

**TOWN OF PROVINCETOWN – BOARD OF SELECTMEN
MONDAY, FEBRUARY 29, 2016 @ 5:00 p.m.
EXECUTIVE SESSION – CLOSED
TOWN HALL – JUDGE WELSH ROOM**

Chairman Tom Donegan called the open meeting to order at 5:00 p.m. noting the following Board of Selectmen members: Tom Donegan, Erik Yingling, Cheryl Andrews, Raphael Richter, and Robert Anthony.

Other attendees: Town Manager David Panagore and Asst. Town Manager David Gardner.

Recorder: Loretta Dougherty

The Board motioned to go into Executive Session at approximately 9:05 p.m. and voted as follows:

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

Clause 6 - To consider the purchase of, exchange, lease or value of real estate, if the chair declares (chair declared) that an open meeting may have a detrimental effect on the negotiating position of the public body. Old Community Center (46 Bradford Street) & Winslow Farm (44-48 Winslow). Votes may be taken.

and to convene in open session thereafter.

**Motion to adjourn was made by: Erik Yingling
(Roll Call Vote)**

Seconded: Robert Anthony

Tom Donegan: Yes

Erik Yingling: Yes

Cheryl Andrews: Yes

Raphael Richter: No

Robert Anthony: Yes

Yea: 4 Nay: 1 Motion passed.

Raphael stated that he will not vote to go into Executive Sessions after 9:00 p.m. based upon principal.

The Board went into Executive Session at approximately 9:07 p.m.

Clause 6: Old Community Center (46 Bradford Street) & Winslow Farm (44-48 Winslow):

David Panagore has spoken with Mr. Savko about doing two community housing units on Bradford Street. Jim does not want to deal with below market units. He wants a simple straight forward action. Mr. Savko's offer will require either compliance with 1) Section 4170; 2) Growth Management, and 3) Water & Sewer Board's regulations or a well-crafted modification, exemption, exclusion or change. The transaction as currently contemplated will require only a majority vote as there is no appropriation of funds, which is specifically what would trigger a 2/3 vote.

Cheryl asked why we would not exempt him from Growth Management and call it public use which would require a 2/3 vote at Town Meeting just like we did for Seashore Point? She wants to have the round table on the Economic Development Permit process before she will vote on giving any more gallons away.

Raphael believes a discussion should be had about the permit process as well. He would like to figure out a way to get this through on a majority vote.

David G. will locate the Article that was done with Seashore Point.

Raphael will support the Economic Development Permit method.

Erik would like to go the route of the permit.

David P. asked for a vote from the Board.

MOTION: Move that the Board of Selectmen authorize the Town Manager draft a Town Meeting Warrant Article that would contain an exemption from Growth Management, a Declaration of Public Purpose, and issuance of an Economic Development Permit that relates to the swap.

**Motion: Erik Yingling
(Roll Call Vote)**

Seconded: Robert Anthony

Tom Donegan: Yes

Erik Yingling: Yes

Cheryl Andrews: Yes

Raphael Richter: Yes

Robert Anthony: Yes

Yea: 5 Nay: 0 Motion passed.

Other: None.

Motion to go back into open session at 9:45pm by: Tom Donegan

Seconded: Raphael Richter

(Roll Call Vote)

Tom Donegan: Yes

Erik Yingling: Yes

Cheryl Andrews: Yes

Raphael Richter: Yes

Robert Anthony: Yes

Yea: 5 Nay: 0 Motion passed.

Minutes transcribed by: Loretta Dougherty