

SPECIAL ROXBURY SELECTBOARD MEETING  
MINUTES OF JUNE 2, 2022  
6:00 P.M. – 6:30 P.M.  
COMMUNITY HALL

MEMBERS PARTICIPATING: Chair Jon Guiffre, Shane Ryan and Road Commissioner Dave McShane

STAFF PARTICIPATING: Selectboard Assistant Tammy Legacy

PUBLIC: Arthur Smith, Gerry D'Amico, Tom Frazier, Tim Martin, Mary Bouchard and Rene Bouchard

1. The meeting was called to order at 6:00 p.m.
2. Chair Jon Guiffre stated the purpose of the meeting is the consideration and possible action on Thomas Frazier's allegation of an open meeting law violation at the May 16, 2022 Selectboard meeting.

The Board has contacted the Town attorney regarding this complaint. The Town received the complaint on May 24, 2022. Jon stated the Board acknowledges Tom's allegation and determined, after consulting with the attorney, that no violation of the Open Meeting Law occurred. The Board had entered into executive session to discuss a legal matter. The private meeting of the Board members was for its deliberations held in conjunction with a quasi-judicial proceeding, for example, the Board's consideration of Vermont Natural Burial's request for consent for the operation of a cemetery at 750 Beaver Meadow Road. These deliberations were exempt from the Open Meeting Law under 1 V.S.A. 312 (e). No finding of "premature general public knowledge" was required. The Board was mistaken in the terminology it used, but it did not violate the Open Meeting Law by deliberating in private. Jon stated the Board did not violate any law and Shane and Dave agreed.

3. Jon asked the public if they had any comments. Tom Frazier stated he did not think it is proper and feels the Board should revote on the cemetery decision. Jon stated the terminology was wrong, the Board should have been in deliberate not executive session but nothing changes with the outcome. Tom did not think it was necessary to go into executive session.
4. Arthur Smith asked about client/attorney privileges and who decides.
5. At this time the meeting became very unpleasant between the Board and the public regarding various subjects.
6. Jon apologized to the people in attendance for being upset.
7. Some discussion on cemetery issue.

The meeting adjourned at 6:30 p.m.

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Tammy Legacy, Selectboard Assistant  
Approved on June 6, 2022