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# TOWN OF WAYLAND

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WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
STEVEN J. CORREIA  
DOUGLAS J. LEARD  
JOSEPH F. NOLAN

## CONFIDENTIAL

### Board of Selectmen Meeting Minutes Executive Session October 7, 2013

**Attendance:** Anthony V. Boschetto, Edward J. Collins, Steven J. Correia, Douglas J. Leard, Joseph F. Nolan  
**Also Present:** Acting Town Administrator John Senchyshyn and Executive Assistant MaryAnn DiNapoli

**Purpose:** The session was called at 8:34 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by a roll call vote of 4-0-1 (YEA: T. Boschetto, E. Collins, S. Correia, D. Leard. NAY: none. ABSENT: none. ABSTAIN: J. Nolan.) as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(1) to discuss the two Open Meeting Law Complaints filed by Kimberly Reichelt against the Board of Selectmen on September 3, 2013, and September 18, 2013, and to review for release the executive session minutes of September 9, 2013, September 16, 2013, September 23, 2013, and October 2, 2013. The discussion of the matter of Twenty Wayland LLC v. Town of Wayland and Wayland Wastewater Management District Commission was cancelled.

**Discussion:** The Board discussed the proposed edit of S. Correia to the executive session minutes of September 23, 2013. S. Correia said the purpose of the edit was to capture the intent of the conversation and to clarify his remarks. D. Leard expressed concern about the amount of text being amended. He said edits are typically factual corrections, such as the correction of E. Collins to the executive session minutes of September 16, 2013. He expressed doubt that a member would distinctly remember 108 words of text and dialogue, and worried about setting a precedent for future minutes. S. Correia said he relied upon the notes of the recording secretary, M. DiNapoli, and only wanted to provide clarity. He said the minutes need to reflect that T. Boschetto said there was no proof of a longer discussion with D. Leard. J. Nolan said if the Board disagrees as to the content of minutes, it should make use of the secretary's original notes. J. Nolan moved, seconded by S. Correia, to avail themselves of the notes of the secretary of September 23, 2013, so they can be compared against the draft minutes. T. Boschetto said anyone could avail themselves of the original minutes. He also noted that S. Correia had already admitted to adding two statements that were not in the original notes of the secretary. YEA: S. Correia, J. Nolan. NAY: T. Boschetto, E. Collins, D. Leard. ABSENT: none. ABSTAIN: none. Motion fails, 2-3. E. Collins said it was clear to him at the September 23 meeting that T. Boschetto said he asked D. Leard to put an item on the agenda, and they had not discussed the content of the agenda item. S. Correia said it is important to him that the minutes reflect his assertion that the Board violated the Open Meeting Law. T. Boschetto said the context must be included. J. Nolan suggested that the Board allow T. Boschetto to edit and clarify his remarks in the October 2, 2013, minutes, and accept the edit of S. Correia to the September 23, 2013, minutes. T. Boschetto added to the minutes of October 2, 2013, after the discussion regarding the text message to Attorney General: "T. Boschetto said that the text message of D. Leard was clear: when D. Leard was asked by S. Correia, 'What is this about,' D. Leard's text message clearly stated, 'I do not know.'" The request to add the item to the agenda was by done via email.

J. Nolan moved, seconded by E. Collins, to approve for release the executive session minutes edits of September 9, 2013, September 16, 2013, September 30, 2013, with the edits of S. Correia to the executive session minutes of September 23, 2013, and the edits of T. Boschetto to the executive session minutes of October 2, 2013. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

By motion of E. Collins, seconded by S. Correia, by roll call vote, it was unanimously voted to exit executive session at 9:06 p.m. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.