

**RECORD OF VOTE OF THE DOVER BOARD OF SELECTMEN**

**BAY COLONY RAIL TRAIL MOU**

**February 16, 2017**

At a duly called public meeting of the Dover Board of Selectmen on February 16, 2017, the Board moved, seconded, and voted as follows with respect to the proposed Bay Colony Rail Trail (a/k/a the Dover Greenway) in the Town of Dover (the "Rail Trail"):

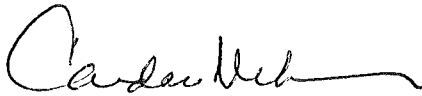
1. To authorize Town Counsel's office, before the Town's 2017 Annual Town Meeting, to negotiate a Memorandum of Understanding ("MOU") with the Friends of the Dover Greenway Inc. (the "Friends"), covering the timing and donation by the Friends to the Town pursuant to M.G.L. c. 44, § 53A, of funds sufficient to cover all costs of the Rail Trail and the Town's obligations under the proposed "Alternative Transportation Corridor Lease Agreement by and between Massachusetts Bay Transportation Authority and Town of Dover" (the "Lease"), including without limitation the costs of (a) architects, engineers, surveyors, attorneys, and related professionals; (b) due diligence, surveys, plan preparation, designs, permitting, environmental insurance, and environmental investigation and compliance measures; (c) public bidding and other public processes; (d) construction, construction administration, construction management, and permitting oversight; (e) operation, repairs and maintenance; (f) clearing title to, laying out and/or providing access to the MBTA right-of-way if and as necessary; (g) contingencies and cost overruns; and (h) otherwise meeting the Town's obligation under the Lease; and
2. To authorize the Town Administrator to engage a qualified consultant to advise the Town, from time to time, when sufficient funds have been donated, or any shortfall of funds donated, to accomplish the various purposes of the MOU.

TOWN OF DOVER

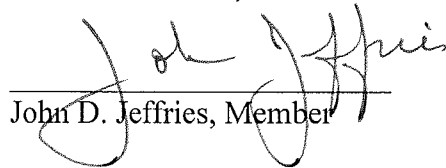
By its Board of Selectmen



Robyn Hunter, Chair



Candace McCann, Clerk



John D. Jeffries, Member

**RECORD OF VOTE OF THE DOVER BOARD OF SELECTMEN**

**BAY COLONY RAIL TRAIL LEASE**

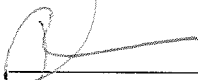
**February 16, 2017**

At a duly called public meeting of the Dover Board of Selectmen (the "Board") on February 16, 2017, the Board moved, seconded, and voted as follows with respect to the proposed Bay Colony Rail Trail (a/k/a the Dover Greenway) in the Town of Dover:

1. To request that the MBTA approve, before the Town's 2017 Annual Town Meeting, the attached form of "Alternative Transportation Corridor Lease Agreement by and between Massachusetts Bay Transportation Authority and Town of Dover" (the "Lease") with the applicable exhibits referenced therein;
2. To instruct Town Counsel's office to advise the Board of any proposed changes to the attached form of Lease requested by the MBTA or the Town either before or after Town Meeting; and, if any such changes are proposed after Town Meeting, to advise the Board whether those changes are consistent with Town Meeting's action with respect to the Lease; and
3. To request that the MBTA work with the Town to arrive at a mutually acceptable License Agreement and/or contingencies in the Lease to enable the Town to perform surveys, prepare plans and specifications, apply for governmental permits and approvals, solicit bids, and otherwise undertake mutually acceptable due diligence activities, and to ensure that sufficient private funds have been and will be donated to the Town to cover its obligations under the Lease.

TOWN OF DOVER

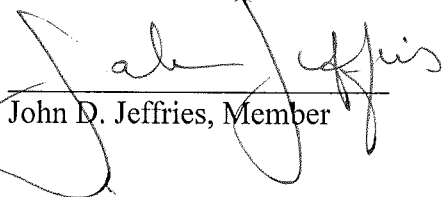
By its Board of Selectmen



Robyn Hunter, Chair



Candace McCann, Clerk



John D. Jeffries, Member