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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 8, 2014

Attendance: Mary M. Antes, Tony V. Boschetto, Edward J. Collins (arrived at 6:40 p.m.), 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 6:37 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: E. Collins. ABSTAIN: none. Adopted 4-0) 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 because a public discussion of pending litigation will have a detrimental effect on the bargaining or litigating position of the Town.

Discussion: The Board reviewed the changes since the last meeting to the proposed settlement agreement between Twenty Wayland LLC and the Town of Wayland and the Wayland Wastewater Management District Commission. It was noted that the changes were in the payment of \$40,000 per unit sold, which will look first to the owner of the residential parcel before pursuing collection remedies against other parties, and the addition of the language, "The Town will assign Twenty Wayland the nonexclusive right to collect the \$40,000 payments." T. Boschetto asked to add to the end of the sentence, "on behalf of the town," and the Board agreed. J. Nolan said the changes have been sent to Twenty Wayland but they have not responded yet.

[REDACTED]

In regard to the Inter-Board Agreement, S. Potter offered the following negotiating point: that the Wastewater Management District Commission will hold available capacity for the use of the library in the event that the library septic system fails. Participants agreed that F. Knight and C. Karlson would continue to negotiate the Inter-Board Agreement.

E. Collins moved, seconded by M. Antes, to exit executive session at 7:05 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 8, 2014, Meeting

1. Draft Settlement between Twenty Wayland LLC and the Town of Wayland and the Wayland Wastewater Management District Commission