

VERMONT TRANSPORTATION BOARD MEETING JUNE 6 & JUNE 7, 2017

Board Members Present:

David Coen, term expires 2/28/18
Richard Bailey, term expires 2/28/18
Larry Bruce, term expires 2/28/2018
Faith Terry, term expires 2/28/19
William Tracy Carris, term expires 2/28/2017
Wendy Harrison, term expires 2/28/19
Vanessa Kittell, term expires 2/28/19

Board Members Absent:

none

Others Present:

John Zicconi, Board Executive Secretary
Ron Shems, Board Attorney
Abbey O'Brien, Board Legal Intern
John Dreste, Attorney for Schultz Construction
William Schultz, Principal Schultz Construction
David Rakvica, Witness for Schultz Construction
Keith Locke, Witness for Schultz Construction
Terry Waite, Witness for Schultz Construction
Kristin Higgins, VTrans Bridge Engineer
Ann Gammell, VTrans Construction Engineer
Kevin Marshia, VTrans Chief Engineer
Jenny Ronis, Assistant Attorney General
Denise Gumper, Assistant Attorney General
Toni Clithero, Assistant Attorney General
Hailey Gilmore, VTrans Paralegal

Call to Order:

Acting chair William Tracy Carris called the Tuesday, June 6, 2017 meeting to order at 9:35 a.m., which was held at the Room 410 Board Room at 133 State Street in Montpelier, Vermont. The meeting extended into June 7, 2017 at the same location.

1. NEW BUSINESS

1.1 TB-443 Schultz Contractor Claim – Hearing

The Board conducted a two-day evidentiary hearing regarding TB-443 on June 6 and June 7. The hearing did not conclude until approximately 4:30 p.m. on June 7. A transcript of the hearing is available by contacting the Board's office.

1.2 Review/Approve Minutes of the May 10, 2017 Meeting

On a motion by Ms. Kittell seconded by Mr. Bruce, the Board unanimously voted to approve the minutes of the May 10, 2017 Board meeting with corrections.

1.3 Executive Secretary's Report

Petition to ban salt brine: Mr. Zicconi told the Board that his office received a petition signed by 58 people asking the Board to ban the use of salt brine on all non-interstate roads. The petition did not contain a contact name. The postmark was from Middlesex, VT. The Board took no action as it has no authority over the subject.

2. OLD BUSINESS

2.1 TB-447 Roback RR Crossing

At 7 p.m. on June 6, 2017 the Board on a motion by Mr. Bruce, seconded by Mr. Bailey and approved unanimously entered into deliberative session, pursuant to Title 1 § 313, to discuss TB-447 Roback Railroad Crossing Petition. The deliberation began during a private dinner that was held the evening of June 6, and continued during a deliberative session that began at 12:20 p.m. on June 7, 2017.

Mr. Zicconi and Mr. Shems were invited to join the deliberative sessions that occurred on both days.

The Board exited deliberative session at 1:15 p.m. on June 7, 2017.

2.2 Attorney Search – Update

The Board asked Mr. Shems to leave the room. Mr. Zicconi informed the Board that he has solicited a slate of five attorneys who are interested in vying for the contract to become the Board's next attorney. The Board approved the slate. Mr. Zicconi said he was part way through writing the RFP documents that would be sent to each attorney. Once drafted, he will circulate the documents to Board members via email for their edits. The goal is to have the RFP documents sent to the participants sometime in mid to late June so that responses can be collected in time to have the Board review and discuss them at its July 27 meeting.

2.3 Fall Public Forums – Discussion

The Board did not discuss the fall forums. Ms. Kittell said Board members in the coming weeks should discuss via email potential topics and try to reach a consensus.

3. OTHER BUSINESS

3.1 Round Table

No one had any issues to discuss

4. ADJOURN

On a motion by Mr. Coen seconded by Mr. Bailey, the Board unanimously voted to adjourn at 4:40 p.m. on June 7, 2017.

Respectfully submitted,

John Zicconi
Executive Secretary

Next Board Meeting: 9:30 a.m. on July 27, 2017