

## Wayland Wastewater Management District Commission

DATE OF MEETING: Monday, 9 June 2014

TIME OF MEETING: 6:00 PM

PLACE OF MEETING: Town of Wayland Senior Center

In Attendance: Fred Knight, Rick Greene, Sam Potter, Cynthia Cincotta

### MEETING MINUTES

- 6:00 1. Public Comment  
None.
- 6:10-9:00 2. Executive Session with the Board of Selectmen on litigation with 20Wayland and potential litigation with other users
3. Executive Session on litigation with 20Wayland and potential litigation with other users
- 9:00 4. Rate hearing update  
Statement to Wastewater Users Read:
- Working together, the Wayland Wastewater Management District Commission and Board of Selectmen have decided to pursue betterments to finance the capital costs of the Wastewater Treatment Facility. Since betterments are part of the FY2015 budget, we do not need to hold a rate hearing. As a result, the scheduled rate hearing for 2014 June 11<sup>th</sup> is no longer necessary and is hereby canceled. Under advice of Special Counsel, the WWMDC is not able to say more at this time.
- 9:10 5. Abatement method  
Rick Greene is working on the abatement form and process. He has researched multiple towns and cities.
- 9:21 6. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.  
None.
- 9:22 7. Any action based on executive session  
None.
- 9:23 8. Calendar: upcoming meetings and events, including hearings.  
The 11 June 2014 meeting is canceled.
- 9:24 9. Public Comment  
None.
- 9:34 10. Adjourn

### MOTION TO GO INTO EXECUTIVE SESSION

MOVER: I move that the Wastewater Management District Commission enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges, if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town, and potential litigation by a group of WWMD users as threatened by their lawyer.

CHAIR: Is there a second to the motion to enter into executive session? The Chair declares that discussion of strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges as stated in open session of the Commission on May 19, 2011 in an open meeting may have a detrimental effect on the litigating position of the Town and potential litigation mentioned in communication from Kurt Fliegau, who represents a group of users.

CHAIR: Roll call vote. Mr. Greene. Aye. Mr. Potter. Aye. Chair votes aye. Motion passes.

CHAIR: The Board invites attendance by Town Counsel Mark Lanza, special Counsel Damon Seligson, and Board of Selectmen. The Board will return to a second executive session in approximately 75 minutes.

### **MOTION TO GO INTO EXECUTIVE SESSION**

Same as above except the last: CHAIR: The Board invites attendance by Town Counsel Mark Lanza, special counsel Damon Seligson, and Admin Executive Cindy Cincotta. The Board will return to open session in approximately 55 minutes.