

TOWN OF PROVINCETOWN – BOARD OF SELECTMEN

EXECUTIVE SESSION – MONDAY, OCTOBER 23, 2006 5:30 PM

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews called the meeting to order at 5:30 pm noting the following Board of Selectmen members: Cheryl Andrews, Sarah Peake, Michele Couture, David Nicolau.

Excused Absence: Richard Olson

Other Attendees: Town Manager Keith Bergman, Town Counsel Laura H. Pawle, Carter Fahy and Mark White from Environmental Partner Group

Recorder: Michele Couture

The following are meeting minutes, in brief.

MOTION: Move that the Board of Selectmen vote, pursuant to MGL C. 39, §23B, clause 6, to go into executive session to discuss litigation, and the value of land; and not to convene in open session thereafter. [Roll Call Vote]

Michele Couture – Yes David Nicolau – Yes
Cheryl Andrews – Yes Sarah Peake - Yes

Motion by: Michele Couture Seconded by: David Nicolau

Yea 4 Nay 0 - **Motion Passes** –

1. **LAND NEGOTIATIONS/VALUE OF LAND**

MOTION: Move that the Board of Selectmen vote to accept Cumberland Farms' proposal relative to the property at 90 Shankpainter Road to indemnify the Town and guaranty to pay the cost of all reasonable and necessary response costs to achieve an A-3 RAO for the property that exceed \$300,000, subject to the terms and conditions set forth in Cumberland Farms letter of October 18, 2006; and to direct Town Counsel to negotiate a purchase and sale agreement for said property in accordance therewith, with said agreement to be subject to final agreement by the Board of Selectmen.

[Roll Call Vote]

Michele Couture – NoCheryl Andrews - Yes
Sarah Peake – Yes David Nicolau - Yes

Motion by: David Nicolau Seconded by: Cheryl Andrews

Yea 3 Nay 1 (Michele Couture) - **Motion Passes** -

MOTION: Move that the Board of Selectmen vote to adjourn at 6:06 PM [Roll Call]

Cheryl Andrews - Yes Michele Couture – Yes
David Nicolau – YesSarah Peake – Yes

Motion by: Michele Couture Seconded by: David Nicolau

Yea 4 Nay 0 **Motion Passes**

Minutes transcribed by: Vernon G. Porter
October 25, 2006