

**Board of Selectmen's Meeting
Monday, May 11, 2015 – 6:15 PM
Medway High School --- Room 111-1
88 Summer Street**

Present: Dennis Crowley, Chair; John Foresto, Vice-Chair; Richard D'Innocenzo, Clerk (6:36 PM); Glenn Trindade and Maryjane White.

Also Present: Michael Boynton, Town Administrator; Melanie Phillips, Finance Director; Tom Holder, Director, Department of Public Services; Susy Affleck-Childs, Planning Coordinator.

At 6:20 PM Chairman Crowley called the meeting to order and led the Pledge of Allegiance.

Public Comments: None.

At 6:21 Selectman Trindade moved that the Board enter Executive Session under Exemption 3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect of the bargaining or litigating position of the public body and the chair so declares [Maritime Housing v. PEDB, "Redgate" Lawsuit]; Selectman White seconded. The chair did so declare. No discussion. Roll Call Vote: 4-0-0 (Crowley, aye; Foresto, aye; Trindade, aye, White, aye).

At 6:30 PM Chairman Crowley reconvened Public Session.

Update from Town Counsel – Unaccepted Roads:

There were no background materials.

Ms. Barbara Saint André, Town Counsel, reported that some of the Town's unaccepted roads are private roads. She has checked the deeds which revealed that roads are owned by the developers. Under state law, the Town is not allowed to spend funds on road maintenance of private roads.

Mr. Boynton asked about the Town's ability to suspend snow plowing on private ways. Ms. Saint André expressed caution in that it would be tricky to pick and choose between all the private roadways in Medway. Ideally, the Town/Board needs to set some kind of standard or define criteria.

Ms. Susy Affleck-Childs pointed out that there is a difference between a bona fide private way or one that is temporarily private and intended to be accepted upon completion.

Discussion followed on what rights the developer might have to use the roads. The burden of proof is on the developer.

General Discussion of Special and Annual Town Meeting Warrants:

The Board reviewed the following materials: (1) Special Town Meeting Warrant and motions; and (2) Annual Town Meeting Warrant Index, Warrant and motions. It is noted that Articles 22, 25 and 26 have substitute motions depending upon action by Town Meeting on preceding articles, Art. 21 in the case of

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Art. 22, and Art. 24 (zoning recodification) in the case of Arts. 25 and 26. Also, the BOS recommendation for the Citizens' Petitions articles (#30 and 31) remain TBD.

Brief discussion followed on final town meeting preparations, revised motions, anticipated amendments, etc.

Approval of Warrants:

The Board reviewed Warrant 15-46S.

Selectman D'Innocenzo, Clerk, read aloud Warrant 15-46S, dated 5-14-15, presented for approval:

School Bills	\$ 436,753.43
Town Bills	<u>\$ 691,465.55</u>
TOTAL	\$1,128,218.98

Selectman Trindade moved that the Board approve the Warrant as read; Selectman White seconded. No discussion. VOTE: 5-0-0.

At 6:40 PM Selectman Trindade moved to adjourn; Selectman White seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary