

# VERMONT TRANSPORTATION BOARD MEETING JANUARY 14, 2016

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## **Board Members Present:**

Nick Marro, Chairman, term expires 2/28/2016  
William Tracy Carris, term expires 2/28/2017  
David Coen, term expires 2/28/18  
Richard Bailey, term expires 2/28/18  
Tom Dailey, term expires 2/28/2016  
Larry Bruce, term expires 2/28/2018  
Vanessa Kittell, term expires 2/28/2016

## **Board Members Absent:**

None

## **Others Present:**

John Zicconi, Board Executive Secretary  
Lenard LeBlanc, VTrans CFO  
Daniel Dutcher, Assistant Attorney General

## **Call to Order:**

Chairman Marro called the Thursday, January 14, 2016 meeting to order at 9:30 a.m., which was held in the Catamount Room at one National Life Drive in Montpelier, VT.

## **1. NEW BUSINESS**

### ***1.1 Review/Approve Minutes of the December 16, 2015 meeting***

**On a motion by Mr. Bailey seconded by Mr. Coen, the Board voted to approve the minutes of the December 16, 2015 Board meeting with corrections.**

### ***1.2 Rules for Naming Transportation Facilities – Consider Comments***

The Board received four written comments and one verbal comment during the two-month long comment period.

Three of the five comments pertained to Section XII.A of the proposed rules that states, in part, that Board shall not name a transportation facility after a living person. One comment requested that the Board do away with this requirement and allow naming after living people; one comment requested a 20-year, post-death moratorium on naming; and one comment request that the draft be changed to prevent naming after people all together.

The Board considered these comments, and unanimously supported keeping the draft as is.

The remaining two comments came from the South Windsor County Regional Planning Commission. One comment referred to Section III.I and asked the Board to clarify if the Board's authority extends to

Class 1 Town Highways. The other comment pertained to Section VIII.A.4, and asked the Board to modify the section's language to include the town administrator or manager (if there is one) to the list of public officials that receive notice of a public hearing when a naming is proposed within that town.

The Board agreed to add the town administrator or manager (if there is one) to the language, and after a lengthy discussion concluded the enabling statute grants the Board the authority to name Class 1 Town Highways.

The Board instructed Mr. Zicconi to detail both the comments and the Board's responses in a "Responsiveness Summary" that will be included with the documents that the Board submits to the Legislative Committee on Administrative Rules (LCAR) prior to seeking the committee's approval.

### ***1.3 TB-445 Winterset Contractor Claim – Appoint Hearing Officer***

Mr. Zicconi informed the Board that this new claim had been filed, and asked the Chairman to appoint a hearing officer that would have authority over all pre-hearing matters. Mr. Marrow appointed Ms. Kittell.

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

**V.R.C.P. Rule 6:** Mr. Zicconi informed the Board that he received a communication from Legislative Council asking if the Board interprets Rule 6 to govern time when determining several provisions within both 5 V.S.A. and 19 V.S.A. that call for 10-day time provisions. Legislative Council asked the question because the Board's governing rules do not specifically adopt Rule 6. The Board discussed Rule 6, and determined that it would interpret the rule to govern time in these cases.

**TB-414 Kuranda Private Landing Area:** Mr. Zicconi informed the Board that Michael Kuranda submitted paperwork asking the Board to issue a Certificate of Operation for the Private Landing Area on his Stamford property. The Board issued a Certificate of Approval on October 15, 2014. Mr. Zicconi said he submitted the documents to VTrans, and asked its Aviation Division to inspect the property to ensure that the conditions of the Board's approval had been met. Once verified, Mr. Zicconi said he would place issuing a Certificate of Operation on a future Board agenda.

**T-Board office closure:** Mr. Zicconi informed the Board that the T-Board's office will be closed from February 8 to February 19 while he is away on vacation.

**TB-416 G. Stone Motors & TB-441 Pike Contractor Claim:** Mr. Zicconi informed the Board that indications are that the G. Stone case will be ready for hearing during the winter of 2016/17 while the Pike case will be ready for hearing during the summer/fall of 2016.

### ***1.5 VTrans Budget Presentation***

VTrans CFO Leonard LeBlanc provided the Board a presentation on VTrans' budget, the Agency's annual Federal revenue stream, and the newly passed federal transportation bill. The presentation was recorded and is available for listing by contacting the Board's office.

**1.6 TB-440 Roos Small Claim**

No hearing was held. Mr. Roos was unable to attend. The hearing was tentative when scheduled, and will be placed on a future Board agenda.

**2. OLD BUSINESS**

**2.1 Annual Report Approval**

Throughout the month of December, Mr. Zicconi, as he drafted chapters of the annual report, provided Board members copies via email. Board members then offered edits, also via email. The Board at today's meeting reviewed a complete draft of the report, with edits.

**On a motion by Mr. Coen seconded by Mr. Bruce, the Board voted to approve the annual report for publication.**

**2.2 TB-444 Dover Helipad**

**At 12:20 p.m. the Board on a motion by Mr. Coen seconded by Mr. Dailey entered into deliberative session, pursuant to Title 1 § 313, to discuss TB-440, application of Brady-Sullivan SV, LLC for a Private Landing Area in West Dover.**

Mr. Zicconi was invited to join the deliberative session.

**The Board exited deliberative session at 1 p.m.**

**3. OTHER BUSINESS**

**3.1 Round Table**

No one had any issues to discuss

**4. ADJOURN**

**On a motion by Mr. Carris seconded by Mr. Dailey, the Board unanimously voted to adjourn at 1:05 p.m.**

Respectfully submitted,

John Zicconi  
Executive Secretary

**Next Board Meeting: TBD**