



NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN  
MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

## Board of Selectmen Meeting Minutes November 24, 2014

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson (left at 7:18 p.m.), Joseph F. Nolan

**Also Present:** Town Administrator Nan Balmer, Executive Assistant MaryAnn DiNapoli

**A1. Call to Order by Chair** Chair J. Nolan called the open meeting of the Board of Selectmen to order at 6:00 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. He reviewed the agenda for the public.

**A2. Public Comment** John Dyer, 287 Cochituate Road, requested that the bronze plaque in the former septage facility be saved and given to the Historical Commission. He said the town should not demolish the facility, but rather clear the attachment to the Town of Sudbury and then put the building up for sale. Werner Gossels, 17 Bennett Road, said that any action in regard to the septage facility requires town meeting action, and the Board is acting without authority. He said the facility should be declared a nuisance by town meeting, the land should be restored to its original condition, and the inter-town agreement should be terminated. Bonnie Gossels, 15 Bennett Road, said that the Town of Sudbury must pay half the restoration cost; she noted that the building is blocking the land behind it and the town is losing the opportunity to have frontage along Route 20.

**A3. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Discuss the Value of Real Estate (Wayland-Sudbury Septage Facility) and A4. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (3), with the Wastewater Management District Commission, to Discuss Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town of Wayland** At 6:10 p.m., J. Nolan moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to discuss the exchange, lease or value of real estate (Wayland-Sudbury Septage Facility). The Chair declares that a public discussion of strategy with respect to the exchange, lease or value of real estate will have a detrimental effect on the negotiating position of the Town. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair J. Nolan invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/HE Director John Senchyshyn, Special Counsel Pat Kantor, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli.

At 6:11 p.m., J. Nolan moved, seconded by E. Collins, to enter into executive session with the Wastewater Management District Commission pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland. The Chair declares that a public discussion of strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland, LLC, and the Town of Wayland and the Wastewater Management District Commission will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair J. Nolan invites attendance by Wastewater Management District Commission members Fred Knight, Sam Potter and Rick Greene, Town

Administrator Nan Balmer, Town Counsel Mark Lanza. The Board will reconvene in open session at approximately 6:55 p.m.

The Board returned to open session at 7:19 p.m.

**A5. Potential Vote on the Disposition of the Wayland-Sudbury Septage Facility** T. Boschetto moved, seconded by E. Collins, that the Board accept the October 20, 2014, appraisal from The Appraiser's Group, that the septage disposal facility formerly operated by the Town of Wayland and the Town of Sudbury on land owned by the Town of Wayland located on Route 20 at the Wayland-Sudbury town boundary has no market value, and that the Town of Wayland take all the necessary steps to demolish the facility, and notify the Town of Sudbury as to such lack of market value and intent to demolish and the Town of Sudbury's obligation to reimburse the Town of Wayland for half of the demolition cost, as provided in the Septage Disposal Agreement between Wayland and Sudbury dated June 4, 1991; and that the Board authorize counsel and the Assistant Town Administrator to work with Selectman Joseph Nolan to prepare the notice to Sudbury. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A6. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any** J. Nolan said, "I know of none."

**A7. Adjourn** There being no further business before the Board, M. Antes moved, seconded by T. Boschetto, to adjourn the meeting of the Board of Selectmen at 7:23 p.m. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**Items Distributed for Information and Use by the Board of Selectmen at the November 24, 2014, Meeting**

1. Proposed Motion on the Disposition of the Wayland-Sudbury Septage Facility