

# VERMONT TRANSPORTATION BOARD MEETING JUNE 24, 2019

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## **Board Members Present:**

David Coen, term expires 2/28/21  
Pam Loranger, term expires 2/28/22  
Tim Hayward, term expires 2/28/2020  
Wendy Harrison, term expires 2/28/22  
Philip Zalinger, term expires 2/28/22  
James Fitzgerald, Term expires 2/28/21  
Richard Bailey, term expires 2/28/21

## **Board Members Absent:**

None

## **Others Present:**

Ron Shems, Board Attorney  
Leslie Weltz, Assistant Attorney General

## **Call to Order:**

Chair David Coen called the Monday, June 24, 2019 meeting to order at 9:35 a.m., which was held at Dewey Conference Room R206 at 1 National life Drive in Montpelier, VT.

## **1. NEW BUSINESS**

### ***1.1 TB-443 W.M. Schultz Construction- VTrans Motion to Dismiss***

**At 9:35 a.m. the Board on a motion by Ms. Loranger, seconded by Mr. Bailey and approved unanimously entered into deliberative session, pursuant to Title 1 § 313, to discuss TB-443 W.M. Schultz Construction.**

Mr. Zicconi and Mr. Shems were invited to join the deliberative session.

**The Board exited deliberative session at 10:15 a.m.**

### ***1.2 Meet and Greet with Assistant Attorney General Leslie Weltz***

Ms. Weltz was recently appointed general counsel for the Vermont Agency of Transportation, replacing John Dunleavy who retired. At the invitation of the Board, Ms. Weltz attended today's meeting as way to meet the Board. No cases were discussed. The 15-minute meeting was just a meet-and-great session to exchange pleasantries, learn about backgrounds and put names to faces.

***1.3 Review/Approve Minutes of the May 16, 2019 meeting***

**On a motion by Mr. Hayward seconded by Mr. Fitzgerald, the Board unanimously voted to approve the minutes of the May 16, 2019 Board meeting with corrections.**

***1.4 Executive Secretary's Report***

**Restricted Landing Areas:** Mr. Zicconi told the Board that VTrans Aviation Director Michele Boomhower and Aviation Program Manager Dan Delabreure have agreed to meet with him to discuss the Board's concerns regarding the Vermont Statutes that govern Restricted Landing Areas. Earlier in the year, the Board proposed a change to statute, but the change was rejected by the Governor. This meeting is to discuss potential other ways to address the Board's concerns. Ms. Harrison said she would like to attend the discussion. The Board agreed. Mr. Zicconi said he would work out a meeting date that would accommodate her schedule.

**Small Claims:** Mr. Zicconi informed the Board that earlier in the month he and Mr. Shems meet with Assistant Attorney General Toni Clithero to discuss ways to alter the small Claim Appeals process to make more friendly for appellants but still preserve VTrans rights. Ms. Clithero said the Agency was open to changing the process. The meeting ended with everyone agreeing that the Board would propose a new system that VTrans would review. Mr. Zicconi said that he and Mr. Shems would work on a draft proposal that they would present to the Board at a future meeting.

***1.5 TB-494 Bettis Small Claim Appeal***

***1.6 TB-489 Anderson Small Claim Appeal***

***1.7 TB-485 Rosenkranz Small Claim Appeal***

***1.8 TB-495 Power Small Claim Appeal***

The Board canceled the hearings for these four small claim appeals as VTrans requested continuances so that the Agency could discuss settlement with each appellant.

**2. OLD BUSINESS**

***2.1 TB-484 Petition to Name Route 105 from Derby to Bloomfield***

Mr. Zicconi and Mr. Bailey last week conducted a public hearing regarding a petition submitted to the Board to name Route 105 from Derby to Bloomfield "The LT. COL. Mark C. Biron Memorial Highway." Since the Petition was filed, the Board learned that Route 105 in its entirety was named back in 1997 "The Pearl Harbor Memorial Highway." Mr. Bailey, who was appointed hearing officer for the public hearing, presented a report to the Board, which is attached to these minutes." In short, more than two dozen people attended the public hearing and about a dozen of them spoke against renaming this segment of the roadway. No one spoke in favor of the petition. The Board also received no letters or emails supporting the petition, but did receive four such communications opposing the petition. The applicant did not attend either the public hearing or today's Board meeting.

**On a motion by Mr. Bailey seconded by Mr. Hayward, the Board unanimously voted to deny the petition's request to rename Route 105 from Derby to Bloomfield The LT. Col. Mark C. Biron Memorial Highway.**

## **2.2 Naming Rules -- Discussion**

The Board discussed whether it wished to propose changes to its Transportation Infrastructure Naming Rules. It concluded it did not wish to propose changes at this time.

## **3. OTHER BUSINESS**

### ***3.1 Round Table***

No one had any issues to discuss

## **4. ADJOURN**

**On a motion by Mr. Hayward seconded by Mr. Zalinger, the Board unanimously voted to adjourn at 11:28 a.m.**

Respectfully submitted,

John Zicconi  
Executive Secretary

**Next Board Meeting: October 7, 2019**