



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 Executive Session January 5, 2015

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins (arrived 6:36 p.m.), Cherry C. Karlson, Joseph F. Nolan

**Also Present:** Town Administrator Nan Balmer, Town Counsel Mark Lanza, Town Planner Sarkis Sarkisian, Wastewater Management District Commission members Fred Knight, Sam Potter and Rick Greene, and Executive Assistant MaryAnn DiNapoli

**Purpose:** The session was called at 6:35 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 was joined by Town Planner Sarkis Sarkisian and Town Counsel Mark Lanza to discuss the use of the municipal pad at the town center. [REDACTED]

[REDACTED] S. Sarkisian displayed a map with the proposed community center on the municipal pad, with all the regulatory issues overlaid. [REDACTED]

[REDACTED] the town is not bound to the proposed parcel. J. Nolan said Anthony DeLuca, principal of Twenty Wayland, was amendable to a discussion of the municipal land. M. Lanza said the town has the right to 70,000 sq. ft. The Board discussed negotiating to find a mutually acceptable solution. C. Karlson asked about the town green; S. Sarkisian said the town green is two acres, and under the control of Twenty Wayland. J. Nolan suggested that the town green could be moved to include the boat launch. M. Lanza said there may be issues of impervious surface. The Board discussed preparing a warrant article in time for the 2015 Annual Town Meeting. The Board agreed to continue the discussion at its next meeting.

S. Sarkisian left the meeting at 7:00 p.m. The Board was joined by F. Knight, S. Potter, and R. Greene.

Participants discussed the term statement for the settlement agreement with Twenty Wayland LLC. M. Antes moved, seconded by C. Karlson, to accept the conditions of the term sheet and to sign the Settlement Agreement between Twenty Wayland LLC and the Town of Wayland and the Wastewater Management District Commission, and to authorize the Town Administrator to send to Twenty Wayland LLC the signed agreement after execution, and to authorize Town Counsel to engage the Counsel of Twenty Wayland LLC to begin authorizing the final settlement. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. S. Potter moved, seconded by R. Greene, to accept

the conditions of the term sheet and to sign the Settlement Agreement between Twenty Wayland LLC and the Town of Wayland and the Wastewater Management District Commission, and to authorize the Town Administrator to send to Twenty Wayland LLC the signed agreement after execution, and to authorize Town Counsel to engage the Counsel of Twenty Wayland LLC to begin authorizing the final settlement. YEA: R. Greene, F. Knight, S. Potter. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 3-0. F. Knight opened the discussion on the Inter-Board agreement. F. Knight suggested that the Board and the Commission split the legal costs equally. C. Karlson noted that the wastewater statute states wastewater expenses must be paid from the enterprise fund. [REDACTED]

[REDACTED] The Board considered under which circumstances the legal obligations could be shared. It was agreed to continue the conversation at a later date.

M. Antes moved, seconded by C. Karlson, 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 January 5, 2015, Meeting**

1. Map prepared by Town Planner Sarkis Sarkisian with the Proposed Community Center on the Municipal Pad, with all the Regulatory Issues Overlaid
2. Draft Memorandum of Agreement between the Board of Selectmen and the Wastewater Management District Commission
3. Term Statement for the Settlement Agreement between Twenty Wayland LLC and the Town of Wayland and the Wastewater Management District Commission