

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

EXECUTIVE SESSION – AUGUST 5, 2002

JUDGE WELSH HEARING ROOM

Chairman Mary-Jo Avellar called the meeting to order at 6:25 PM noting the following attendees: Board of Selectmen Members: Chairman Mary-Jo Avellar, Cheryl Andrews, Michele Couture, Sarah Peake and Richard Olson.

Others Present: Town Manager Keith Bergman, Assistant Town Manager Mark Latour, Town Counsel John Giorgio, Chief of Police Ted Meyer

Recorder: Cheryl Andrews & Sarah Peake

The following are meeting minutes, in brief.

1A DEPLOYMENT OF SECURITY PERSONNEL

Recorder: Cheryl Andrews *Michele Couture left the room.*

Met with Chief, Keith Bergman, Mark Latour and Town Counsel John Giorgio.

Discussion ensued.

Mary-Jo Avellar left the room. Michele Couture returned.

1B STRATEGY WITH RESPECT TO LITIGATION

Meet with Town Counsel. Open discussion. Whydah - Chapter 91. We are talking with DEP Counsel. Kathleen Conley attorney for Kopelman & Paige.

Mary-Jo Avellar returned. Cheryl Andrews & Keith Bergman left the room.

Recorder: Sarah Peake

Discussion - Cape End Manor/Care Campus

Advise, don't defend certiorari action. Let DEP decide under State Statue. We will file Notice of Intent. Put our eggs in the 'correct basket' and go before DEP.

MOTION: *Move that the Board of Selectmen authorize Kopelman & Paige to negotiate agreement for judgment to dismiss the case in superior court.*

[Roll call vote]

Mary-Jo Avellar - Yes Michele Couture - Yes
Richard Olson - Yes Sarah Peake - Yes

Motion by: **Michele Couture** Seconded by: **Richard Olson** **Yea 4 Nay 0**

Cheryl Andrews & Keith Bergman return. Mary-Jo Avellar left the room.

Discussed Mad Maxine suit.

1C MacMILLAN PIER LEASE, PROFISH SUB-LEASE

Recorder: Cheryl Andrews

PROFISH - approach to negotiation.

Next meeting August 26th to see language.

Motion to adjourn at 9:18 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
August 7, 2002