

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

EXECUTIVE SESSION – FEBRUARY 26, 2001

JUDGE WELSH HEARING ROOM

Board of Selectmen members: Elizabeth Steele-Jeffers, Richard Prowell, David Atkinson, Mary-Jo Avellar. Excused Absence: Cheryl Andrews

Other Attendees: Keith Bergman, Town Manager and Mark Latour, Assistant Town Manager

Recorder: Cheryl Andrews, Chairman

Meeting called to order by Chairman, Betty Steele-Jeffers

The following are meeting minutes, in brief.

9A LITIGATION STRATEGY  
Tax Title Proceedings

**MOTION:** *Move that the Board of Selectmen vote, pursuant to MGL Chapter 39, section 23B clause 3, to go into executive session for the purpose of discussion strategy with respect to litigation; and not to convene in open session thereafter.*

Motion by: Mary-Jo Avellar      Seconded by: David Atkinson      Yea 4 Nay 0

[Roll Call Vote]

Mary-Jo Avellar – Yes      Richard Prowell – Yes      Betty Steele-Jeffers – Yes  
David Atkinson – Yes

**MOTION:** *Move that the Board of Selectmen vote to authorize the Treasurer/Collector to initiate foreclosure proceedings on all properties placed in tax title prior to 1999, on which there is no current payment schedule with the Treasurer/Collector; and further to authorize Town Counsel Kopelman and Paige to send demand letter prior to the initiation of said proceedings.*

Motion by: David Atkinson      Seconded by: Richard Prowell  
Yea 3 Nay 0 Abstain 1

[Roll Call Vote]

Richard Prowell – Yes      Betty Steele-Jeffers – Yes      David Atkinson – Yes  
Mary-Jo Avellar – Abstain

9B LITIGATION STRATEGY  
Whale Watch Drive (Dorothy Walter v. Provincetown)

MOTION: *Move that the Board of Selectmen vote to authorize Town Counsel to enter into settlement discussion with the plaintiff in the matter of Dorothy Walter v. Town of Provincetown with direction to offer two (2) hookups and to report back to the Board of Selectmen.*

Motion by: David Atkinson      Seconded by: Mary-Jo Avellar    Yea 4    Nay 0

[Roll Call Vote]

Mary-Jo Avellar - Yes      Richard Prowell - Yes      Betty Steele-Jeffers - Yes  
David Atkinson - Yes

9C LITIGATION STRATEGY  
Cape Light Compact Suit

MOTION: *Move that the Board of Selectmen vote to execute the Five-year Participant Agreement for the Sale and Purchase of Electricity with PECO Energy Company and its wholly-owned subsidiary Exelon Energy and authorize the Town Manager to execute any further agreements related to the Town's participation with the Cape Light Compact Governing Board in a lawsuit against Exelon to enforce the right to receive continued electricity discounts for the Town.*

Motion by: Mary-Jo Avellar      Seconded by: Betty Steele-Jeffers    Yea 4    Nay 0

[Roll Call Vote]

Mary-Jo Avellar - Yes      Richard Prowell - Yes      Betty Steele-Jeffers - Yes  
David Atkinson - Yes

Motion to adjourn by Mary-Jo Avellar at 10:30 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen  
July 30, 2001