

December 8, 2015
Medway Planning and Economic Development Board Meeting
155 Village Street
Medway, MA 02053
Executive Session

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio
Attendance	X	X	X	X	X

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Stephanie Mercandetti, Director of Planning and Economic Development
Gino Carlucci, PGC Associates
Amy Sutherland, Recording Secretary

EXECUTIVE SESSION

The Board entered into executive session at 9:50 p.m. for purpose of discussing strategy with respect to litigation in the case of Maritime Housing LLC vs. the Medway Planning and Economic Development Board after the chairman declared that an open meeting may have a detrimental effect on the Town's litigating position.

The Board is in receipt of the following:

- CONFIDENTIAL email note dated 12-7-15 from Town Counsel Barbara Saint Andre
- Letter dated 12-1-15 from Attorney Steve Kenney, representing Maritime Housing Fund.

The Board was made aware that the plaintiff is withdrawing their lawsuits against the Town of Medway Planning and Economic Development Board and the Zoning Board of Appeals.

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted by roll call vote to agree to the stipulation for dismissal.

Roll Call Vote:

Tom Gay	aye
Bob Tucker	aye
Matt Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye


On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted by roll call vote to adjourn the executive session.

Roll Call Vote:

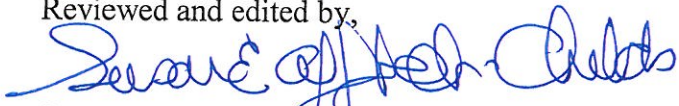
Tom Gay	aye
Bob Tucker	aye
Matt Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye

The executive session adjourned at 9:58 pm.

Respectfully Submitted,


Amy Sutherland
Recording Secretary

Reviewed and edited by,


Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Kennedy & Kennedy
ATTORNEYS AT LAW

STEPHEN J. KENNEY
PAUL V. KENNEY

181 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
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PETER J. KENNEY (1973-1980)

December 1, 2015

Barbara J. St. André, Esq.
Petrini & Associates
372 Union Avenue
Framingham, MA 01702

RE: Maritime Housing Fund, LLC v.
Town of Medway Planning and
Economic Development Board, et al
Civil Action No. 14-00850
and
Maritime Housing Fund, LLC v.
Town of Medway Zoning Board of Appeals
Civil Action No. 15-00054

Dear Barbara:

My client has determined that it does not wish to proceed with the currently outstanding actions against the Town of Medway Planning and Economic Development Board and Zoning Board of Appeals.

I enclose a Stipulation of Dismissal pursuant to Mass. R. Civ. P. 41(a)(1) for each matter for your review and signature. If in order, please sign and return to my office so that I may file the Stipulation of Dismissals with the Court.

It has been a pleasure working with you on these matters. I appreciate your cooperation and assistance.

Sincerely,


Stephen J. Kenney

SJK:lc

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 15-00054

MARITIME HOUSING FUND, LLC,
PLAINTIFF

V.

DAVID J. COLE, ANTHONY BIOCCHI,
CAROL GOULD, WILLIAM KENNEDY,
and CRAIG OLSEN, as they constitute
the TOWN OF MEDWAY ZONING BOARD OF
APPEALS,
DEFENDANTS

STIPULATION OF DISMISSAL

Now come the parties in the above entitled action and stipulate,
pursuant to Rule 41(a)(1)(ii), that the said action is dismissed.

Respectfully submitted
David J. Cole, Anthony Biocchi,
Carol Gould, William Kennedy,
and Craig Olsen, as they constitute
the Town of Medway Zoning Board
of Appeals
by its attorney,

Barbara St. André, Esq.
Petrini & Associates, P.C.
372 Union Avenue
Framingham, MA 01702
508-665-4310
bstandre@petrinilaw.com

Respectfully submitted
Maritime Housing Fund, LLC
by its attorney,

Stephen J. Kenney, Esq.
Kenney & Kenney
181 Village Street
Medway, MA 02053
508-533-6711
BBO #549507
sjk@kenney-law.com