

**TOWN OF PROVINCETOWN – BOARD OF SELECTMEN
MEETING MINUTES
MARCH 10, 2014 4:30 PM
EXECUTIVE SESSION – CLOSED SESSION
TOWN HALL – JUDGE WELSH MEETING ROOM**

Chairman Elaine Anderson called the meeting to order at 4:30 PM noting the following Board of Selectmen members: Elaine Anderson Tom Donegan, Austin Knight, David McChesney and Erik Yingling.

Other Attendees: Acting Town Manager David Gardner

Recorder: Mary Timmons

The Board then voted to enter into executive session as follows:

1. **MOTION: MOVE that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A Section 21 (1) Clause 3 for the purpose of:**
Clause 1, 2, 3 4, 6, and 8 – To consider the approval and release of Executive Session Minutes for 1999. (Votes may be taken)

Clause 6 - To consider the purchase, exchange, lease or value of real estate. The chair has determined that an open meeting may have a detrimental effect on the negotiating position of the Town. (Votes may be taken)

- A. Discuss/consider acquisition of private property.
- B. Consideration of the proposals of the sale of surplus property for 46 Bradford Street and 26 Alden Street properties.

Motion by: Austin Knight Seconded by: Erik Yingling

Roll Call Vote:

David McChesney - Yes
Erik Yingling – Yes
Austin Knight – Yes
Elaine Anderson - Yes
Tom Donegan: yes Yea 5 Nay 0 Motion passes

Clause 1, 2, 3 4, 6, and 8

MOVE that the Board of Selectmen vote to approve and/or release the executive session minutes from the following meetings in 2013. [Roll Call Vote]

- January 9, 2013 Approve/ Release
Motion by: Austin Knight Seconded By: David McChesney Yea 5 Nay 0
- February 4, 2013 Approve/No Release
Motion by: Erik Yingling Seconded By: David McChesney Yea 5 Nay 0
- February 19, 2013 Approve/No Release
Motion by: Austin Knight Seconded By: David McChesney Yea 5 Nay 0
- June 10, 2013 Approve/No Release
Motion by: Erik Yingling Seconded By: Austin Knight Yea 5 Nay 0

- June 18, 2013 Approve/No Release
Motion by: Austin Knight Seconded By: David McChesney Yea 5 Nay 0
- July 16, 2013 Approve/No Release
Motion by: Tom Donegan Seconded By: David McChesney Yea 5 Nay 0
- July 18, 2013 Approve/No Release
Motion by: Tom Donegan Seconded By: David McChesney Yea 5 Nay 0
- August 12, 2013 Approve/No Release
Motion by: Austin Knight Seconded By: David McChesney Yea 5 Nay 0
- September 16, 2013 Approve/Release as amended. Regarding Clause 2, Tom Donegan recused himself
Motion by: Erik Yingling Seconded By: David McChesney Yea 5 Nay 0
- September 19, 2013 Approve/No Release
Motion by: Erik Yingling Seconded By: David McChesney Yea 5 Nay 0
- October 15, 2013 Approve/Release as amended. Item B Clause 3 add "has hired Counsel to represent the Town."
Motion by: Erik Yingling Seconded By: David McChesney Yea 5 Nay 0
- October 18, 2013 Approve as amended/No Release. Add Mary Timmons to the list of applicants
Motion by: Austin Knight Seconded By: David McChesney Yea 5 Nay 0
- October 24, 2013 Approve as amended/Release. Remove Chair Austin Knight convened the meeting at 8:00 a.m.
Motion by: David McChesney Seconded By: Erik Yingling Yea 5 Nay 0
- November 25, 2013 Approve/No Release
Motion by: Tom Donegan Seconded By: David McChesney Yea 5 Nay 0
- December 11, 2013 No Action, send notes to Darren Klein of Kopelman and Paige
No action taken

Clause 6 - To consider the purchase, exchange, lease or value of real estate. The chair has determined that an open meeting may have a detrimental effect on the negotiating position of the Town. (Votes may be taken)

- A. Discuss/consider acquisition of private property.
- B. Consideration of the proposals of the sale of surplus property for 46 Bradford Street and 26 Alden Street properties.

David Gardner summarized the memo and evaluation report provided to the Board regarding 26 Alden Street. New Boston Ventures has a highly advantageous rating. The purchase price is \$1,115,000, just slightly above the appraised price. New Boston does a lot of development and they have the resources to develop the property. David then explained the contents of their memo and addressed possible remaining questions and options. The Board discussed the actual price and the affordable rental units. The Board discussed whether to accept the \$1,115,000 offer or purchase the three affordable rental units for a total of \$390,000, thus reducing the profit to \$665,000, and negotiating subsidy. It was decided to accept the offer and negotiate subsidies at a later date.

MOVE that the Board of Selectmen vote to make the proposal at the original sale price subject to negotiations in the purchase and sale at the regular meeting.

Motion by: Austin Knight Seconded By: David McChesney Yea 5 Nay 0

Roll Call Vote:

David McChesney - Yes

Erik Yingling – Yes

Austin Knight – Yes

Elaine Anderson - Yes

Tom Donegan: yes

Yea 5 Nay 0 Motion passes

Discussion then was about the Building at 46 Bradford Street. We look at the subsidy and try to look at it as a second mortgage, restrict use over course of years, and hold the lien over his head. As long as he operates the business as intended then we can craft this so the mortgage reduces over a number of years. We never lose the value of the property. There should be hostel and work force housing. Zoning will not play into this.

David Gardner said we have to consider the true value. He is offering half of the assessed value of 2011. If we enter into serious negotiations we have to narrow down the subsidy and define it. David informed the board we could get an appraisal for either \$1,500 or \$2,750 which would provide a summary narrative. The Board stated they are willing to pay the \$2,750. Both parties will need to do an appraisal and these will compete. The buyer's will be based on value of property and value as he is proposing a construction loan. He can counter our appraisal then we can negotiate.

MOVE that the Acting Town Manager get an updated appraisal of the property at 46 Bradford Street spending up to \$2,750 for a summary narrative.

Motion by: Erik Yingling Seconded By: Tom Donegan Yea 5 Nay 0

Roll Call Vote:

David McChesney - Yes

Erik Yingling – Yes

Austin Knight – Yes

Elaine Anderson - Yes

Tom Donegan: yes

Yea 5 Nay 0 Motion passes

MOTION: to adjourn: Austin Seconded by: Elaine Yea 5 Nay 0

Roll Call Vote:

David McChesney - Yes

Erik Yingling – Yes

Austin Knight – Yes

Elaine Anderson - Yes

Tom Donegan: yes

Yea 5 Nay 0 Motion passes

Minutes transcribed by: Mary Timmons 312/2014