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# TOWN OF WAYLAND

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

## Board of Selectmen Meeting Minutes Executive Session December 1, 2014

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Town Administrator Nan Balmer, Town Counsel Mark Lanza, Wastewater Management District Commission members Sam Potter and Rick Greene, and Executive Assistant MaryAnn DiNapoli

**Purpose:** The session was called at 6:03 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21a (6), 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; and to discuss strategy with respect to pending litigation and collective bargaining; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (2) to discuss strategy with respect to contract negotiations with nonunion personnel (Town Administrator), and to review and consider for approval and potential release the following executive session minutes relative to the said subjects: August 26, 2013, April 8, 2014, April 28, 2014, May 5, 2014, May 12, 2014, May 19, 2014, June 23, 2014, and July 28, 2014, because a public discussion of pending litigation and collective bargaining, and the review and consideration for approval and potential release of executive session minutes, will have a detrimental effect on the bargaining or litigating position of the Town.

**Discussion:** The Board reviewed the executive session minutes. C. Karlson moved, seconded by M. Antes, to approve and release the executive session minutes of August 26, 2013, June 23, 2014, and July 28, 2014, with redactions; and to approve and release the executive session minutes of April 8, 2014; and to approve and hold the executive session minutes of April 28, 2014, May 5, 2014, May 12, 2014, and May 19, 2014. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

J. Nolan advised the Board that there was nothing new to report in regard to the discussions with Twenty Wayland LLC.

J. Nolan said he would like to have the agreement finalized before the end of the year. The Board then discussed the need to resolve the issue of indemnification in order to finalize the Memorandum of Agreement with the Wastewater Management District Commission. Board members considered the possibility of lawsuits and the legal responsibility of the parties.

The Board was joined by Wastewater Management District Commission members Fred Knight, Sam Potter, and Rick Greene at 6:45 p.m.

Participants discussed the Memorandum of Agreement with the Wastewater Management District Commission (the Inter-Board Agreement). J. Nolan advised the members of the WMDC that it was the consensus of the Board of Selectmen to reject the indemnification in the agreement. He said the WMDC had agreed to contribute \$175,000 to the settlement agreement without restriction. Members discussed options for coming to an agreement. [REDACTED]

[REDACTED] Participants discussed the date of the payment of the PILOB (Payment in Lieu of Betterments) and agreed to use the date of July 1, 2015.

C. Karlson moved, seconded by M. Antes, to exit executive session at 7:08 p.m. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the December 1, 2014, Meeting**

1. Draft Executive Session Minutes of August 26, 2013, April 8, 2014, April 28, 2014, May 5, 2014, May 12, 2014, May 19, 2014, June 23, 2014, and July 28, 2014
2. Proposed Memorandum of Agreement between Town of Wayland and the Wastewater Management District Commission