

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES – EXECUTIVE SESSION – OPEN SESSION  
MONDAY – APRIL 9, 2018 5:30 PM  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET**

Chair Andrews convened the open meeting at 5:35 p.m. noting the following attendees:

Board of Selectmen members: Chair Cheryl Andrews, Members Tom Donegan, and Robert Anthony.

Excused: Vice Chair Erik Yingling and Member Louise Venden

Other attendees: Town Manager David Panagore, Conservation Agent Tim Famulare, On the phone Town Council Gregg J. Corbo of KP Law, Harbormaster Rex McKinsey and Board of Selectmen Secretary Elizabeth Paine.

Recorder: Elizabeth Paine

- 1. The Board of Selectmen will vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 3, & Clauses 1, 2, 3, 4, 6, 7, & 8 for the purposes of**

**Clause 3 – To discuss litigation strategy in the following matters: Aqua King Fishery, LLC v. Conservation Commission, Barnstable Superior Court, C.A. No. 2015-00064; Conservation Commission v. Stellwagen Bank Fisheries Corp., Barnstable Superior Court, C.A. No. 2015-00387; Conservation Commission v. Patricio Palacios, Barnstable Superior Court, C.A. No. 2015-00386; and (ii) the Request for Superseding Determination of Applicability filed with the Massachusetts Dept. of Environmental Protection by David Kelley regarding commercial fishing operations for surf clams utilizing hydraulic fishing gear off Herring Cove**

**Clauses 1, 2, 3, 4, 6, 7, and 8 – To consider the approval and/or release of Executive Session Minutes for 2017& 2018.**

**MOTION:** MOVE that the Board of Selectmen will vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 3, & Clauses 1, 2, 3, 4, 6, 7, & 8 for the purposes of:

Clause 3 – To discuss litigation strategy in the following matters: Aqua King Fishery, LLC v. Conservation Commission, Barnstable Superior Court, C.A. No. 2015-00064; Conservation Commission v. Stellwagen Bank Fisheries Corp., Barnstable Superior Court, C.A. No. 2015-00387; Conservation Commission v. Patricio Palacios, Barnstable Superior Court, C.A. No. 2015-00386; and (ii) the Request for Superseding Determination of Applicability filed with the Massachusetts Dept. of Environmental Protection by David Kelley regarding commercial fishing operations for surf clams utilizing hydraulic fishing gear off Herring Cove

Votes may be taken and not to convene in open session thereafter.

**Roll Call Vote:**

**Cheryl Andrews: Yes**

**Tom Donegan: Yes**

**Robert Anthony: Yes**

Board of Selectmen went into closed session at 5:37 pm.

**Without objection, Tom moved to adjourn the Board of Selectmen meeting at 6:02 p.m.**

**Roll Call Vote:**

**Cheryl Andrews: Yes**

**Tom Donegan: Yes**

**Robert Anthony: Yes**

*Minutes transcribed by: Elizabeth Paine*