

**TOWN OF PROVINCETOWN – BOARD OF SELECTMEN
MEETING MINUTES
WEDNESDAY, JANUARY 14, 2015
EXECUTIVE SESSION – CLOSED SESSION
TOWN HALL – JUDGE WELSH ROOM**

Chairman Tom Donegan called the meeting to order at 4:30 PM noting the following Board of Selectmen members: Tom Donegan, Erik Yingling, Cheryl Andrews, Robert Anthony, and Raphael Richter

Other Attendees: Acting Town Manager David Gardner, Acting Assistant Town Manager Michelle Jarusiewicz, Harbormaster Rex McKinsey, and Chairman of the Conservation Commission Dennis Minsky.

Recorder: Loretta Dougherty

MOVE that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A Section 21 (a) Clause 6 and Clause 3 for the purpose of:

Clause 6 – To consider the purchase of, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Votes may be taken.

Clause 3 – To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Votes may be taken.

and not to convene in open session thereafter.

Motion by: Raphael

Seconded by: Robert Anthony

Roll Call Vote:

Cheryl Andrews: Yes

Robert Anthony: Yes

Raphael Richter: Yes

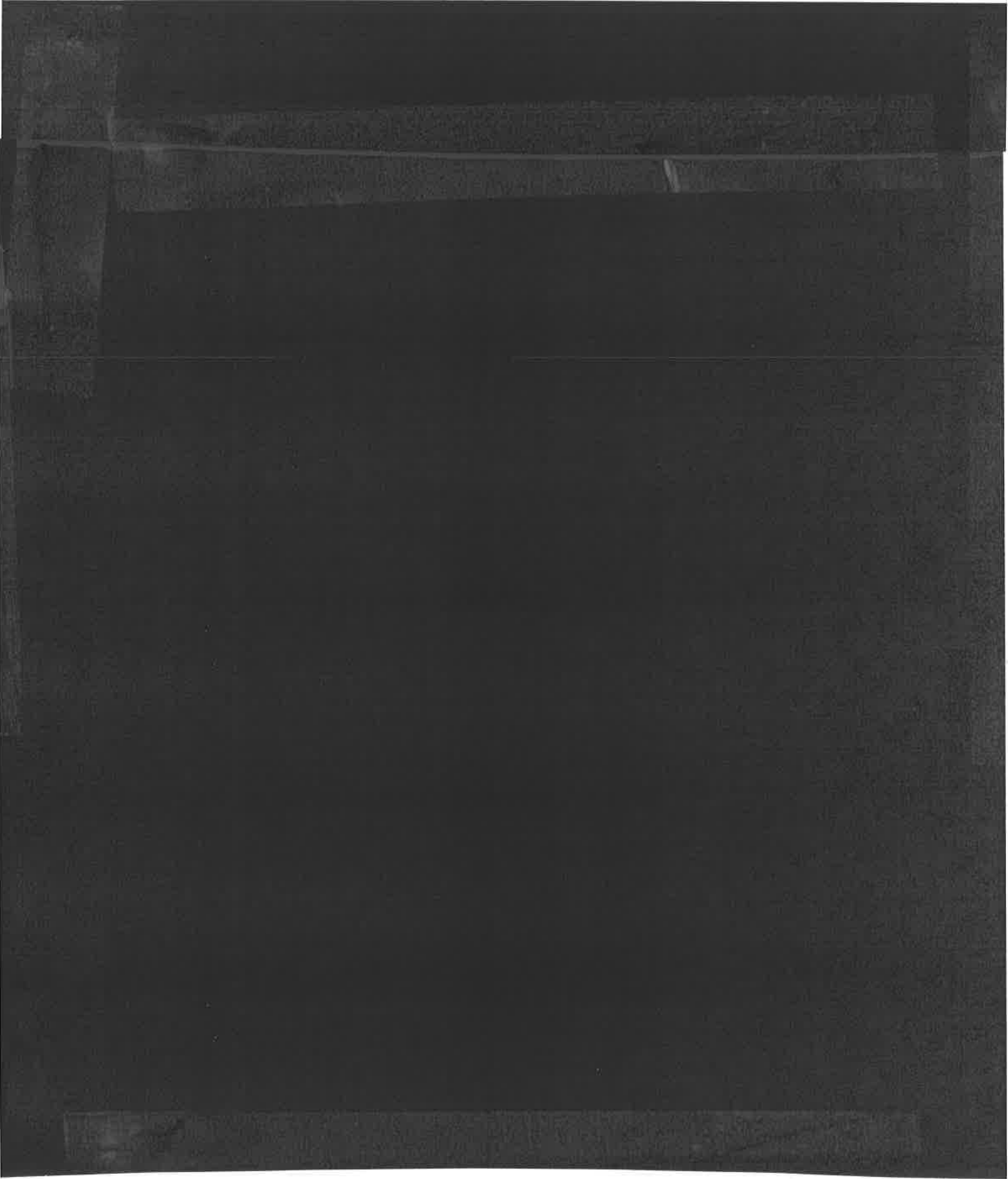
Erik Yingling: Yes

Tom Donegan: Yes

Yea: 5 Nay: 0 Motion passed

The Board entered into executive session at approximately 7:55 pm.

Tom requested that without objection the Board of Selectmen take the clauses out of order.





Clause 3

(Marcum LLP – Bill for Rudewicz Testimony at Arbitration Hearing)

Acting Town Manager David Gardner was about to read the following paragraph from an email sent to him on January 12, 2015, regarding an invoice on the above mentioned case when Tom got up and told the BOS and staff that he was not going to get involved in this issue. Tom left this portion of the Executive Session at 9:01pm.

David stated that it was in the agreement that, if testimony was given, compensation would be made although it is not clearly stated how to handle this situation.

After a brief discussion among staff and BOS it was agreed that the bill should be paid.

MOTION: Move that the Board of Selectmen authorize the Town Manager to pay the amount of \$997.05 to Marcum, LLP.

**Motion: Raphael Richter
(Roll Call)**

Seconded: Cheryl Andrews

Raphael Richter: Yes

Cheryl Andrews: Yes

Robert Anthony: Yes

Erik Yingling: Yes

Yea: 4 Nay: 0 Motion passed

Motion to adjourn at 9:22pm by: Tom Donegan

Seconded: Erik Yingling

(Roll Call Vote)

Tom Donegan: Yes

Erik Yingling: Yes

Raphael Richter: Yes

Robert Anthony: Yes

Cheryl Andrews: Yes

Yea: 5 Nay: 0 Motion passed

There being no further motions the meeting was adjourned at 9:22 pm.

Minutes transcribed by: Loretta Dougherty