



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

FREDERIC E. TURKINGTON JR.
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

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

Board of Selectmen Meeting Minutes Executive Session August 12, 2013

Attendance: Anthony V. Boschetto, Edward J. Collins, Joseph F. Nolan

Also Present: Town Administrator Fred Turkington, Wastewater Management District Commission member Sam Potter, and Secretary MaryAnn DiNapoli

Purpose: The session was called at 9:06 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (YEA: T. Boschetto, E. Collins, J. Nolan. NAY: none. ABSENT: S. Correia, D. Leard. ABSTAIN: none. Adopted 3-0) of the Board of Selectmen in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) for the purpose of discussing strategy with respect to Twenty Wayland, LLC v. Town of Wayland and Wayland Wastewater Management District Commission as a discussion of these matters in an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

Discussion: F. Turkington distributed a timeline regarding the appeal process prepared by Town Counsel Mark Lanza, in conjunction with Special Counsel John Mirick. The Board reviewed the response by Twenty Wayland LLC to the Town's appeal. E. Collins said the response was inadequate and did not address the merits of the case. T. Boschetto asked how the town makes its reply; F. Turkington said once the response from the plaintiffs' counsel, Attorney Daniel Dain, is received, then the town asks permission from the court to respond. The Board considered whether to review the response of Town Counsel before submission, and F. Turkington advised that the town has only seven days to respond following the court granting permission to do so. E. Collins stated it would be unlikely that the Board would have time to meet before the deadline. He further stated that the response to Dain's opposition filing is limited to issues discussed in that brief, and given the lack of cited material contrary to the town's position, there would not be much substance to review. J. Nolan said he would defer to counsel. S. Potter updated the Board on the status of continuing discussions with Massachusetts Department of Environmental Protection in regard to release of permit flow to Twenty Wayland based on favorable water use at open Town Center retail properties.

By motion of J. Nolan, seconded by E. Collins, by roll call vote, it was unanimously voted to exit executive session at 9:40 p.m. YEA: T. Boschetto, E. Collins, J. Nolan. NAY: none. ABSENT: S. Correia, D. Leard. ABSTAIN: none. Adopted 3-0.

Items Distributed for Information and Use by the Board of Selectmen at the August 12, 2013, Meeting

[REDACTED]