

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN**  
**MEETING MINUTES – EMERGENCY MEETING**  
**TUESDAY, APRIL 24, 2018 4:00 PM**  
**TOWN HALL – AUDITORIUM**

Chair Andrews convened the open meeting at 4:02 pm noting the following:

Board of Selectmen attending: Chair Cheryl Andrews, Members Robert Anthony, Tom Donegan and Louise Venden

Excused: Vice Chair Erik Yingling

Other attendees: Assistant Town Manager David Gardner, Town Council John Giorgio and Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

- 1. Pursuant to G.L. c. 30A, s. 20(b), the Board of Selectmen will hold an emergency meeting in the Judge Welch Hearing Room at Town Hall, 260 Commercial Street, Provincetown, MA, today, April 24, 2018 at 4:00 PM for the purpose of discussing the options available to the Town in light of the fact that the Town failed to comply with the requirements of G.L. c. 43B, s. 11 to mail a copy of the proposed Charter Revision to the registered voters of the Town at least two weeks before the Annual Election, which is scheduled for one week from today, May 1, 2018. The Chair has determined that an emergency exists because the Board of Selectmen was not informed until today of the failure to mail the Revised Charter in a timely manner, and that this circumstance is an unexpected occurrence which demands immediate action. Votes may be taken.**

Vice Chair Yingling was listening on the phone.

Chair Andrews called the emergency meeting after being informed that the Charter Revision was not mailed out 2 weeks prior to the May 1<sup>st</sup> Election.

Town Council John Giorgio present to discuss with the Selectmen. The Selectmen failed to mail the Charter Revision 2 weeks prior to the ballot on Tuesday. Town Council Lauren Goldberg sent a memo to the Board prior to the meeting and outlined the obligations of the Selectmen. Strict compliance with the law has not been done at this point. The legislation has not caught up the current method of communication. The statute is very clear and it is the obligation of the Board of Selectmen to comply.

Chair Andrews – I will not argue with that, the law is the law. More of the issue is to deal with it. We have a horrible political problem and a leadership challenge, we were elected to do a job, a mistake was made and we need to deal with it. The result, it doesn't matter what it is, will be compromise and when you are talking about a charter that is unacceptable. The question becomes, what actions will this board or any other take to move into the future with that. My sense is that no matter what, this charter should be on the elections for 2019. Since there is no way to meet our obligation, the question becomes what do we do between now and Tuesday. Based on our conversation earlier today, is that this has to be on the annual town election. In my view, the charter vote will be tainted.

Town Council and the Selectmen discussed a verity of options spelled out in the email from Lauren Goldberg (attached to the minutes) that the Town could do moving forward.

Selectman Venden – I believe the Charter Commission has spent a great deal of time on this, my concern is that we not rush to move this forward if there are likely to be challenged.

**Selectman Donegan moved that the board of selectmen vote to direct town staff to work with town council to implement steps 1 and 2 outlined in the memo by Lauren Goldberg.**

**Selectman Anthony seconded the motion**

**Vote: 4/0/0**

Meeting was adjourned at 4:34 pm

Minutes transcribed by: Elizabeth Paine