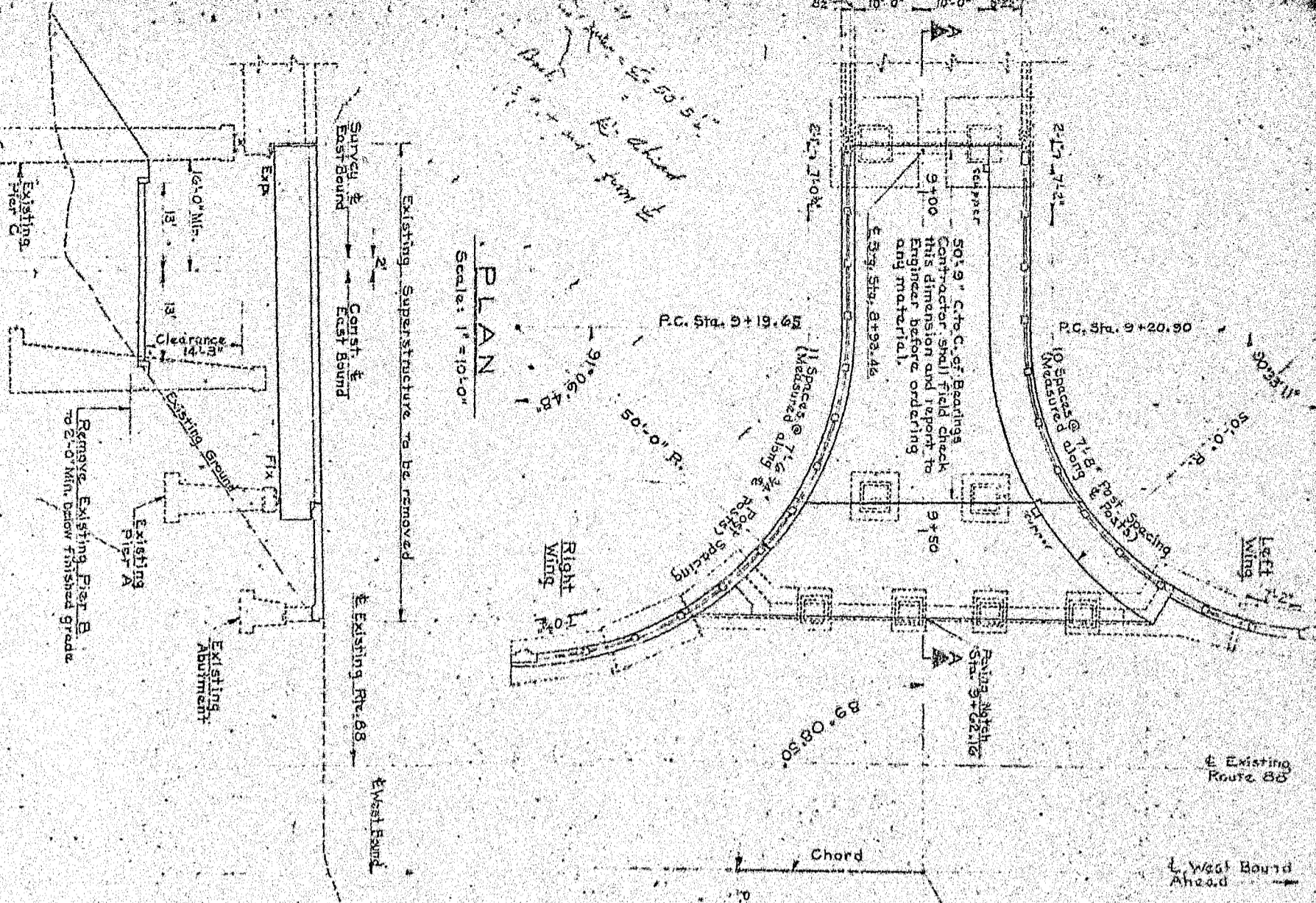
Quantities shown above are based on drawings and specifications.

DOCKED
 MARCH 1991

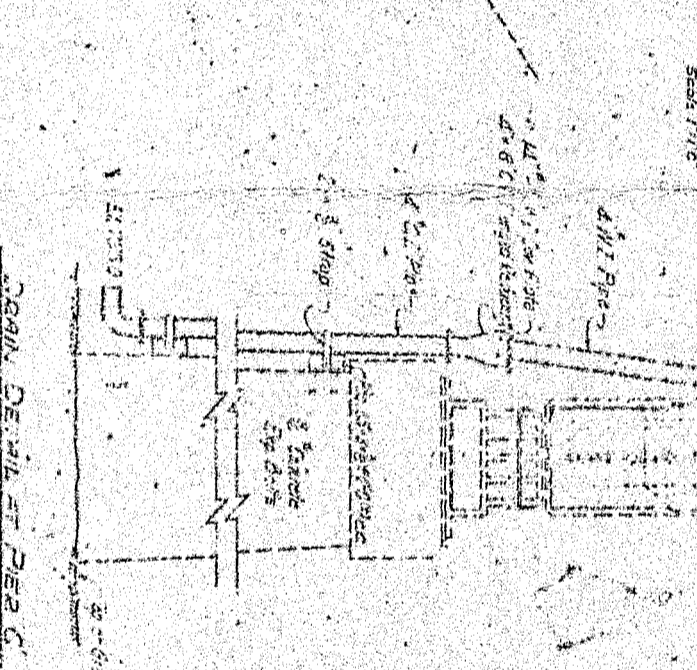
DRAIN DETAIL AT PIER A
 Scale: 1/4" = 1'-0"



PLAN
 Scale: 1" = 10'-0"



SECTION S-1
 Scale: 1/4" = 1'-0"



SECTION A-A

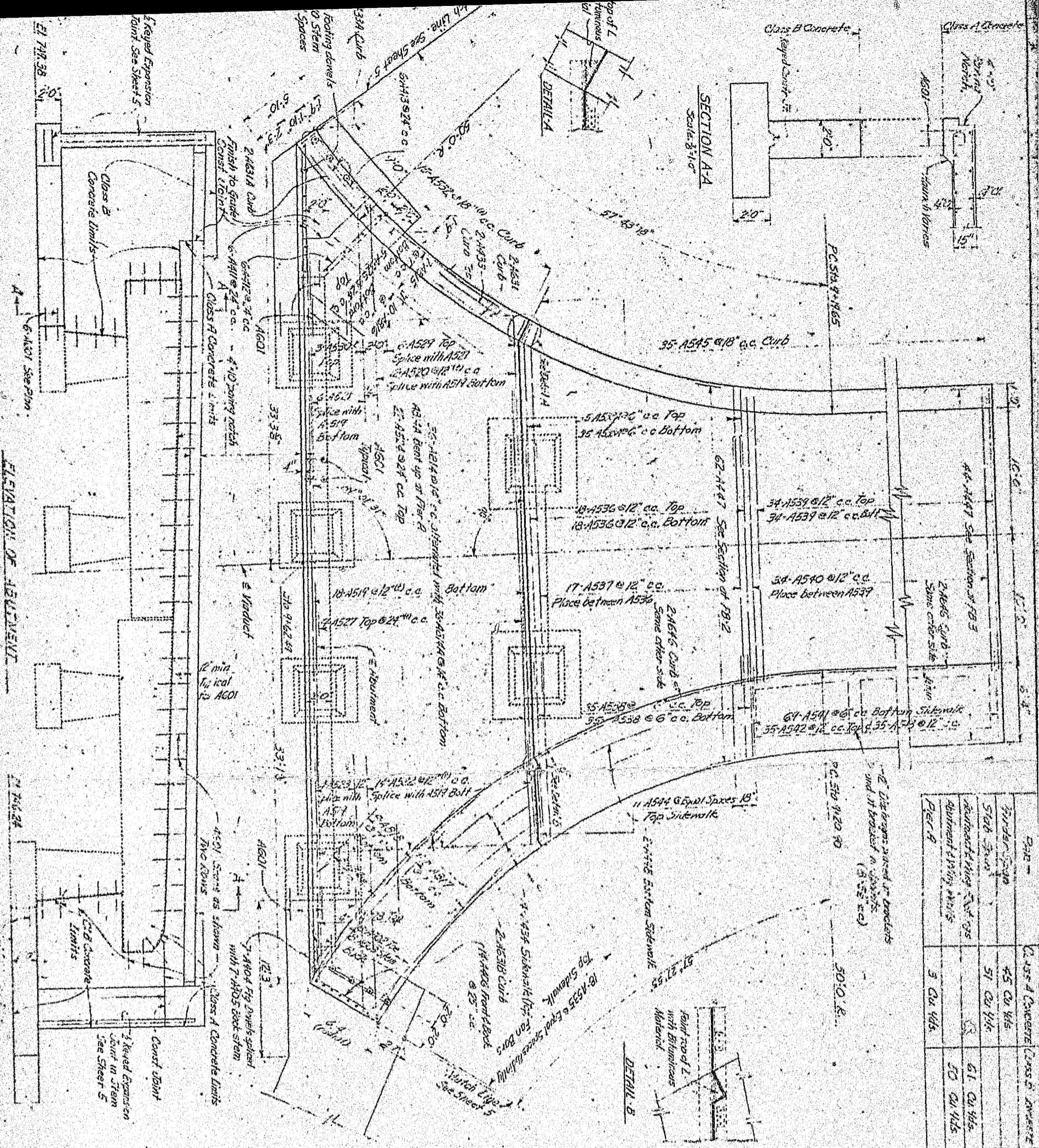
MAR 03 1991

PA. DEPT. OF TRANSPORTATION
 EXHIBIT NO. 1
 P.U.C. NO. C-800 92159
 DATE OF MEETING 1-28-81
 PITTSBURGH, Pa
 Richard McGinnell

Commonwealth of Pennsylvania
 Department of Highways
 UNDER UNIT
 GLENFIELD VIADUCT
 (ALTERATIONS)
 ROUTE 652
 ALLEGHENY COUNTY
 STA 81+00

APPROVED

DATE



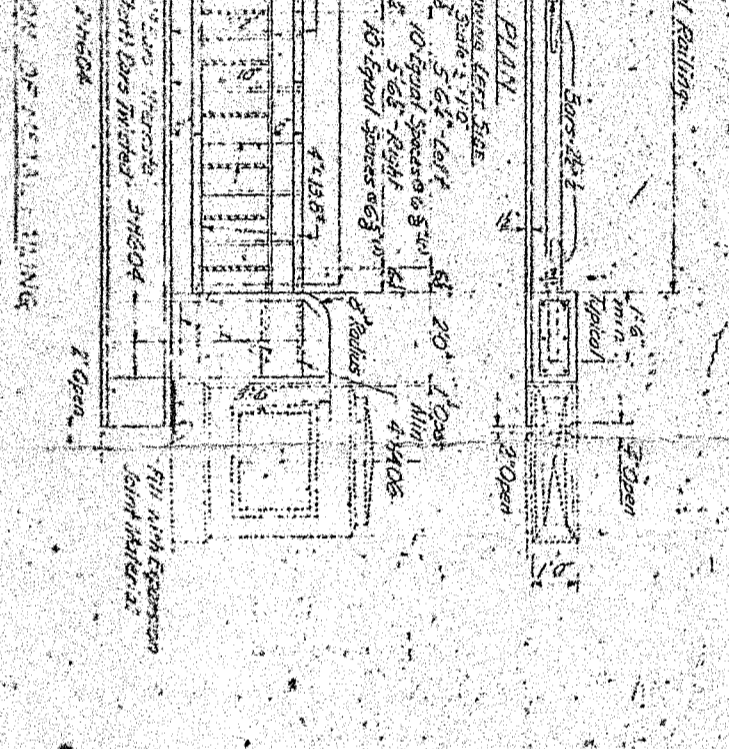
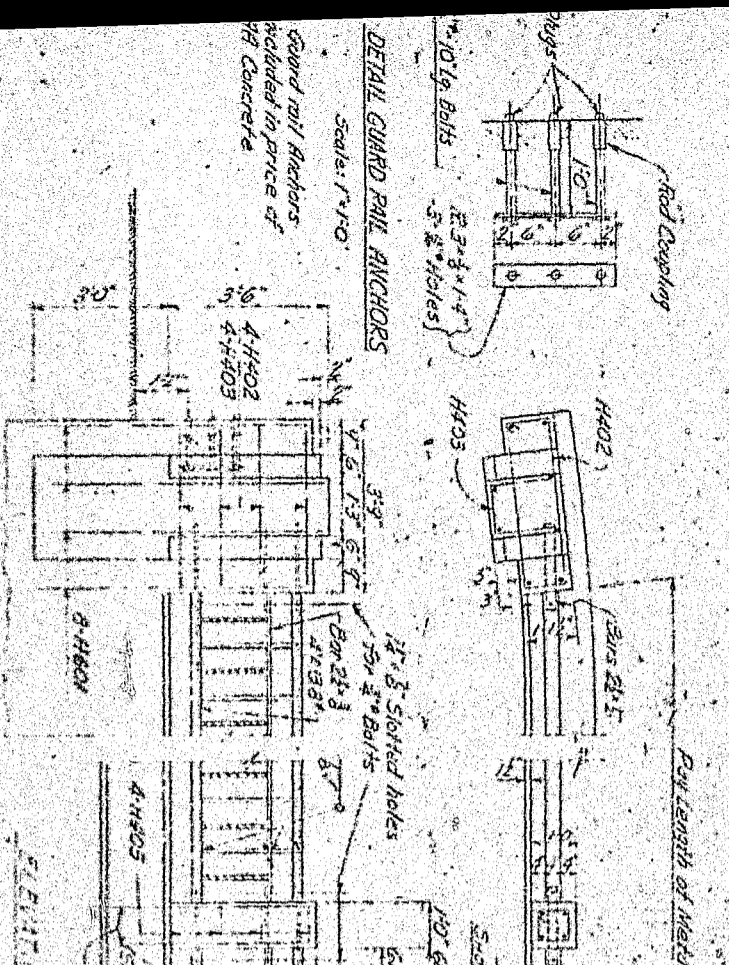
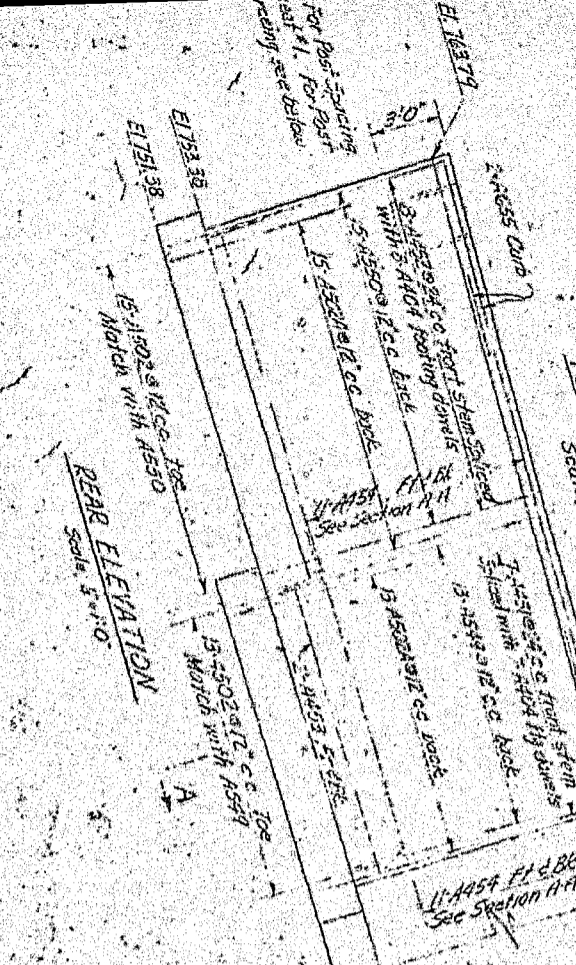
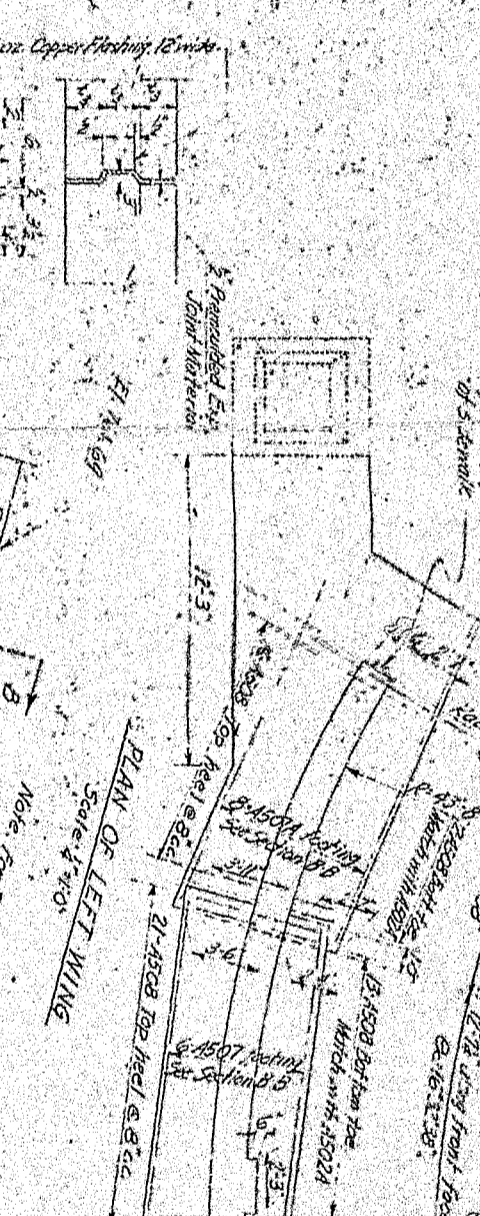
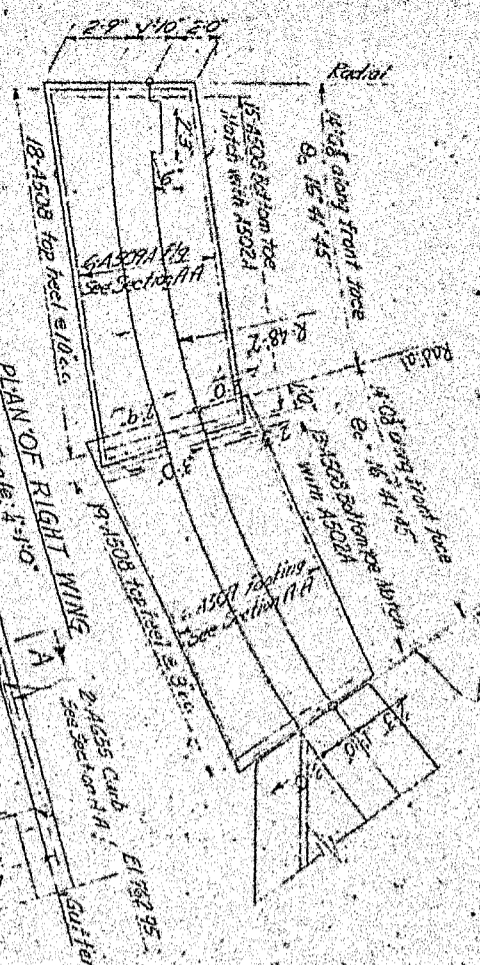
Part	Quantity	Remarks
Reinforcing Bars	45 Cu Yds	Class A Concrete
Slab Form	51 Cu Yds	
Abutment Form	61 Cu Yds	
Abutment Form	50 Cu Yds	
Pier Form	3 Cu Yds	

Mark	No.	Length	Weight	Remarks
1	18-A536	10.0	10.0	
2	34-A539	10.0	10.0	
3	17-A537	10.0	10.0	
4	18-A536	10.0	10.0	
5	34-A539	10.0	10.0	
6	17-A537	10.0	10.0	
7	18-A536	10.0	10.0	
8	34-A539	10.0	10.0	
9	17-A537	10.0	10.0	
10	18-A536	10.0	10.0	
11	34-A539	10.0	10.0	
12	17-A537	10.0	10.0	
13	18-A536	10.0	10.0	
14	34-A539	10.0	10.0	
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17	34-A539	10.0	10.0	
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30	17-A537	10.0	10.0	
31	18-A536	10.0	10.0	
32	34-A539	10.0	10.0	
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98	34-A539	10.0	10.0	
99	17-A537	10.0	10.0	
100	18-A536	10.0	10.0	

APPROVED: _____
 HARRY E. GIBSON
 ROUTE 652
 ALLEGHENY COUNTY
 GLENFIELD VIADUCT
 (ALTERATIONS)
 Department of Highways
 BRIDGE UNIT
 COMMONWEALTH OF PENNSYLVANIA
 STA. _____
 WEIGHT - 20,000

Expansion joint to be placed to 9' from top of curb. Copper flashing in stem only.

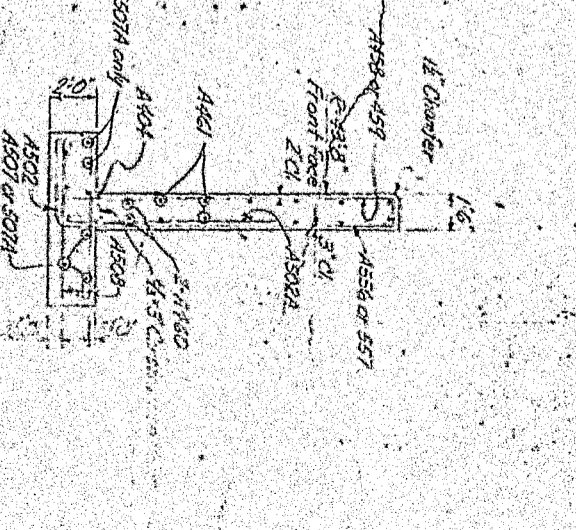
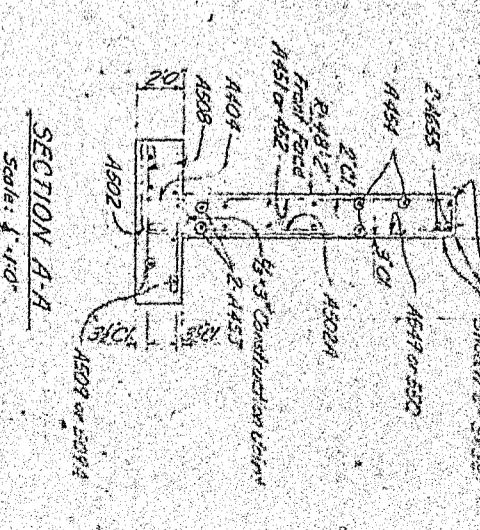
Match Line see sheet #2. Expansion joint in stem only. Keyed to 9' from top of curb.



BAR SCHEDULE FOR POSTS

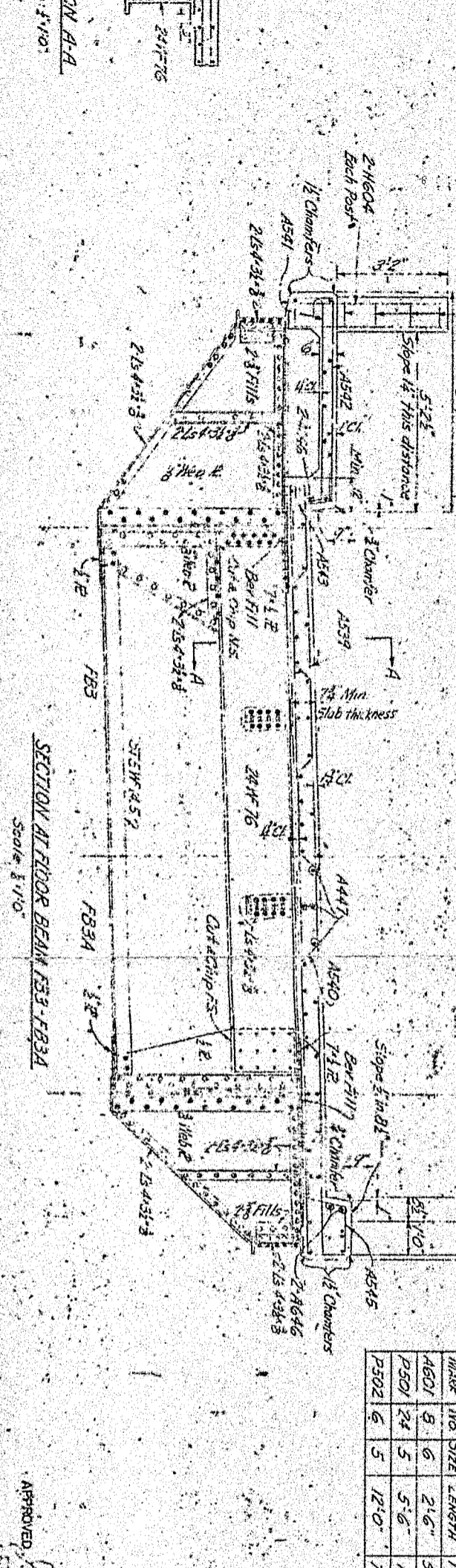
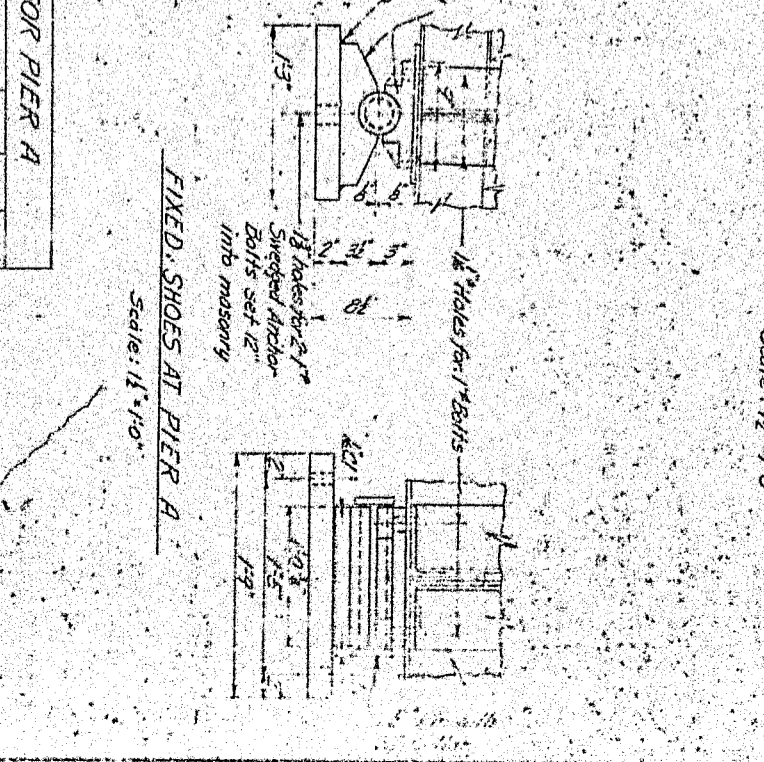
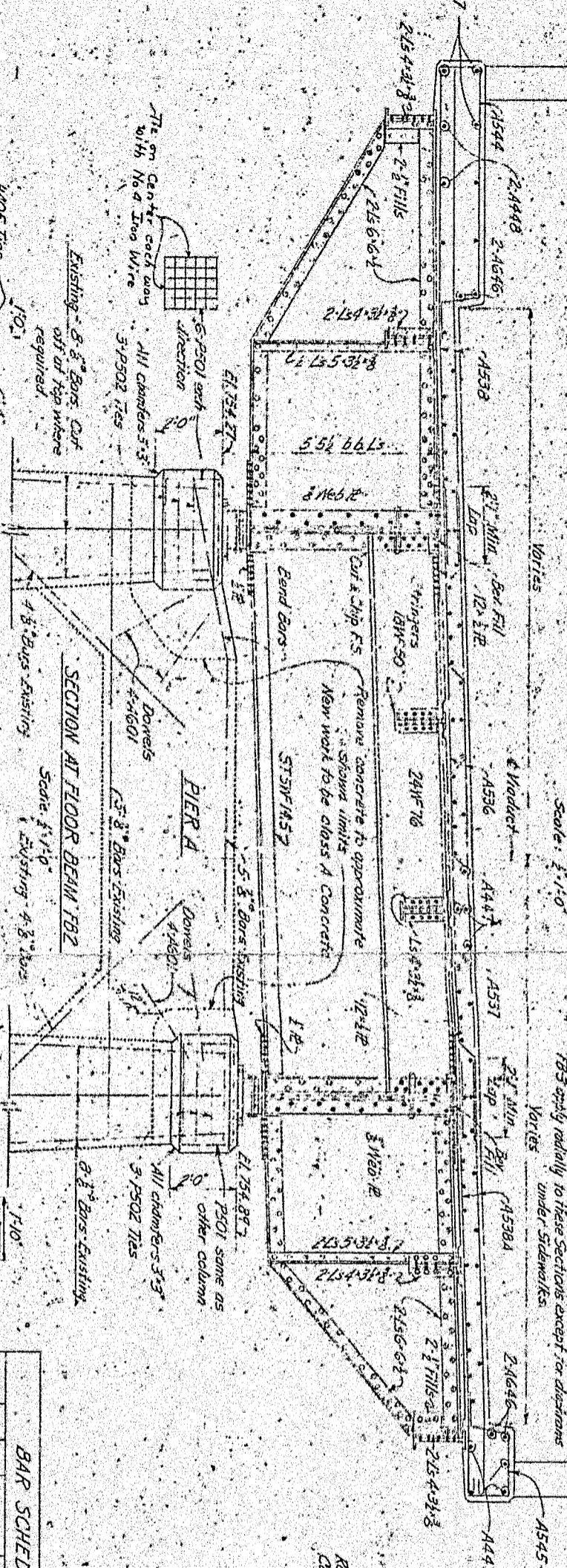
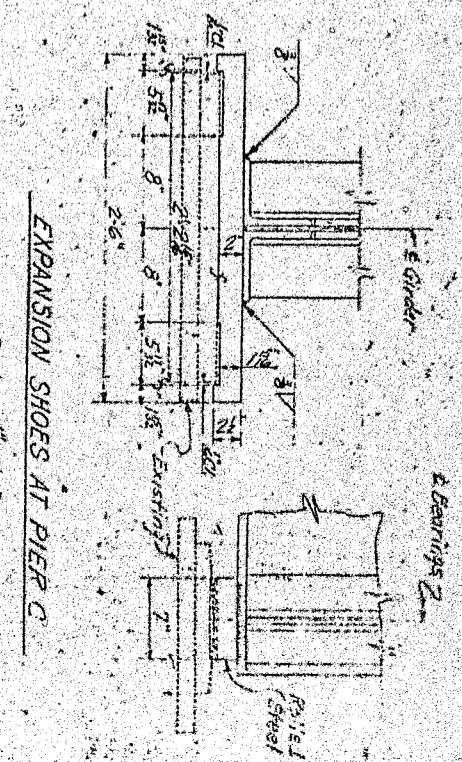
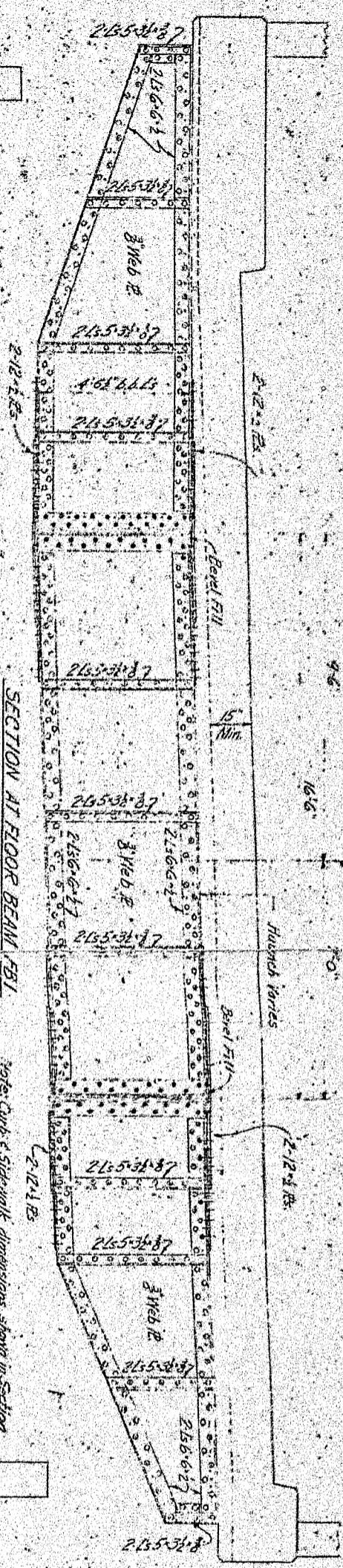
MARK	NO	SIZE	LENGTH	TYPE	SKETCH	A	B	C
A401	16	6	5'-10"	5/8"				
A402	8	4	9'-10"	7/8"		7"	3'-6"	10"
A403	8	4	3'-6"	1/2"			1'-0"	1'-3"
A404	52	6	9'-4"	1/2"			8"	4'-4"
A405	92	4	4'-2"	7/8"		7"	9"	9"
A406	8	4	6'-2"	7/8"		7"	1'-9"	9"

Weight 1230 lbs.



Notes:
 All concrete for railing posts. Concrete in wings and curb. Chamfer all post edges 1/4". Maximum toe pressure - 1.5.

Commonwealth of Massachusetts
 Department of Transportation
 ROUTE 652
 ALLEGHENY COUNTY
 GLEN...



BAR SCHEDULE FOR PIER A

MARK	No	SIZE	LENGTH	TYPE	SKETCH	A	B	C
A601	8	6	21'6"	5H				
P501	24	5	5'-6"	16			2'-6"	1'-6"
P502	6	5	12'-0"	71			2'-7 1/2"	2'-7 1/2"

WEIGHT 240 LBS

SECTION A-A
Scale: 1/4"=1'-0"

APPROVED: [Signature]
BRIDGE ENGINEER

ROUTE 652
ALLEGHENY COUNTY

GLENFIELD VIADUCT
(ALTERATIONS)

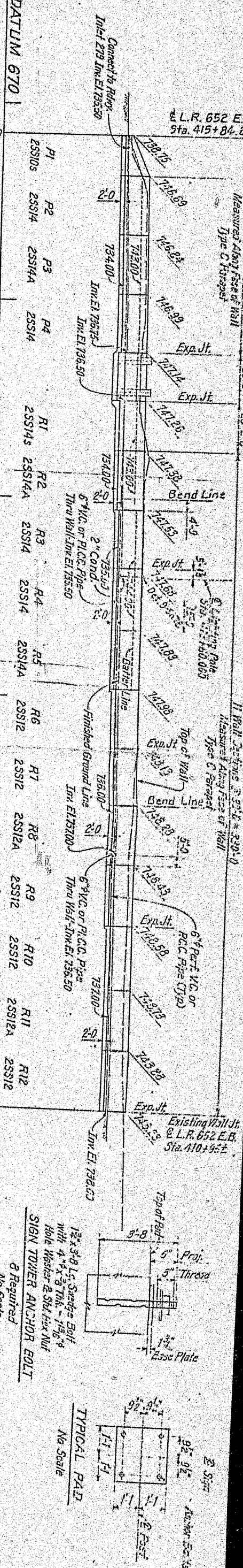
Department of Highways
RAMPAGE UNIT

Commonwealth of Pennsylvania

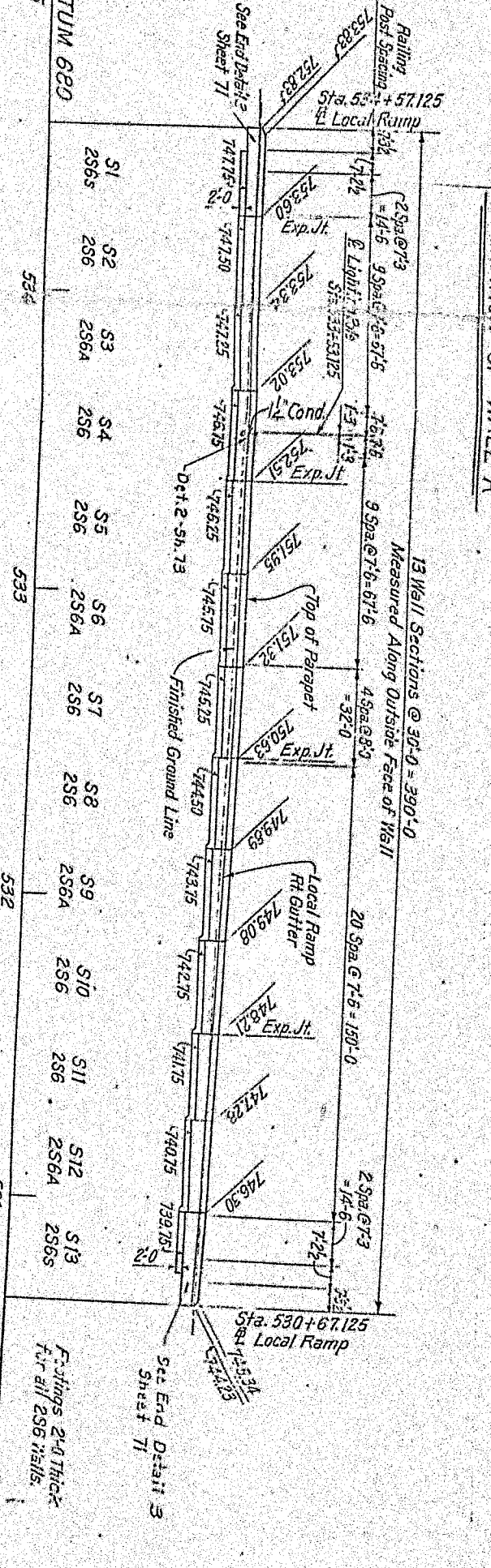
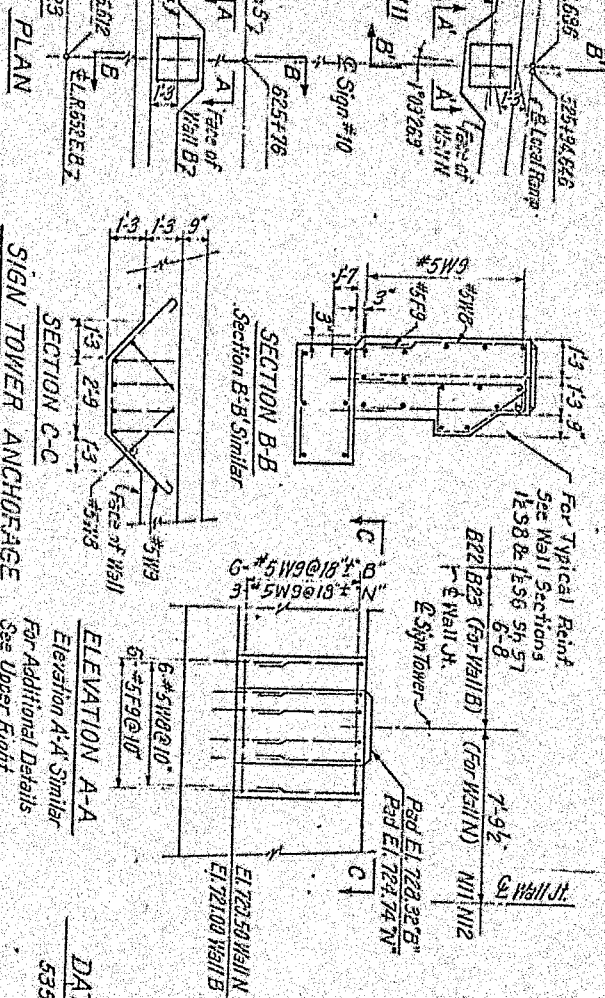
FLOOR BEAMS

STA. 9+27

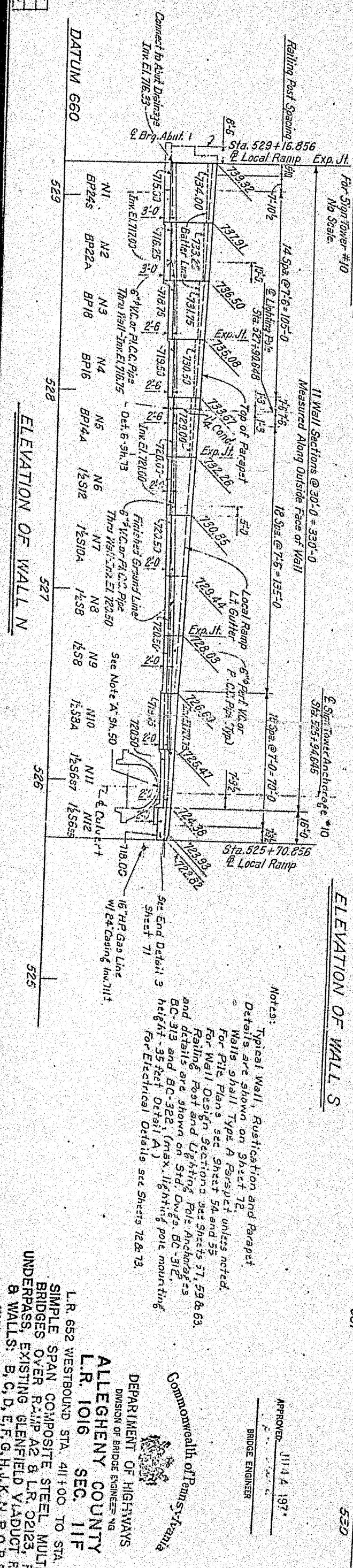
E.L.R. 652 E.B.
Sta. 415+84.2



ELEVATION OF WALL P
PIER A & WALL Q
PIER A & WALL R
ELEVATION OF WALL R



ELEVATION OF WALL S

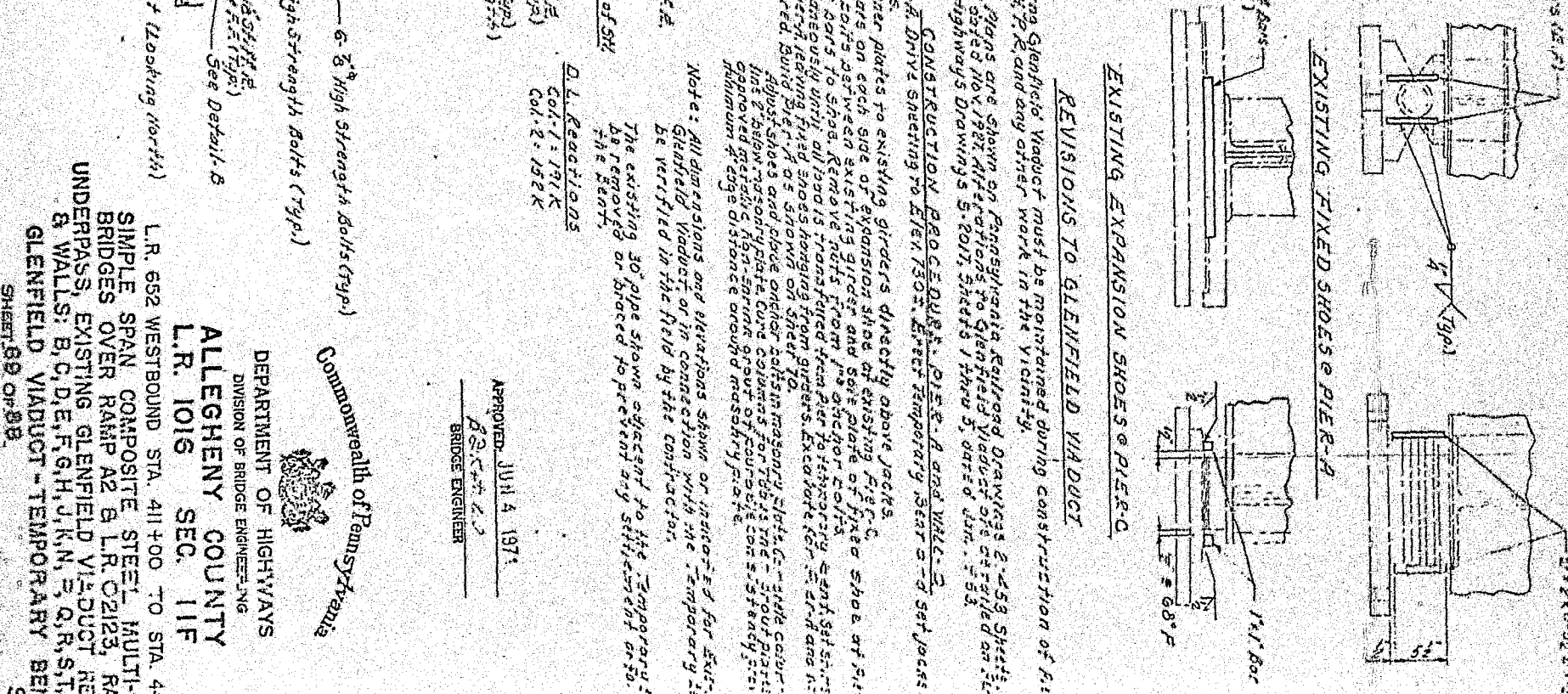
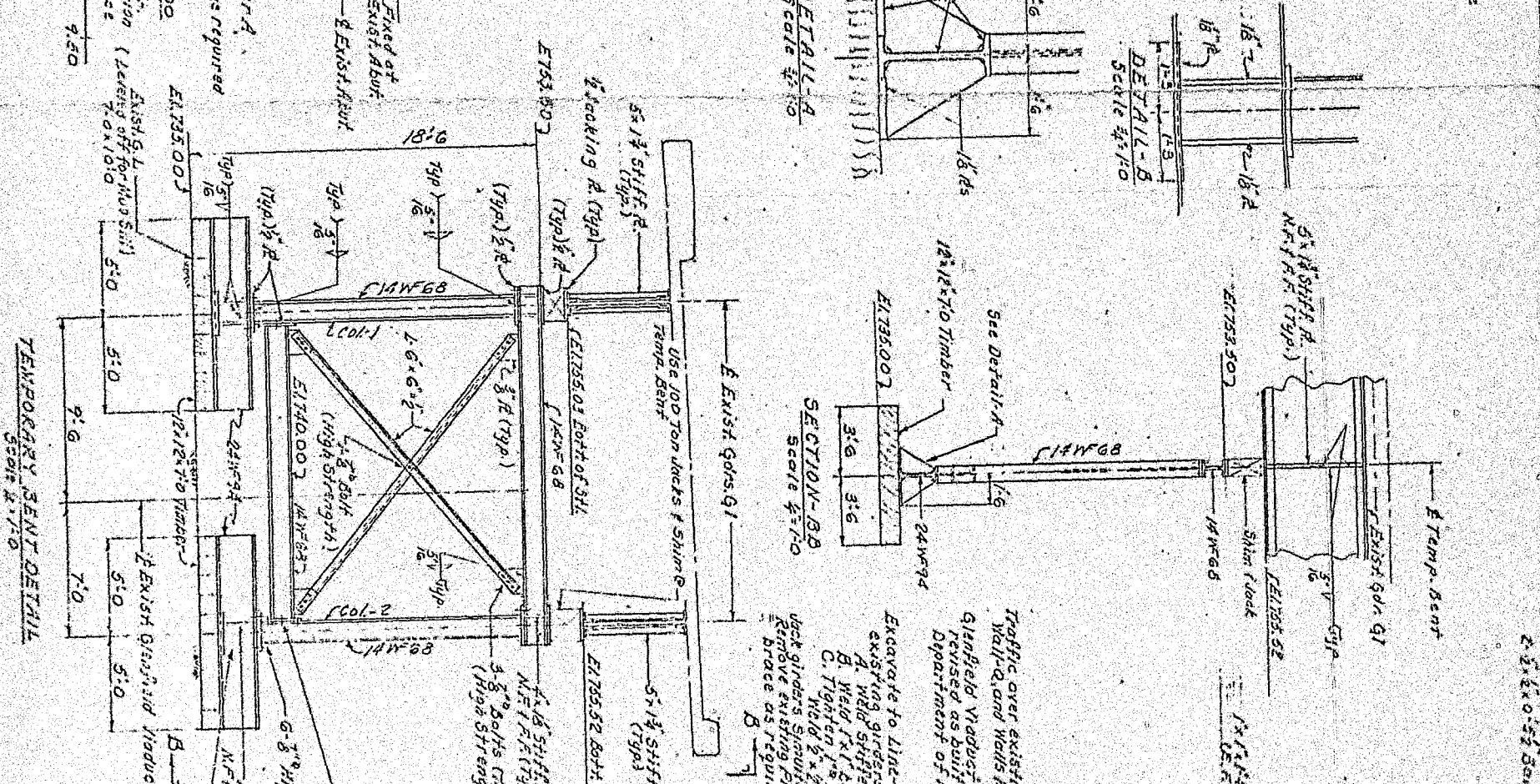
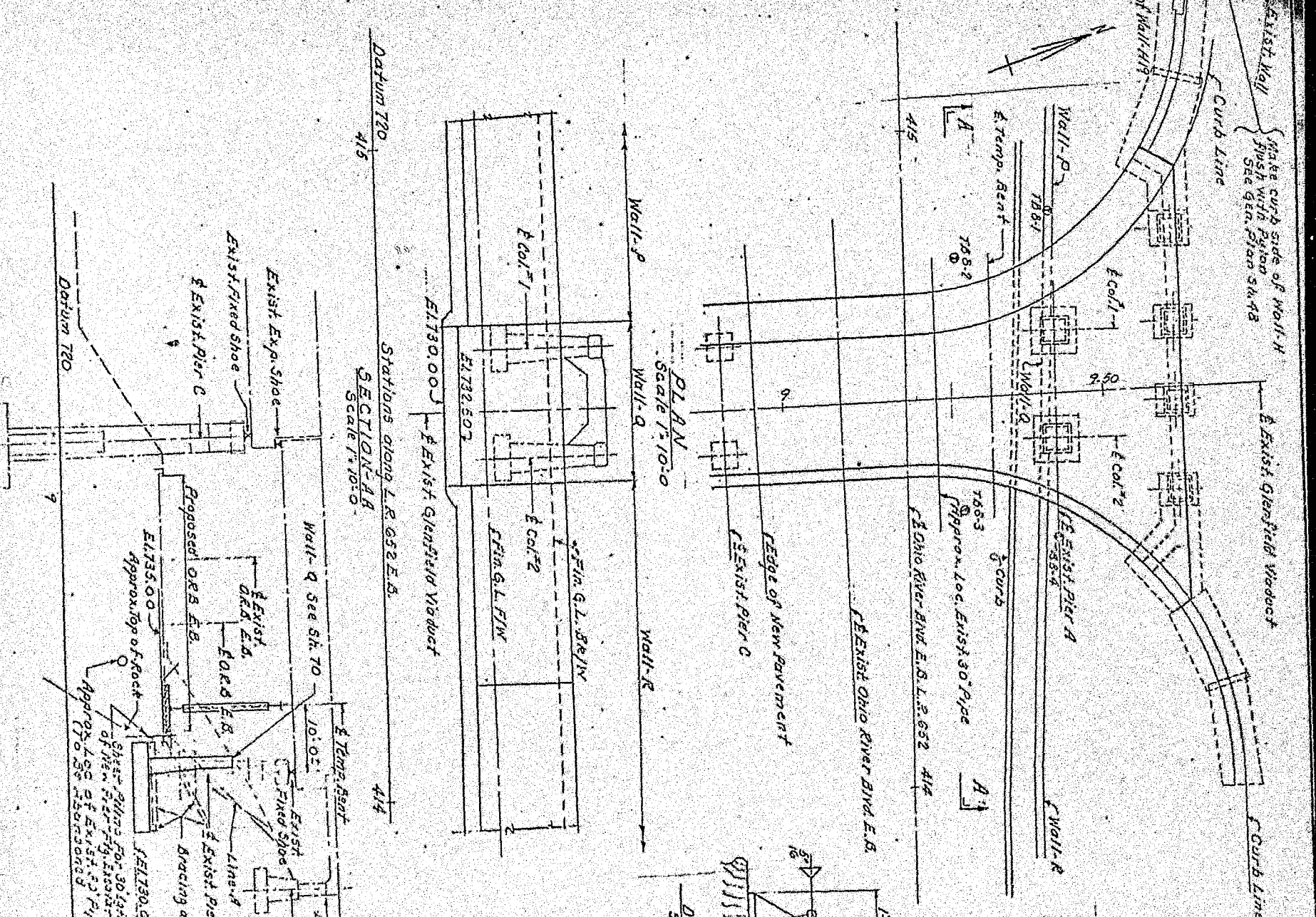


ELEVATION OF WALL N

Notes:
 Typical Wall, Rustication and Parapet Details are shown on Sheet 72.
 Walls shall be Type A Parapet unless noted.
 For Pile Plans see Sheet 54 and 55.
 For Wall Design Sections see Sheets 57, 59 & 63.
 Railing Post and Lighting Pole Anchorage details are shown on Std. Dwg. BC-312, BC-313 and BC-322. (max. lighting pole mounting height - 35 feet Detail A.)
 For Electrical Details see Sheets 72 & 73.

Commonwealth of Pennsylvania
DEPARTMENT OF HIGHWAYS
DIVISION OF BRIDGE ENGINEERING
ALLEGHENY COUNTY
L.R. 1016 SEC. 11F
 L.R. 652 WESTBOUND STA. 411+00 TO STA. 422+00
 SIMPLE SPAN COMPOSITE STEEL MULTI-SPAN BRIDGES OVER RAMP A2 & L.R. 02123, RAMP B UNDERPASS, EXISTING GLENFIELD VIADUCT, RAMP A WALLS: B, C, D, E, F, G, H, J, K, M, P, Q, R, S, T, U, V, W, X, Y, Z
 Scale: 1" = 20'-0"

APPROVED: 11/14/197*
 BRIDGE ENGINEER



REVISIONS TO GLENFIELD VIADUCT

Excavate to line A, DRY SNEETING TO ELEV 130.5, Erect temporary bent A and Wall C. Excavate to line A, DRY SNEETING TO ELEV 130.5, Erect temporary bent A and Wall C. Excavate to line A, DRY SNEETING TO ELEV 130.5, Erect temporary bent A and Wall C.

EXISTING FIXED SHOES & PIER A

EXISTING EXPANSION SHOES & PIER C

EXISTING OHIO RIVER BND E.B.

OHIO RIVER BND E.B. L.R. 652

TEMPORARY BENT DETAIL

Scale 1/2" = 10'-0"

SECTION-A-A

Scale 1/2" = 10'-0"

SECTION-B-B

Scale 1/2" = 10'-0"

PLAN

Scale 1/2" = 10'-0"

Stations along L.R. 652 E.B.

Commonwealth of Pennsylvania

DEPARTMENT OF HIGHWAYS

DIVISION OF BRIDGE ENGINEERING

ALLEGHENY COUNTY

SEC. 11F

L.R. 1016

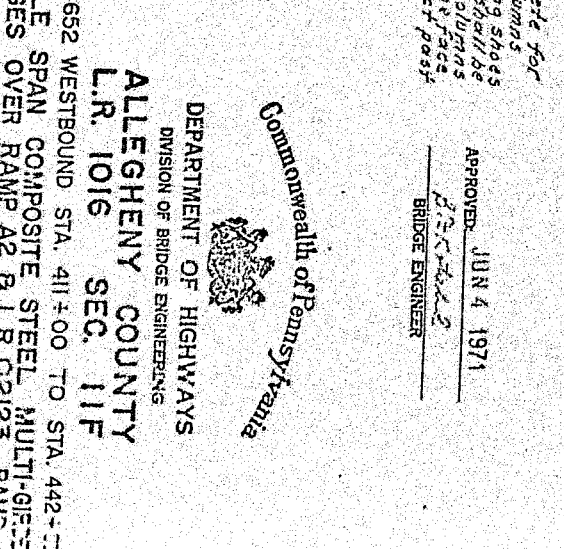
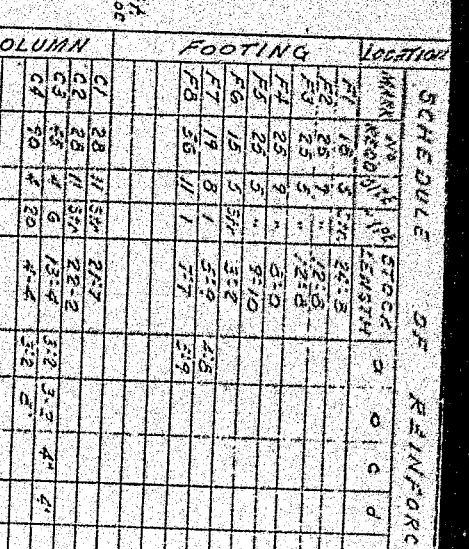
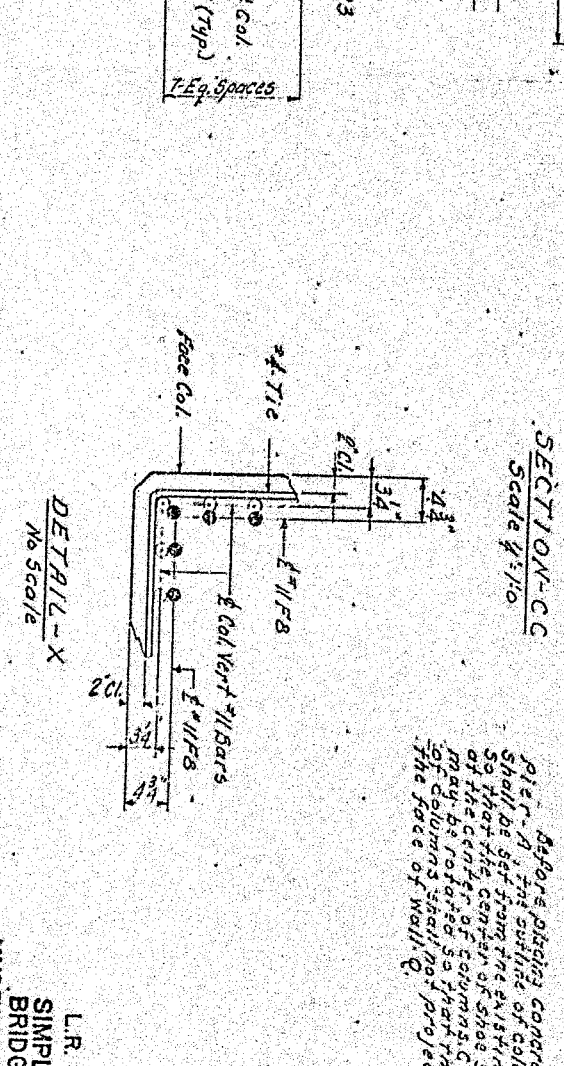
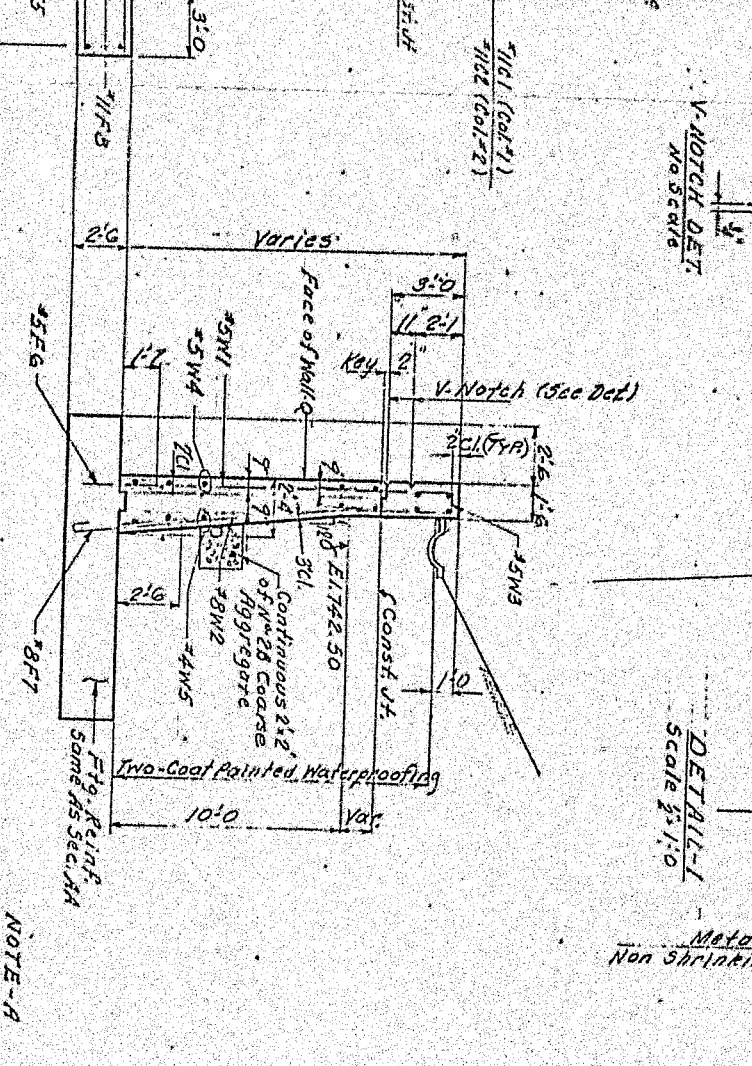
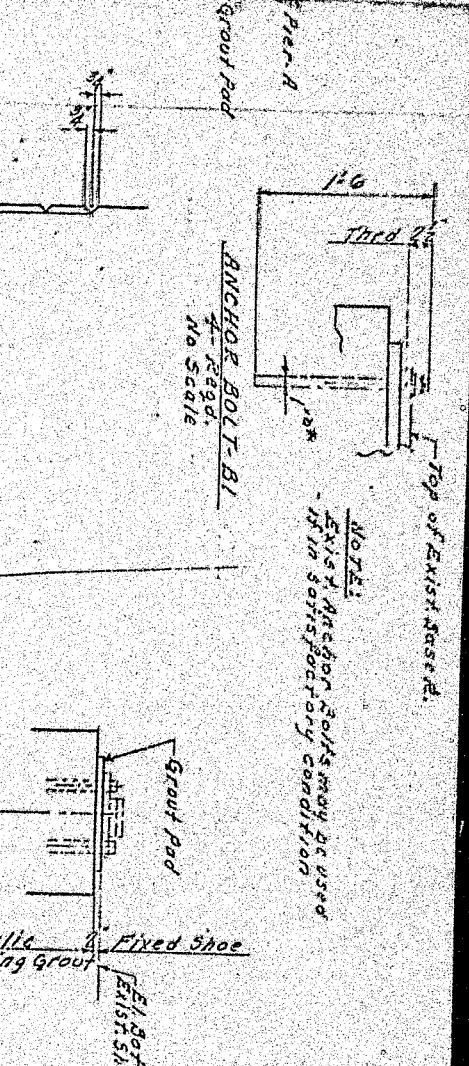
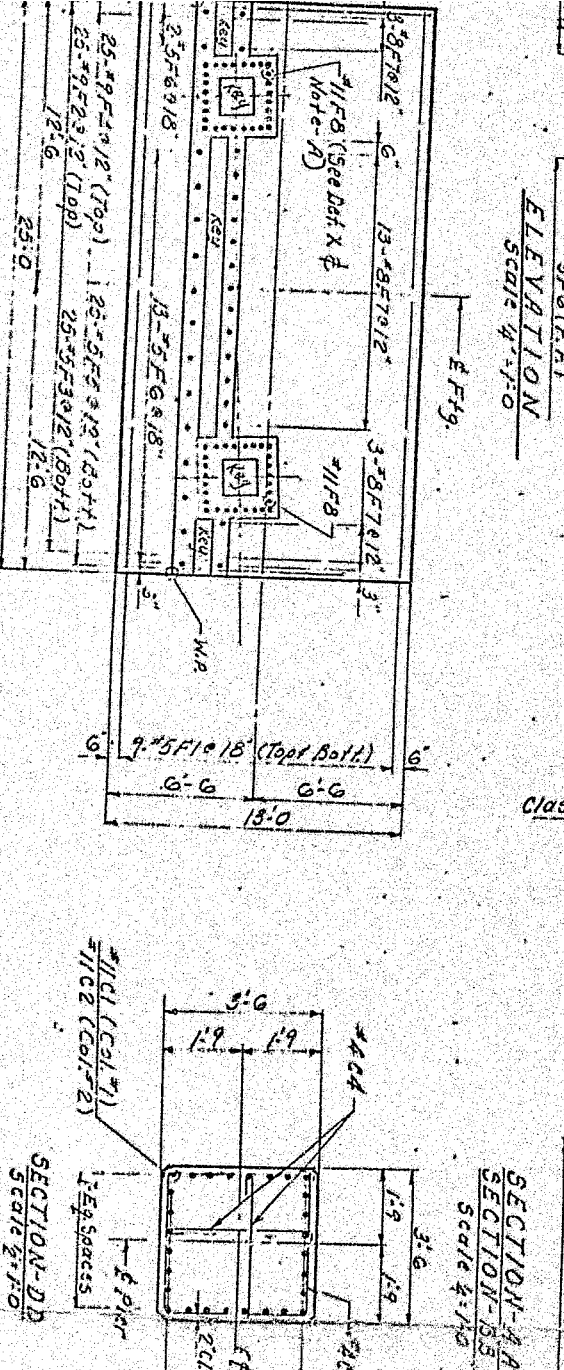
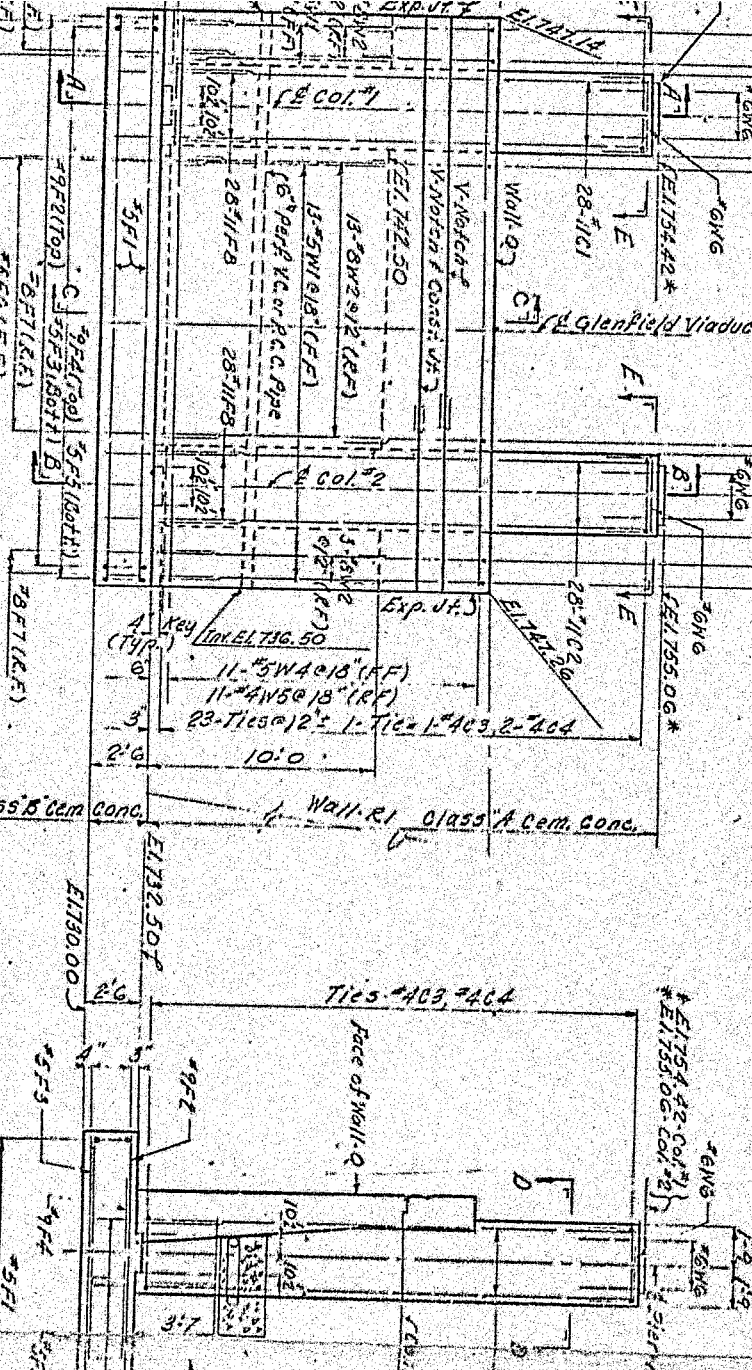
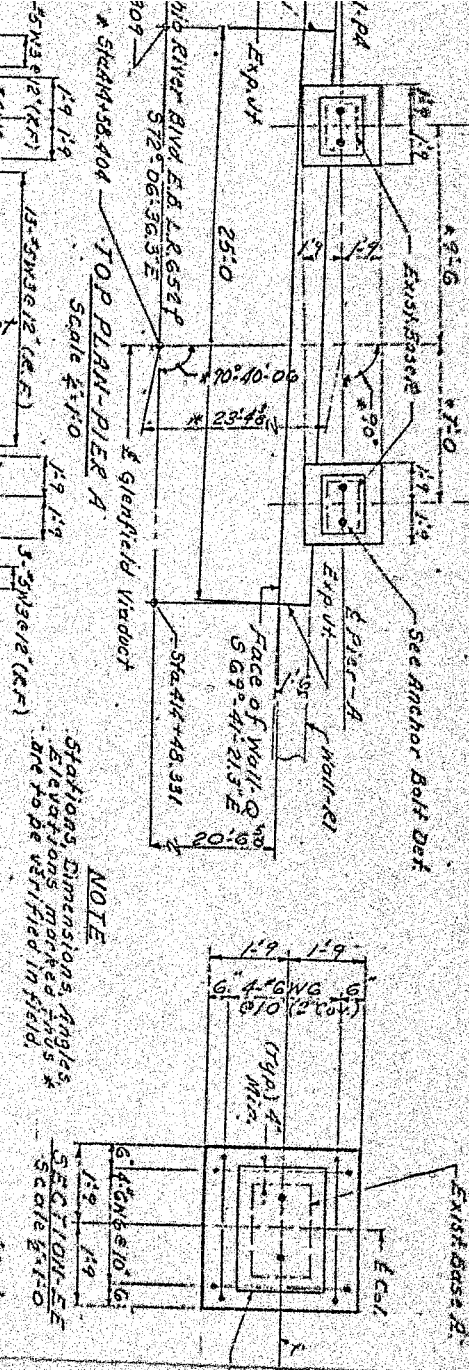
L.R. 652 WESTBOUND STA. 411+00 TO STA. 423+00

SIMPLE SPAN COMPOSITE STEEL MULTI-SPAN BRIDGES OVER RAMP A2 & L.R. 02123, RAMP A2 & WALLS: B, C, D, E, F, G, H, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z

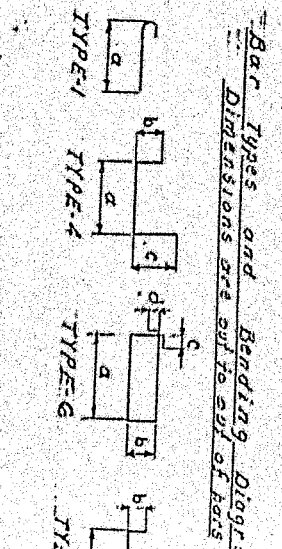
GLENFIELD VIADUCT - TEMPORARY BENT

SHEET 69 OF 69

5368



WALL-Q	COLUMN	FOOTING	Location
W1	W1	F1	10+0
W2	W2	F2	10+0
W3	W3	F3	10+0
W4	W4	F4	10+0
W5	W5	F5	10+0
W6	W6	F6	10+0



NOTE-A
Before placing concrete for Pier-A, the setting of columns shall be set from the existing shoes so that the center of shoe shall be at the center of column. Columns may be rebared so that the face of columns shall not project past the face of wall-Q.

APPROVED JUN 4 1971
BRIDGE ENGINEER

Commonwealth of Pennsylvania
DEPARTMENT OF HIGHWAYS
DIVISION OF BRIDGE ENGINEERING
ALLEGHENY COUNTY
SEC. 11F
L.R. 1016

L.R. 652 WESTBOUND STA. 411+00 TO STA. 442+00
SIMPLE SPAN COMPOSITE STEEL MULTI-GIRDER BRIDGES OVER RAMP A2 & L.R. C2123, RAMP UNDERPASS, EXISTING GLENFIELD VIADUCT, RENO. & WALLS: B, C, D, E, F, G, H, J, K, N, P, Q, R, S, T, U, E GLENFIELD VIADUCT - PIER A & WALL Q