

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES – EXECUTIVE SESSION – CLOSED SESSION
WEDNESDAY – March 1, 2017, 5:00 p.m.
JUDGE WELSH ROOM - 260 COMMERCIAL STREET**

Chairman Richter convened the open meeting at 5:00 p.m. noting the following attendees:

Board of Selectmen members: Chairman Raphael Richter, Members Tom Donegan, Cheryl Andrews

Excused: Vice-Chairman Erik Yingling and Robert Anthony,

Other attendees: Town Manager David Panagore, Community Developer Michelle, Board Secretary Elizabeth Paine, and Year Round Housing Trust Committee members; Christopher Mathieson, Rob Anderson, Christopher Andrews and Kevin Mooney.

Recorder: Elizabeth Paine

MOTION:

1. Joint Meeting with the Provincetown Year-Round Rental Housing Trust Board of Trustees

MOTION: MOVE that the Board of Selectmen vote to go into Joint Executive Session with the Year-Round Rental Housing Trust Board of Trustees pursuant to MGL c30A, Section 21(a), Clause 6 for the purpose of:

Clause 6 – To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. (Real Estate-Harbor Hill in Provincetown) and not to convene in open session thereafter.

Motion: Donegan

Seconded: Andrews

Roll Call Vote:

Raphael Richter: Yes

Erik Yingling: Absent

Tom Donegan: Yes

Cheryl Andrews: Yes

Robert Anthony: Absent

3/0/0 Motion passed.

Year-Round Rental Housing Trust Board of Trustees called into session at 5:03 pm

MOTION: MOVE that the Year-Round Rental Housing Trust Board of Trustees vote to go into Joint Executive Session with the Board of Selectmen pursuant to MGL c30A, Section 21(a), Clause 6 for the purpose of:

Clause 6 – To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. (Real Estate-Harbor Hill in Provincetown) and not to convene in open session thereafter.

Motion: Thomas Donegan

Seconded: Kevin Mooney

Roll Call Vote:

Thomas Donegan: yes
Christopher Andrews: yes
Kevin Mooney: yes
Christopher Mathison: Absent at time of vote.

3/0/0 Motion passed.

Board of Selectmen went into closed session.

The group was given an update on what occurred during Court, the judge thought the whole process was improper. All parties should only be communicating with the trustee. Instructed the trustee to re-do the process. The Town will once again be the top bidder and the others will have to bid against. An order came out soon after leaving Court, the auction to be renewed, Town to be the original order and PNS terms, and a gag order. All the bidders will have to start the process at 8,150,000. Does not feel Lemon Juice is a party of interest. Feels we will be before the judge 3-4 weeks out from a bidding hearing. Town is automatically in, anyone else who wants to be in, sign a PNS, make a deposit and has to bid at least \$8,150,000. Chairman Richter wanted to know if the last big process vote allows the Trust to move forward without having to involve another vote from the Selectmen. David Panagore wants to know if there are any limitations on the court bidding process other than the highest bid amount. A discussion about specific language which would be used in Executive session that would keep the Trust in good faith but would also allow the Trust to take a vote that can then be given to the judge to show the vote.

NO MOTIONS WERE MADE

3. Other: None.

Without objection, Chairman Richter moved to adjourn the Board of Selectmen meeting at 6:04 p.m.

Roll Call Vote:

Raphael Richter: Yes
Erik Yingling: Absent
Tom Donegan: Yes
Cheryl Andrews: Yes
Robert Anthony: Absent
3/0/0 Motion passed.

Motion to adjourn the PYRRHT meeting at 6:04 p.m.

Motion: Tom Donegan

Seconded: Christopher Mathieson

Roll Call Vote:

Thomas Donegan: yes
Christopher Mathieson: yes
Rob Anderson: absent
Christopher Andrews: yes

Kevin Mooney: yes
4/0/0 Motion passed.

Minutes transcribed by: Elizabeth Paine