

VERMONT TRANSPORTATION BOARD MEETING FEBRUARY 23, 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 (by phone)
Wendy Harrison, term expires 2/28/19 (by phone)
Vanessa Kittell, term expires 2/28/19

Board Members Absent:

none

Others Present:

John Zicconi, Board Executive Secretary
Ron Shems, Board Attorney

Call to Order:

Chair Vanessa Kittell called the Thursday, February 23, 2017 meeting to order at 9:50 a.m., which was held at the Sally Fox Conference Center at the State Office Complex in Waterbury, Vermont.

1. NEW BUSINESS

1.1 Review/Approve Minutes of the January 11, 2017 Meeting

On a motion by Mr. Bailey seconded by Ms. Terry, the Board unanimously voted to approve the minutes of the January 11, 2017 Board meeting with corrections.

1.2 TB-456 Rouelle Helipad (Woodbury) Application

Mr. Zicconi informed the Board that Mr. Rouelle is the head of the Aviation Division at the Vermont Agency of Transportation. As a result, it was a member of his staff that conducted an initial site visit, reviewed the application and authored the letter advising the Board that the application meet minimum state and federal standards.

Given that Mr. Rouelle occasionally works with the Board to help it vet similar applications, Mr. Coen questioned whether it was a conflict for the Board to be the entity that reviews his application. After some discussion, the Board determined that it was not conflicted and could properly review the matter.

While the Board appreciated the Agency's work, it deemed the VTrans staff member who initially vetted the application to be potentially conflicted and asked Mr. Zicconi if there was another aviation expert – one who did not work for Mr. Rouelle – that the Board could engage to be responsible for initially vetting the application and testifying before the Board at hearing. Mr. Bailey asked if the state of New Hampshire had such expertise and would be willing to take on the task?

Mr. Zicconi said he would enquire and let the Board know. The Board took no action on the application.

Note: Following the meeting, Mr. Zicconi contacted the New Hampshire Department of Transportation, which agreed to take on the case. Once the snow melts, a New Hampshire Aviation expert will visit the location, vet the application and forward its findings to the Board.

1.3 Executive Secretary's Report

Meeting with Vermont Rail Council: Mr. Zicconi told the Board that on February 15 he met with the Vermont Rail Council at its request to present to the Council the Board's annual report, which was about rail and Vermonter's experiences living with rail's impacts. Mr. Zicconi said the Council expressed support for the Board's efforts but did not offer specific comments regarding the report's content. The Council did enquire about the attitude of the people who attended the Board's forums. Mr. Zicconi said he told the Council that the vast majority of the people who attended the Board's forums, even when they were critical of the railroads, were critical because they generally supported rail and were seeking help to find ways that would improve whatever issues were of concern. Mr. Zicconi said the Council made no specific requests of the Board.

Meeting with State Legislature: Ms. Kittell informed the Board that in late January that she and Mr. Zicconi met with both the Senate and House committees on transportation to present the Board's annual report. Ms. Kittell said she found the meetings to be affirming in that committee members believe rail to be an important element of Vermont's transportation network and that legislators found the Board's work to be helpful in providing them insight into how their constituents view rail and its varying issues.

1.4 Schedule April, May and June Meetings

Mr. Zicconi told the Board that it has need to schedule three hearings: TB-457 regarding a private railroad crossing in Norwich, TB-454 a request for a private helipad in Dorset, and TB-443 a contractor claim regarding a transportation project in Rochester which is expected to take two days. The Board scheduled TB-454 for April 13, TB-457 for May 10 and TB-443 for June 6 and June 7.

2. OLD BUSINESS

2.1 TB-441 Pike Contractor Claim

At 10:36 a.m. the Board on a motion by Mr. Coen, seconded by Mr. Bruce and approved unanimously entered into deliberative session, pursuant to Title 1 § 313, to discuss TB-441 Pike Contractor Claim. Mr. Carris and Ms. Wilson recused themselves from executive session.

Mr. Zicconi and Mr. Shems were invited to join the deliberative session. Ms. Harrison and Mr. Carris, who participated in the meeting by phone, exited the meeting upon the conclusion of Agenda Item 1.4 and did not attend the deliberative session.

The Board exited deliberative session at 11:48 a.m.

3. OTHER BUSINESS

3.1 Round Table

No one had any issues to discuss

4. ADJOURN

On a motion by Ms. Terry seconded by Mr. Coen, the Board unanimously voted to adjourn at 11:49 a.m.

Respectfully submitted,

John Zicconi
Executive Secretary

Next Board Meeting: 9:30 a.m. on April 13, 2017