

TOWN OF CHESTER
BOARD OF SELECTMEN
SPECIAL MEETING

August 29, 2016
Minutes

PRESENT: John DeBenedetti; Arne Jonynas; Dan Cote; Ben Whalen; Heather Chase;
David Pisha

VISITORS: Shawn Cunningham; Naomi Johnson

The meeting was called to order at 5:30 p.m. by John DeBenedetti.

There were no additions or deletions to the agenda.

1. CITIZEN'S COMMENTS:

There were no comments from citizens.

2. EXECUTIVE SESSION:

A motion was made by Dan Cote that the Selectboard finds that the public disclosure of attorney/client communications with the Town's counsel concerning the terms of a settlement with the Agency of Natural Resources, Department of Fish & Wildlife in connection with the Town's pending Act 250 application concerning a pending Act 250 application, will necessarily involve communications of and relating to the relative merits of the Town's case, the premature disclosure of which could place the Town of Chester at a substantial disadvantage in any further activities or actions. Seconded by Arne Jonynas. The motion passed.

A motion was made by Arne Jonynas to enter executive session, pursuant to 1 V.S.A. §313(a)(1)(E) and (F), for the purposes of discussing the possible resolution of a contested Act 250 application to which the public body is a party and for the purposes of engaging in confidential attorney/client communications with the Town's counsel made for the purposes of providing professional legal services to the Board in the form of advice and discussions relating to a proposed resolution by settlement with the Agency of Natural Resources, Fish and Wildlife Department in connection with the Town of Chester's water tower project. I further move that the Selectboard finds that the public disclosure of attorney/client communications in considering this settlement proposal will defeat the purpose for which the attorney/client privilege exists pursuant to V.R.E. 502, which is to foster a free and open exchange between an attorney and his or her client in connection with decisions which are made in the course of litigation. Seconded by Heather Chase. The motion passed.

The Selectboard entered into Executive Session at 5:33 p.m. David Pisha and Naomi Johnson were invited to attend.

A motion was made by Heather Chase to exit Executive Session at 5:41 p.m. Seconded by Dan Cote. The motion passed.

A motion was made by Dan Cote to accept the settlement and conditions imposed by Fish & Wildlife relative to the permitting of the water tank and transmission line. Seconded by Ben Whalen. The motion passed.

12. ADJOURN:

A motion was made to adjourn at 5:46 p.m.

Julie Hance
Secretary of the Select Board

Heather Chase
Clerk of the Select Board