

Meeting Minutes
EMRGENCY MEETING
BOARD OF SELECTMEN
Thursday, August 19, 2021
8:30 a.m.
Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland, MA

Attendance: Thomas J. Fay, Cherry C. Karlson, Carol B. Martin, David V. Watkins, Adam G. Gutbezah

Absent: None

Also Present: Town Administrator Louise Miller, Management Analyst Seath Crandall

A1. Call to Order by Chair, Review the Agenda for Public: At 8:33 a.m., T. Fay called the meeting of the Board of Selectmen to order when a quorum was present. T. Fay announced that pursuant to Chapter 20 of the Acts of 2021, the meeting would be conducted with remote access only, live-streamed and recorded for later broadcast on the local WayCAM Government Channel. T. Fay announced that there was no in person attendance and members of the public could participate remotely. T. Fay described how to participate in the meeting. T. Fay named each board member participating.

A2. Announcements and Public Comment: There were none.

A3. Executive Session:

I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to potential litigation related to the Happy Hollow Playground.

Prior to entering executive session, T. Fay lead a discussion of the appropriateness of the meeting posting and discussing this topic in executive session. L. Miller stated there is potential litigation over work being done on the Happy Hollow School playground. A family has retained an attorney, and town counsel is in settlement discussions with their attorney. The Board needs to make two decisions: review and vote on the terms of the potential settlement agreement and provide timely direction to the contractor as the work is underway. A. Gutbezah asked if the family's attorney had given a deadline. L. Miller replied that she was not aware of one. The timing issue is to notify the contractor of how to proceed with the project. C. Karlson asked if the contractor works on the weekend and whether the School Committee had discussed the settlement in open session at its meeting last night. D. Watkins asked about the 48-hour notice required for meetings. L. Miller and T. Fay explained that an emergency meeting can be called if the set of circumstances demand immediate action. The Board understood that it cannot discuss the matter without calling a meeting.

Note: C. Martin had technical connection issues and was not present for all discussions or votes.

L. Miller concluded if the Board wants to wait and post a meeting for Saturday that town counsel can continue to work on the settlement agreement with the understanding that nothing can be finalized without the Board's review and approval. Given that it is raining today, and no construction will occur, the contractor can likely wait for directions until first thing on Monday.

T. Fay was inclined to wait and post a meeting for Saturday. L. Miller will research the posting requirements for a Saturday meeting. A quorum was available to meeting on Saturday at 10:00 am.

At 8:51 a.m., D. Watkins moved, seconded by A. Gutbezah, to adjourn the meeting. Roll Call Vote: YEA: C. Karlson, D. Watkins, A. Gutbezah, T. Fay. NAY: none. ABSENT: C. Martin. ABSTAIN: none. Adopted 4-0.