



TOWN OF WAYLAND

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

Board of Selectmen Meeting Minutes Executive Session December 9, 2013

Attendance: Tony V. Boschetto, Edward J. Collins, Steven J. Correia, Joseph F. Nolan (arrived 6:43 p.m.)
Also Present: Interim Town Administrator Robert Mercier, Acting Town Administrator John Senchyshyn, Town Planner Sarkis Sarkisian, Wastewater Management District Commission members Sam Potter and Fred Knight (arrived 6:41 p.m.), Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli

Purpose: The session was called at 6:32 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by a unanimous roll call vote of the Board (YEA: T. Boschetto, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0) as permitted by Massachusetts General Laws Chapter 30A, Section (a)(3) to discuss the strategies with respect to pending litigation between the Twenty Wayland, LLC and the Town and its Wastewater Management District Commission.

Discussion: Town Counsel Mark Lanza updated the Board on the Twenty Wayland LLC litigation. [REDACTED]

[REDACTED] S. Potter said Brendan Homes is proceeding with the purchase of the property, so the issue of a potential lawsuit is no longer relevant, as Twenty Wayland cannot claim damages over the loss of the sale. He said the only delay now is the appeals and comment period. The Board reviewed its options and discussed what outstanding issues remained with Twenty Wayland LLC. S. Sarkisian said the Planning Board is holding a bond for consultants, which they will continue to hold. He recommended the release of a \$3 million Planning Board bond for infrastructure and road improvements within the town center project. The Board noted that the Board of Public Works is holding a bond for the offsite work that involves the intersection improvements. J. Nolan expressed concern about the use of the bonds as a negotiating issue. E. Collins asked if Twenty Wayland is interested in a settlement; S. Potter said he believed they were. The Board discussed the formation of a working group to begin discussions. T. Boschetto said he had a personal relationship with Tony DeLuca, a principal of the company, and would bring a different face to the table. S. Potter suggested that E. Collins brings legal expertise. S. Correia suggested that a previous Board member, such as Tom Fay, would have a long-term relationship with the project. F. Knight suggested waiting until after the first of the year, after the issue of betterments is settled. J. Nolan asked R. Mercier to review the Board's options for further discussion.

By motion of E. Collins, seconded by S. Correia, by roll call vote, it was unanimously voted to exit executive session at 7:15 p.m. YEA: T. Boschetto, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the December 9, 2013, Meeting

1. None