

TOWN OF CHESTER  
SPECIAL SELECTBOARD MEETING

May 10, 2017  
Minutes

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

VISITORS: None

The meeting was called to order at 7:30 p.m. by Arne Jonynas.

There were no additions or deletions to the agenda.

1. CITIZEN'S COMMENTS:

There were no citizen's comments.

2. EXECUTIVE SESSION:

A motion was made by Lee Gustafson that the Selectboard finds that the public disclosure of attorney/client communications with the Town's counsel concerning the terms of a Stipulation to Judgment in connection with the Town's pending Act 250 appeal, 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 Dan Cote. The motion passed.

A motion was made by Heather Chase to enter executive session, pursuant to 1 V.S.A. §313(a)(1)(E) and (F), for the purposes of reviewing and discussing a Stipulation to Judgment relative to the pending ACT 250 appeal 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 the proposed resolution of the pending ACT 250 appeal. I further move that the Selectboard finds that the public disclosure of attorney/client communications in considering this 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 Lee Gustafson. The motion passed.

A motion was made by Ben Whalen to exit Executive Session at 7:49 p.m. Seconded by Dan Cote. The motion passed.

A motion was made by Lee Gustafson to allow the attorney to act on the town's behalf with regards to the Stipulation. Seconded by Dan Cote. The motion passed.

3. ADJOURN:

A motion was made by Heather Chase to adjourn. Seconded by Lee Gustafson. The motion passed. The meeting adjourned at 7:51 p.m.

Julie Hance  
Secretary of the Select Board

Ben Whalen  
Clerk of the Select Board