



# Town of Shelburne, Vermont

Draft Minutes  
SPECIAL SELECTBOARD MEETING  
January 2, 2018

Meeting Room #1, Shelburne Town Offices, 5420 Shelburne Road, Shelburne, Vermont

Selectboard Members Present: Gary, Jerry, Jaime, Josh  
Selectboard Members via Phone: Colleen  
Staff: Joe, Claudine  
Public Attendance: See Attached Sign-in Sheet

1. Call to Order – *Gary von Stange, Chair, Called the Meeting to Order at 6:00pm*
2. Consider Approval of the Agenda – *Motion by Josh, Second by Jerry, Passed 5 – 0, to Add Public Comment To the Agenda.*

*Motion by Jaime, Seconded by Jerry, Approved 5 – 0, the Agenda Was Approved with the Amendment*

3. Consider Entering Executive Session Per 1 VSA 313 (a) (1) (E) to Discuss Litigation Strategy In the Matter of Vermont Railways, Inc. v. Town of Shelburne –

*Motion by Jaime, Seconded by Jerry, Approved 4 – 0 the Selectboard Made a Finding that Premature General Knowledge of the Selectboard's Litigation Strategy in the Matter of Vermont Railways, Inc. v. Town of Shelburne Would Place the Town at a Substantial Disadvantage.*

Josh Dein recused himself but remained present in the Selectboard Meeting Room and Until the Meeting Adjourned at Agenda Item #5.

*Motion by Jaime, Seconded by Jerry, and Passed 4 – 0, the Selectboard Made a Motion to Enter Executive Session to Discuss Litigation Strategy in the Matter of Vermont Railways, Inc. v. Town of Shelburne and Invited the Town Manager and Town Attorney.*

The Selectboard entered executive session at 6:05pm

4. Consider Any Motions Resulting from the Executive Session Discussion (above) Regarding Litigation Strategy in the Matter of Vermont Railways, Inc. v. Town of Shelburne –

*Motion by Jerry, Seconded by Jaime, and Passed 4 – 0, the Selectboard Re-Entered Open Session at 7:55pm*

*Motion by Colleen, Seconded by Jaime, and Passed 3 – 1 with a Roll-Call Vote, the Selectboard Motioned to Accept the Offer Outlined in the December 18, 2017, Letter from the Vermont Natural Resources Council and Upon Receipt of the Funds Referenced Therein the Town Attorney is Authorized to Go Forward with an Appeal of the Federal Court Decision Dated December 7, 2017, in the Matter of Vermont Railways, Inc. v. Town of Shelburne. Roll Call Vote: Jaime – YES, Colleen – YES, Gary – YES, Jerry - NO*

5. Adjourn – *Motion by Jerry, Second by Jaime, Approved 4 – 0, the Selectboard Meeting Adjourned at 8:00pm*

Respectfully Submitted by Joe Colangelo, Town Manager