

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

EXECUTIVE SESSION - MONDAY – OCTOBER 24, 2005

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews called the meeting to order at 5:04 pm noting the following Board of Selectmen members: Cheryl Andrews, Sarah Peake, Michele Couture, Richard Olson, and David Nicolau

Other attendees: Town Manager Keith Bergman, Town Counsel Jonathan Silverstein

Recorder: Sarah Peake

The following are meeting minutes, in brief.

1. LITIGATION STRATEGY: CONSERVATION COMMISSION

Gebelein v. Anderson, 438 Commercial Street.

Elaine Anderson ConCom Co-Chair arrived at 5:05 pm. At 5:10 pm Dieter Groll ConCom Co-Chair arrived.

5:25 PM – Elaine Anderson and Dieter Groll left the room.

MOTION: *Move that the Board of Selectmen vote to authorize Town Counsel to agree to a remand of the case of Gebelein v. Anderson back to the Conservation Commission.*

Motion by: Sarah Peake **Seconded by**: Michele Couture

[Roll Call]

Sarah Peake – Yea Michele Couture – Yea Richard Olson – Yea

David Nicolau – Yea Cheryl Andrews – Yea

Yea – 5 Nay – 0 **Motion Passes**

1B LITIGATION STRATEGY/VALUE OF LAND

Cape Cod Oil – Cumberland Farms – Encroachment Issues - Housing

Cheryl Andrews asked Board to give feedback about the Cumberland Farms matter.

Discussion ensued

Board expressed need to see a willingness to sell on part of Cumberland Farms before proceeding further with any settlement offer to the Tasha's.

Motion to adjourn by Michele Couture at 6:04 pm

Minutes transcribed by: Vernon G. Porter
October 25, 2005