



# TOWN OF WAYLAND

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## BOARD OF SELECTMEN

JOHN BLADON  
EDWARD J. COLLINS  
STEVEN J. CORREIA  
DOUGLAS J. LEARD  
JOSEPH F. NOLAN

## CONFIDENTIAL

### Board of Selectmen Executive Session Minutes March 27, 2013

**Attendance:** John Bladon, Edward J. Collins, Steven J. Correia, Douglas J. Leard, Joseph F. Nolan  
**Also Present:** Town Administrator Fred Turkington, Town Counsel Mark Lanza, Secretary MaryAnn DiNapoli

**Purpose:** The session was called at 7:42 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (5-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to collective bargaining or litigation because an open meeting may have a detrimental effect on the bargaining or litigating position of the town.

**Discussion:** F. Turkington reviewed the discussion from last week's meeting regarding the need for a decision on whether to appeal the ruling of the Attorney General to disallow the bylaw passed at the October 2012 Special Town Meeting, "Adopt Bylaw re: Utility Herbicide Application." He said the deadline for filing the appeal is April 21. Town Counsel Mark Lanza expressed his view that the bylaw did not regulate herbicides as the state claimed, but rather it ensured compliance. He discussed the potential legal costs and the chance of successfully overturning a decision of the Attorney General. The Board discussed the precedent-setting effect and the merit of the appeal. F. Turkington said the Board should also consider the issue of supporting the vote of town meeting. E. Collins moved, seconded by D. Leard, to appeal the decision of the Attorney General in regard to the bylaw passed at the October 2012 Special Town Meeting, "Adopt Bylaw re: Utility Herbicide Application." YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Adjourn:** By motion of D. Leard, seconded by E. Collins, by roll call vote, it was unanimously voted to exit executive session at 8:11 p.m. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.