

## Finance Committee



Judge Welsh Meeting Room - 4:32 p.m.

March 17, 2014

**Members Present:** Mike Canizales, Raphael Richter, Clarence Walker, Duane Steel, Catherine Russo, Stan Sikorski / **Others Present:** Dan Hoort, Finance Director, MaryJo Avellar, Town Moderator

Mike Canizales opened the meeting at 4:32 p.m.

The meeting revolved around a complaint by Brian Carlson who stated that on Tuesday, February 11, 2014, he had witnessed, at George's Pizza, a Town of Provincetown Finance Committee Meeting being held. He stated in his complaint that there were five members of the Finance Committee (Mike Canizales, Catherine Russo, Stan Sikorski, Clarence Walker, and Duane Steele), Town Moderator MaryJo Avellar, and a member of the public that he did not know, and that a budget binder was open. He stated that they were discussing services of the town council, and that there was no public notice of the meeting. He also stated there were other witnesses. Although invited, Brian Carlson did not attend the meeting, and the other witnesses were not identified. Mike stated he felt Brian should have attended to say specifically what he heard being discussed. He stated that it was not a meeting, but it was a spontaneous gathering after the four hour meeting on February 11, 2014. Mike stated he reviewed the PTV tape which showed that the committee had an open meeting, on camera, and had already discussed, deliberated, and voted on the legal budget. Mike feels that a discussion regarding the meeting, which is open to the public, is appropriate.

Clarence Walker stated that the members had gone for refreshments after a four hour meeting. He stated that the books were on the table next to the coats. He said it was just a gathering after the long meeting, and that there was no discussion of the meeting. MaryJo Avellar shared that (1) she is offended by the claim made and felt that Brian should have come to the meeting, and (2) that other committees gather after meetings. She spoke of her frustration at this type of a complaint which has no merit. She stated that there have been other complaints of this type that were ruled to be in compliance. She also stated she had spoken to John Giorgio who informed her that if the complaint was not withdrawn, it would go to the Attorney General's office. She feels the complaint is an insult.

Duane Steele shared that he also feels offended stating that it is a relief to spend time with others board members. Raphael Richter stated that although he was not there, he believed

that the binder was not open, and that it was more about the perception of what happened. That it has to be a lesson and members need to be more aware. He feels there should be an investigation because of the perception. Mike Canizales discussed open meeting law. Clarence Walker stated that he would welcome the issue going to the Attorney General.

Mike Canizales stated that if a person has a concern, they should at that time ask questions. He feels that it is reasonable for town staff to ask questions. Mike went on to state that the fee costs between \$3,000-7,000 if going to the Attorney General. Mike shared that he feels the meeting could not be more transparent.

Catherine Russo encouraged staff to work with town boards stating that that is an easier way to see if something was happening. She said the claim is very upsetting.

Raphael Richter stated he is in favor of having it reviewed. He made a motion that the Finance Committee support sending the claim to the Attorney General for review. The Town Council will write up the paperwork. The motion was seconded by Clarence Walker. Stan Sikorski asked how the review would be different, and that Brian Carlson has to decide whether to go further with the claim. The motion passed unanimously.

The meeting was adjourned at 5:00 p.m.

Respectfully submitted:

Maghi Geary