

TOWN OF CHESTER
SPECIAL SELECTBOARD

March 13, 2017
Minutes

PRESENT: Arne Jonynas; Ben Whalen; Dan Cote; Heather Chase; Lee Gustafson;
David Pisha

VISITORS: Shawn Cunningham, Barre Pinske, William Lindsay

The meeting opened at 6:00 p.m.

1. BOARD REORGANIZATION:

Heather Chase nominated Arne Jonynas for Chairman. Seconded by Dan Cote. The motion passed unanimously.

Arne Jonynas nominated Heather Chase for Vice Chairman. Seconded by Dan Cote. The motion passed unanimously.

Dan Cote nominated Ben Whalen for Board Clerk. The motion passed unanimously.

The Board adopted Roberts Rules for Small Boards.

The Selectboard discussed adding time slots to the agenda to help control the length of each topic.

The Selectboard discussed the future meeting dates. Following discussion, it was agreed that the Selectboard meetings will be take place the first and third Wednesdays of each month beginning at 6:30 p.m.

Dan Cote mentioned that he is often out of the town on Wednesdays. Discussion ensued that the town should make efforts to make sure that the Skype system works more efficiently.

2. CITIZEN'S COMMENTS:

Barre Pinske discussed the water project property with the Board. He discussed the importance of gravel to Chester and to Vermont and encouraged the Board to proceed with obtaining this resource.

William Lindsay stated that the late night meetings of the past have been specific to budgets and purchase of property for water project. He also reminded the Board the Chester has 100 miles of road to maintain and Vermont has now added the Clean Water Act which requires extensive stone ditching work and erosion control. This all requires

gravel. William Lindsay stated that during Tropical Storm Irene, the State of Vermont agreed that gravel was a resource that was heavily needed. Now that there is no immediate emergency, the State of Vermont is trying to eliminate gravel operations. He encouraged the Board to fight the ACT 250 decision and help save Chester residents money.

3. EXECUTIVE SESSION:

A motion was made by Heather Chase stating that the Selectboard finds that the public disclosure of attorney/client communications with the Town's counsel concerning the decision of the ACT 250 permit application and potential response thereto 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 Ben Whalen. The motion passed.

A motion was made by Dan Cote to enter executive session, pursuant to 1 V.S.A. §313(a)(1)(E) and (F), for the purposes of discussing and reviewing the ACT 250 permit decision 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 an ACT 250 permit decision and response thereto. I further move that the Selectboard finds that the public disclosure of attorney/client communications in reviewing this decision and potential response thereto 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 Lee Gustafson. The motion passed.

The Selectboard entered Executive Session at 6:23 p.m.

A motion was made by Heather Chase to exit Executive Session at 7:05 p.m. Seconded by Dan Cote. The motion passed.

A motion was made by Ben Whalen to authorize the appeal of the denial of the Motion to Alter in ACT 250 case number 2S0214-8. Seconded by Dan Cote. The motion passed.

4. ADJOURN:

A motion was made by Heather Chase to adjourn. Seconded by Lee Gustafson. The motion passed. The meeting adjourned at 7:08 p.m.

Julie Hance
Secretary of the Select Board

Heather Chase
Clerk of the Select Board