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APPROVED
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BOARD OF SELECTMEN
JOHN BLADON
STEVEN J. CORREIA
THOMAS J. FAY
JOSEPH F. NOLAN
SUSAN W. POPE

Board of Selectmen Executive Session Minutes November 28, 2011

Attendance: John Bladon, Steven Correia, Thomas Fay, Joseph Nolan, Susan Pope

Also Present: Town Administrator Fred Turkington, Town Counsel Mark Lanza, Wastewater Management District Commission Members Fred Knight, Sam Potter, David Schofield, Executive Assistant Bill Prendergast, Secretary MaryAnn DiNapoli

Purpose: The session was called at 8:15 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. Adopted 5-0) of the Board of Selectmen in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategies with respect to litigation between Twenty Wayland LLC and the Town of Wayland and the Wastewater Management District Commission as filed in court because the conduct of the hearing in an open meeting may have a detrimental effect on the litigating position of the Board.

Discussion: Town Counsel Mark Lanza reviewed the lawsuit filed by Twenty Wayland LLC regarding the capacity of the new wastewater facility. [REDACTED]

[REDACTED] The participants discussed the timeline and estimated cost of the litigation. T. Fay said that if the DEP agrees to increase capacity, the first three counts of the lawsuit become moot. The Board of Selectmen and the Wastewater Management District Commission discussed each of their roles in regard to liability and responsibility. T. Fay thanked the members of the Wastewater Management District Commission for their work.

Adjourn: By motion of S. Correia, seconded by J. Bladon, by roll call vote, unanimously voted to exit executive session at 9:17 p.m. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the November 28, 2011, Meeting

1. None