

**TOWN OF PROVINCETOWN – SELECT BOARD  
MEETING MINUTES – EXECUTIVE SESSION –OPEN SESSION  
MONDAY –SEPTEMBER 10, 2018 5:00 PM  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET**

Chair Venden convened the open meeting at 5:00 p.m. noting the following attendees:

Select Board Members: Chair Louise Venden, Vice Chair, Tom Donegan, Cheryl Anthony, Robert Anthony, Lise King.

Excused:

Other attendees: Town Manager David Panagore, Town Counsel John Giorgio, Temporary Secretary Linda Fiorella.

Recorder: Linda Fiorella

**1. The Select Board will vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clause 3: for the purposes of**

**Clause 3 – To discuss litigation strategy with respect to pending litigation involving the following cases: Berarducci v. Provincetown Historic District Commission; Binder, et al. v. Provincetown Historic District Commission; Deckelbaum, Trustee of the Huey Trust v. Provincetown Zoning Board of Appeals and Siobhan Carew; and Lora Papetsas, Individually and as Trustee of the Jack Papetsas Revocable Living Trust; Kucinkas v. Provincetown Planning Board and BPJC LLC; White Sand Beach Club, Inc v. Provincetown Zoning Board of Appeals, et al.; Hydraulic Dredge – Requests for Determination of Applicability; Town of Provincetown, by and through its Conservation Commission and Harbormaster v. Patricio A. Palacios, David L. Kelley, and Stephen F. Lozinak; Town of Provincetown, by and through its Conservation Commission and Harbormaster v. Stellwagen Bank Fisheries Corporation; AFSCME Council 93 v. Town of Provincetown (DPW); Brian M. DeLaurentis and John S. Cunningham; Trustees of the 19 Tremont Condominium Trust v. Raymond Trevino, as heir to the Estate of John C. Graves and Town of Provincetown; Aqua King Fishery, LLC v. Town of Provincetown Conservation Commission; In re: Harbor Hill At Provincetown Condominium Trust; Sinaiko et al. v. Provincetown Zoning Board of Appeals.**

**MOTION**: Vice Chair Donegan moved that the Board of Selectmen will vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clause 3 for the purposes of:

Clause 3 – To discuss litigation strategy with respect to pending litigation involving the following cases: Berarducci v. Provincetown Historic District Commission; Binder, et al. v. Provincetown Historic District Commission; Deckelbaum, Trustee of the Huey Trust v. Provincetown Zoning Board of Appeals and Siobhan Carew; and Lora Papetsas, Individually and as Trustee of the Jack Papetsas Revocable Living Trust; Kucinkas v. Provincetown Planning Board and BPJC LLC; White Sand Beach Club, Inc v. Provincetown Zoning Board of Appeals, et al.; Hydraulic Dredge – Requests for Determination of Applicability; Town of Provincetown, by and through its Conservation Commission and Harbormaster v. Patricio A. Palacios, David L. Kelley, and Stephen F. Lozinak; Town of Provincetown, by and through its Conservation Commission and Harbormaster v. Stellwagen Bank Fisheries Corporation; AFSCME

Council 93 v. Town of Provincetown (DPW); Brian M. DeLaurentis and John S. Cunningham; Trustees of the 19 Tremont Condominium Trust v. Raymond Trevino, as heir to the Estate of John C. Graves and Town of Provincetown; Aqua King Fishery, LLC v. Town of Provincetown Conservation Commission; In re: Harbor Hill At Provincetown Condominium Trust; Sinaiko et al. v. Provincetown Zoning Board of Appeals

The Chair has determined that an open session may have detrimental effect on the litigation position of the Town.

Vice Chair Donegan stated for the record that he would be recusing himself during the discussion of Kucinskas v. Provincetown Planning Board and BPJC LLC, due to being an abutter of the property. Select Member Anthony stated for the record that he would be recusing himself during discussion of Berarducci v. Provincetown Historic District Commission and Deckelbaum, Trustee of the Huey Trust v. Provincetown Zoning Board of Appeals and Siobhan Carew; and Lora Papetsas, Individually and as Trustee of the Jack Papetsas Revocable Living Trust due to his company having had a prior a agreement and sale with Lora Papetsas.

Votes may be taken and not to convene in open session thereafter.

**Roll Call Vote:**

**Louise Venden: aye**

**Cheryl Andrews: aye**

**Tom Donegan: aye**

**Robert Anthony: aye**

**Lise King: aye**

Board of Selectmen went into closed session at 5:03 pm.

*Minutes transcribed by: Linda Fiorella*