

TOWN OF PROVINCETOWN – BOARD OF SELECTMEN

EXECUTIVE SESSION – TUESDAY – OCTOBER 13, 2009 6:10 PM

LARKIN HALL

Chairman Michele Couture called the meeting to order at 6:10 PM noting the following Board of Selectmen members: Michele Couture, David Bedard, Mary-Jo Avellar, Austin Knight, and Elaine Anderson

Other Attendees: Town Manager Sharon Lynn, Assistant Town Manager David Gardner, DPW Director David Guertin, Town Counsel

Recorder: David Bedard

The following are meeting minutes, in brief.

1. MGL C. 39§23B cl 3 - Litigation

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C. 39, §23B, clause 3, to go into executive session to discuss litigation; and not to convene in open session thereafter.*
[Roll Call Vote]

Michele Couture – Yes Mary-Jo Avellar – Yes David Bedard - Yes
Elaine Anderson – Yes Austin Knight - Yes

Motion by: Austin Knight Seconded by: Mary-Jo Avellar
Yea 5 Nay 0 - Motion Passes -

Open discussion ensued concerning AECOM litigation.

MOTION: *Move that the Board of Selectmen vote to accept \$92K for individual claims.*
(Roll Call Vote)

Austin Knight – Yes Mary-Jo Avellar - No Michele Couture - Yes
Elaine Anderson – Yes David Bedard - Yes

Motion by: Austin Knight Seconded by: Elaine Anderson
Yea 4 Nay 1 (Mary-Jo Avellar) - Motion Passes -

MOTION: *Move that the Board of Selectmen vote to continue negotiations for \$67K for the town's share. (Roll Call Vote)*

Austin Knight – Yes Mary-Jo Avellar - Yes Michele Couture - Yes
Elaine Anderson – Yes David Bedard - Yes

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson
Yea 5 Nay 0 - Motion Passes -

Open discussion on Bryant Property. – No motions made.

MOTION: *Move that the Board of Selectmen vote to adjourn at 6:55 PM [Roll Call]*

Michele Couture – Yes Elaine Anderson – Yes Mary-Jo Avellar - Yes
David Bedard – Yes Austin Knight - Yes

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson
Yea 5 Nay 0 - Motion Passes -

Minutes transcribed by: Vernon G. Porter, October 21, 2009