

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

EXECUTIVE SESSION – AUGUST 27, 2001

JUDGE WELSH HEARING ROOM

Board of Selectmen members: Elizabeth Steele-Jeffers, Cheryl Andrews, Mary-Jo Avellar Avellar, Michele Couture.

Other Attendees: Mark Latour - Assistant Town Manager

Recorder: Cheryl Andrews, Clerk

Meeting called to order by Chairman, Betty Steele-Jeffers at 8:11 PM

The following are meeting minutes, in brief.

9A LITIGATION STRATEGY

Adams, et al. v. Town of Provincetown, et al. [Clothing Optional Beach]

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL Chapter 39, section 23B clause 3, to go into executive session for the purpose of discussion strategy with respect to litigation and not to convene in open session thereafter.*

Motion by: Cheryl Andrews **Seconded by:** Michele Couture Yea 4 Nay 0

[Roll Call Vote]

Mary-Jo Avellar – Yes Michele Couture - Yes
Cheryl Andrews –Yes Betty Steele-Jeffers - Yes

MOTION: *Move that the Board of Selectmen vote to approve Town Counsel's recommendation that one sign be installed at the Spaghetti Strip stating that nude sunbathing is prohibited per order of the Barnstable Superior Court.*

Motion by: Mary-Jo Avellar **Seconded by:** Michele Couture Yea 1 Nay 3

[Roll Call Vote]

Mary-Jo Avellar – Yes Betty Steele-Jeffers - No - **Motion Fails** -
Cheryl Andrews –No Michele Couture - No

9B LITIGATION STRATEGY

Town of Provincetown v. NYT Acquisition Corp. [Gas Dock – Land Court]

MOTION: *Move that the Board of Selectmen, in the matter of Town of Provincetown v. NYT Acquisition Corporation (formerly Provincetown Marine Fuel, Inc. et al.) to*

instruct Town Counsel to reject the defendant's proposal to have the Town pay \$300,000 to resolve this litigation.

Motion by: Mary-Jo Avellar Seconded by: Michele Couture Yea 4 Nay 0

[Roll Call Vote]

**Mary-Jo Avellar – Yes Michele Couture – Yes
Cheryl Andrews – Yes Betty Steele-Jeffers - Yes**

9B RELEASED 8-14-06

Motion to adjourn by: Michele Couture at 10:16 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
August 28, 2001