

Selectboard members present: Peter Marsh, Mathew Norris, Susan Jefferies (Chair)
Others present: Kerry Kurt, Jim Runcie (Town Attorney)

The meeting was called to order at 5:30 pm.

Warning for Town Meeting: S. Jefferies reviewed the articles in the warning, noting that the request for the road equipment reserve fund had been lowered to reflect the actual cost of the tandem truck due for replacement in FY16-17.

Article 9 regarding the sale of town land to Kerry Kurt is the result of a petition asking that the issue be voted at a public meeting. The Selectboard agreed to have this discussion in open session, rather than executive session. Jim Runcie reviewed his research and opinion regarding the validity of the petition. He stated:

- The words “in perpetuity” were included in the background and information section of the petition, not the action to be taken. A vote to stop the sale wouldn’t bind future Selectboards.
- The incorrect address listed for the property to be sold isn’t a material concern. The town is only considering sale of this one piece of property, and the intent of the petition is clear.
- The law that applies to sale of property is 24 VSA §1061. This section does not require addresses to be included in a petition to bring the sale to a vote.

J. Runcie said it was his opinion that the town does not have the authority to turn this petition down. K. Kurt said that some people told her they wouldn’t have signed the petition if they could reconsider. J. Runcie said they would have the option to withdraw their names if the petition had been submitted under 17 VSA §2642(3), but not under the provisions of 24 VSA §1061. He reviewed the different types of petitions that could be submitted, and why the law regarding each might be different.

M. Norris moved to include the article related to sale of the land in the warning as drafted. P. Marsh seconded. Voted and approved.

The Selectboard reviewed information received from VLCT regarding the process of increasing the size of the Selectboard. In summary, if an article to increase the size of the Selectboard were to pass at town meeting, the size of the board would immediately increase, which would result in needing three Selectmen to constitute a quorum. Until a general election could be held, all three Selectmen currently on the board would have to agree on every decision. Another way to make this change would be to have a special meeting two months before town meeting to decide whether to increase the Selectboard, then elect new members by Australian ballot in March. This would minimize the amount of time the Selectboard must operate with only three members out of five. The Selectboard agreed to move this to other business as a general discussion. If it is received favorably at town meeting, a special meeting will be held in January 2017 to vote on the change.

Meeting adjourned at 6:35 pm.

Respectfully submitted,
Susan Jefferies